

**Corrections Grand Jury
2023 Report**



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

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EXECUTIVE SUMMARY

Pursuant to Oregon Revised Statute ORS 132.440, the 2023 Corrections Grand Jury (CGJ) was convened on September 22, 2023, with the goal of writing an annual report about the condition and management of the four correctional facilities in Multnomah County. The grand jury toured the correctional facilities and received testimony from management, front line workers, and adults in custody (AIC). The CGJ also heard testimony from multiple stakeholders within the criminal justice system.

The CGJ, which consists of Multnomah County residents, learned about the dedication of the work force and stakeholders in the Multnomah County correctional facilities. The CGJ found that these correctional facilities are providing adequate accommodations, life skill development, and health care. The CGJ suggests the following recommendations to improve the condition and management of the correctional facilities:

- Complete a post factor study¹ to determine accurate current staffing needs for the Multnomah County Sheriff's Office (MCSO).
- Expand the tablet program at all facilities.
- Complete an independent audit of overtime pay and hours for MCSO.
- Fully support the Equity and Inclusion Unit for MCSO.
- Complete a Prison Rape Elimination Act (PREA) audit of MCSO to stay in compliance.

¹ The Post Factor Study examines current staffing needs of every post within the Multnomah County Sheriff's jail facility. The last report was completed in 2007.

INTRODUCTION

Statutory Background

Pursuant to Oregon Revised Statute ORS 132.440, a grand jury was convened on September 22, 2023, with the ultimate goal of writing a public report about the condition and management of the four correctional facilities in Multnomah County.

ORS § 132.440:

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

Methodology

The court selected seven jurors to serve as the CGJ on September 22, 2023. The CGJ spent over 100 hours touring facilities, receiving sworn testimony, and writing this report. These facilities are:

- Multnomah County Detention Center (MCDC)
- Multnomah County Inverness Jail (MCIJ)
- Donald E. Long Juvenile Justice Center (JJC)
- Columbia River Correctional Institution (CRCI)

Two of the original grand jurors withdrew and were replaced by alternates, one of whom joined in the second week after two of the facility tours had already taken place.

The CGJ was given the opportunity to listen to sworn testimony of people working within the facilities along with other stake holders such as food service, attorneys, and medical staff. The CGJ was given the opportunity to receive sworn testimony from selected sentenced AICs,² but was not able to interview youths in custody due to their pending matters before the court.

The CGJ was able to complete our statutory duty and encountered little to no barriers accessing the correctional facilities. The CGJ had access to those working in the adult facilities, other stake holders, and AICs, however we would have appreciated a broader representation from the staff working in JJC.

MULTNOMAH COUNTY JAIL SYSTEM

The Multnomah County jail system consists of two facilities operated by the Multnomah County Sheriff's Office (MCSO): Multnomah County Detention Center (MCDC), a maximum security jail, and Multnomah County Inverness Jail (MCIJ), a medium security jail. The Multnomah County Health Department provides healthcare within the jail system. The average stay in MCDC and MCIJ is approximately 20 days.

² The CGJ did not question any AIC that had an open and unresolved criminal matter before the court.

Multnomah County Detention Center

MCDC is located at 1120 SW 3rd Avenue, Portland, Oregon 97204. The CGJ toured the facility on Tuesday, September 26, 2023. MCDC opened in 1983 and has the capacity to house 448 adults in single cell housing.

MCDC serves as the initial booking facility for all arrestees within Multnomah County and houses AICs for the county, as well as state and federal AICs. Upon intake at MCDC, each AIC is evaluated by a process known as "classification," which determines their placement within the Multnomah County jails. Individuals with acute or readily apparent needs are assigned to mental health or medical units based on availability. A person remains in custody when they do not post security or are otherwise detained.³

Conditions

- MCDC was built in 1983, with a 20-year life expectancy; the building is well past its intended life.⁴
- The low lighting and design of MCDC is intended to lower stress for those who are being booked and staff working in the building.
- The CGJ heard testimony that the poor acoustics within MCDC make it difficult to conduct court proceedings from the facility via video calls.
- MCDC's facility was not designed to meet today's high needs when it comes to acute mental health issues and complex physical health concerns.
- During the CGJ tour, the elevator briefly failed. The staff stated this was a common occurrence and why some of them are hesitant to use it.
- Overall, the building appeared clean, but is clearly showing signs of age.

Recommendations

The CGJ recommends the community start discussing the retrofit and replacement of MCDC.

Testimony was received that the population in custody is changing, which is resulting in different security and health care needs. The CGJ recommends a study be conducted examining the emerging acute mental and acute physical health needs.

In the short term, the CGJ recommends that MCDC retrofit spaces to improve acoustics, allowing for video conference calls from within the facility. We believe that this may allow for more court matters to be held remotely, with the consent of the defendants.

Multnomah County Inverness Jail

Multnomah County Inverness Jail (MCIJ) is a medium security jail located at 11540 NE Inverness Drive, Portland, Oregon 97220. The facility opened in 1988, expanded in 1991, and expanded again in 1998. The building is designed primarily with an open dormitory layout and has a capacity of 18 dormitories and 937 beds. Currently, the funded capacity is 14 dormitories with 682 beds. The staffing at MCIJ averages one deputy for 20 AICs. The CGJ toured MCIJ on September 27, 2023.

³ An adult will remain in custody in the local jail if 1) they are not afforded security because they are charged with murder or treason, per ORS 135.240(2)(a); 2) they are preventatively detained pending trial, per ORS 135.240(4)(a); 3) they have an out-of-state fugitive hold, per ORS 133.797; 4) they have a probation violation hold; 5) they have a Department of Corrections hold; 6) they have a U.S. Marshal hold; 7) they have a Post-Prison Supervision hold; or 8) they are serving a sentence upon conviction.

⁴ 2022 CGJ Report; <https://www.mcda.us/wp-content/uploads/2022/12/2022-CGJ-Final-Report.pdf>

Conditions

- The overall condition of MCIJ appeared to be adequate. The open dormitories have large windows that allow natural light. The building felt more open than MCDC and featured artwork on the walls.
- The CGJ observed that many spaces had portable air quality devices, such as filters and humidifiers. Staff made comments on how these portable units help with the overall air quality of the facility.
- The CGJ observed that MCIJ was clean and in a reasonable state of repair.
- The CGJ heard testimony from staff that they are witnessing more “prison-like behavior” from AICs than in previous years. The classification of the AIC population is changing, as AICs now have more serious charges and are pending trial for longer periods of time, which increases the need for supervision.

Recommendations

The CGJ recommends that consideration be given to upgrading outdated systems, such as the HVAC system.

MULTNOMAH COUNTY SHERIFF’S OFFICE – CORRECTIONS DIVISION

Although there are two physical correctional facilities operated by MCSO, they operate as one system. The following observations are based upon MCSO Corrections as a whole.

Management

Staffing, budget, and overtime

Staffing and overtime have been common topics mentioned numerous times throughout our tours, interviews, and in past CGJ reports. Staffing shortages have been emphasized in regard to mental health of staff throughout both facilities.

As of August 1, 2023, MCSO had 30 vacancies out of 376 total budgeted deputy positions.⁵ Jail posts and 24-hour medical units must be staffed with qualified certified employees at all times. Last fiscal year, 24% of nursing staff positions were vacant.⁶ Due to staffing shortages for MCSO and Corrections Health, mandatory overtime is a regular occurrence.

	FY23 Budget	FY23 Actuals
MCSO Corrections Facilities	\$ 76,424,806	\$ 76,542,826
60000 Permanent	\$ 40,007,062	\$ 35,051,119
60110 Overtime	\$ 2,894,842	\$ 9,032,392

This reliance on overtime to cover unfilled positions has an impact on the MCSO Corrections staffing budget. In FY23, MCSO budgeted \$2,894,842 for overtime, and spent \$9,032,392 in actual overtime costs. To better understand these numbers, it is important to recognize that MCSO budgeted approximately \$5,000,000 in corrections staff salaries that was not spent because the positions were never filled. These funds helped to cover overtime costs.

This year, the Multnomah County Board of Commissioners also approved \$6.3 million in contingency funding to address a shortfall in state allocations for key public safety personnel and services.⁷

⁵ Sheriff’s Office Position Summary Document, dated 8/1/23

⁶ <https://www.wweek.com/news/2023/10/11/as-inmates-died-multnomah-countys-jails-lost-their-doctors/>

⁷ <https://www.multco.us/multnomah-county/news/multnomah-county-board-commissioners-unanimously-approves-63-million>

The CGJ heard testimony that staffing is a core issue for the operations of MCDC and MCIJ. These are examples of how a lack of staff negatively impacts operations:

- AICs experience extended lockdowns due to lack of deputies.
- AICs are delayed access to their defense attorneys due to being locked down.
- Transportation to court hearings is heavily impacted by lack of deputies, which has a cascading effect on the entire courthouse schedule.
- Staff health and wellness is impacted by mandated overtime, contributing to the staffing crisis in a vicious cycle.
- Lack of staff impacts access to programs. It requires staff to vet and support outside programs who wish to support AICs.
- Staffing levels can negatively impact timely access to medical care, such as medication.
- Low staffing levels can lead to a forced shut-down in booking operations.⁸

Mandatory overtime may impact retention of staff, as testimony indicated that incoming new hires do not find overtime as attractive as prior generations. Furthermore, the CGJ heard testimony that this overtime may discourage prospective new hires, as they seem to value quality of life over overtime shifts. This creates a compounding cycle, leaving the correctional facilities perpetually short-staffed.

The mental health of the staff is important. The CGJ heard testimony that mandatory overtime can cause lower morale, increase fatigue, and burnout. This impacts mental health of the correctional staff which also could decrease the quality of care of the AICs.

The CGJ heard testimony that the last Post Factor Study, a study to determine the total number of staff needed to optimally run the jail facilities, was done in 2007.

The CGJ heard testimony that MCSO does not currently have an employee retention program. Additionally, the CGJ heard testimony from MCSO staff that the Employee Assistance Program (EAP) is inadequate to meet the needs of first responders due to staffing shortages.

Recommendations

The CGJ believes relying on this much overtime to cover unfilled positions is not sustainable, and is negatively impacting corrections staff, health department staff, and the AICs.

The CGJ strongly urges MCSO and Corrections Health to complete the Post Factor Study and act on the recommendations of the subsequent report. The CGJ is concerned about the vacancies both in deputy positions and health department staff, as well as the current staffing model that does not appropriately address staff leave. In addition, we believe there should be an independent audit of overtime expenditures.

The CGJ urges MCSO and Corrections Health Department to continue to look for creative and innovative solutions to the ongoing staffing shortages. We also recommend MCSO gather data around trends to strategically target retention incentives.

Health

There is a shortage of staffing for mental health. The CGJ heard testimony that there are not currently enough deputies assigned to the acute mental health unit, 4D. There are only 10 beds. As a result, many

⁸ <https://www.koin.com/local/multnomah-county/multnomah-county-jail-halted-booking-suspects-monday-due-to-low-staffing-levels/>

AICs who qualify to be housed in 4D were subsequently placed in a different unit which is not designed for their level of mental health needs, whether at MCDC or MCIJ.

The CGJ also heard testimony that MCDC houses many with acute mental health and medical needs. MCDC has two initial assessments of physical and mental health that help in classification, one of which is written at a third-grade reading comprehension level. This has had a correlating result of AICs reporting more medical concerns in both facilities.

The facilities have the equipment necessary to perform routine medical care. AICs with more complex or challenging healthcare needs are transported to emergency or specialty care outside the jail facilities.

Recommendations

The CGJ recognizes the immense challenge for health department staff, who are not the primary care providers, but are treating AICs with ongoing complex mental and physical health conditions. The CGJ recommends expanding capacity in the acute mental health unit, both to increase the number of beds and to increase the number of deputies who are trained to work in this unit.

Safety

The CGJ heard testimony that fentanyl continues to be a growing concern. In response, MCSO has upgraded scanning machines and updated search policies to detect contraband, as well as continued training for deputies. This has resulted in more contraband being detected; however, fentanyl continues to be increasingly difficult to detect and prevent. Both facilities are stocked with Narcan to quickly address drug overdoses.

Multnomah County Corrections Deaths in Custody

2023 has been a uniquely tragic year with seven AIC deaths in MCDC and MCIJ as of October 31, 2023. One death was determined to be a result of natural causes and two were ruled suicides. Four are still under investigation as of October 31, 2023.⁹ MCSO has publicly responded that they are being proactive in identifying risks, creating solutions to prevent further incidents, and to bring an independent third party to review the process.¹⁰

In addition to receiving testimony from the Sheriff, MCSO, and Corrections Health staff, the CGJ reviewed a recording of a special briefing held on September 12, 2023, with Multnomah County Board Commissioners and MCSO.¹¹ Corrections Health management shared information about their efforts to prevent deaths in custody and stated that they are taking a proactive stance to evaluate and prevent future incidents. The CGJ encourages the 2024 CGJ to continue to review the progress of the results of their investigations and changes to their procedures.

Attorney Access

The CGJ heard testimony from an AIC, as well as two defense attorneys, that there are numerous barriers for AICs to access legal counsel. Low staffing results in AICs being locked down in their cells or confined to their bunks, delaying access to receiving phone calls or visitors.

⁹ https://multnomah.granicus.com/MetaViewer.php?view_id=3&event_id=2933&meta_id=169088

¹⁰ https://www.mcso.us/site/pdf/Community_letter_from_Multnomah_County_Sheriff_Nicole_Morrisey_ODonnell_on_recent_deaths_in_custody_August_3_2023.pdf

¹¹ <https://www.multco.us/multnomah-county/news/multnomah-county-board-briefed-sheriff%E2%80%99s-office-corrections-health>

Prison Rape Elimination Act Compliance

The Prison Rape Elimination Act (PREA) was established in 2003 to address the issues of sexual abuse and sexual harassment of persons in the custody of U.S. correctional facilities. Pursuant to PREA policy requirements, each agency reports their data annually. Every three years, all correctional facilities in Multnomah County receive a national PREA audit by an auditor certified by the U.S. Department of Justice.

Summarized PREA information is provided to each person booked into custody and is available in multiple languages.

There is a dedicated PREA MCSO Coordinator to oversee reporting and compliance. The CGJ heard testimony that due to the additional duties of the current MCSO PREA Coordinator, additional resources are required to ensure PREA standards continue to be met, such as adding one to two positions dedicated to PREA compliance in order to ensure timely completion of regular PREA audits.

MCSO's last PREA audit was in 2017. MCSO is overdue on its PREA audit and the CGJ recommends following up on this as soon as possible. In addition, staffing for this work would benefit from 1-2 positions dedicated to PREA compliance in order to ensure timely completion of regular PREA audits.

Meals

Aramark contracts with Multnomah County to provide meals and a snack at both MCDC and MCIJ. The CGJ sampled lunch while at MCIJ and interviewed the food services manager. The CGJ found that the food, while bland, met nutritional needs. The food services manager testified that accommodations are made for special dietary requirements, however, the CGJ heard testimony that one AIC, who is diabetic, was not receiving meals that conformed to his medical dietary needs. AICs are also able to purchase food items from the commissary.

Tablets

MCSO currently has a limited tablet program for AICs. The CGJ heard testimony that it would be beneficial to expand the current tablet program. The need for tablets was a common request from both the staff and AICs during our tour of the facility. Tablets would improve communications, accessibility to information for individual cases, and provide enrichment. The CGJ encourages all facilities to expand tablet access. Electronic tablets could also serve to ease the logistical burden presented by physically transporting AICs to meet with legal counsel and attend court proceedings, and to review criminal discovery.

Equity and Inclusion

The CGJ heard testimony that MCSO is a corrections institution leader in developing policies that appropriately house AICs based on their gender identity. These policies are being used as a model in other jurisdictions nationwide.

Multnomah County established a new executive level MCSO Diversity, Equity, and Inclusion (DEI) Director position in 2020. Two supporting positions were later added at the request of the Director.

The goals of the DEI Director are:

- Organizational culture via intercultural awareness of power and privilege.
- Promotion and professional development by equitable opportunity and elimination of barriers to promotion and professional development.
- Retention by addressing disparities in retention based on race and non-dominant culture identities.

- Recruitment and pipeline programs with a commitment for consistently diverse candidate pools for positions at every level of the organization.

The CGJ commends MCSO for recognizing the need to create an inclusive and equitable workplace and jail system, and for taking the steps to create these positions and create a plan for their implementation. The CGJ heard testimony and had access to documents that raised concerns about how the implementation of the Equity and Inclusion team is progressing. The first DEI Director resigned in 2023, citing concerns about workplace culture at MCSO. These concerns included disturbing incidents of micro and macro aggressions, intimidation and threats, withholding access to documents, and being shut out of decision-making meetings.

Recommendations

The CGJ recommends that greater support be given to the DEI Director and staff so that the unit has access to the needed tools and resources to complete its goals. The CGJ recognizes a clear link between the culture of MCSO and their greatest challenge: staffing. Addressing workplace culture has the potential to increase retention, and make MCSO positions attractive to a more diverse pool of candidates. This action would allow MCSO's proposed plan to have a greater chance of success, while holding the agency accountable to the community's call for transformational reform and culture change. The CGJ recognizes the efforts made by MCSO to improve diversity of staff, gender affirming care, and inclusion programs. The CGJ feels that there needs to be a greater emphasis for staffing Knowledge, Skills and Abilities¹² (KSAs) in addition to addressing other language and cultural needs.

DONALD E. LONG JUVENILE JUSTICE CENTER

The Juvenile Justice Center (JJC), located at 1401 NE 68th Avenue, Portland, Oregon 97213, is operated by the Multnomah County Department of Community Justice Juvenile Division and serves the tri-county region. The facility is utilizing 48 beds: 29 for Multnomah County; 19 for Washington County, and eight for Clackamas County. Eight beds (one unit) are used for girls and gender nonconforming youth, and 40 beds (three units) are for boys. Youth being held in this facility are between the ages of 15 and 25 years of age.

The majority of youth in detention are pre-adjudicated. Very few youth are serving a detention sanction, as Oregon statute limits sanctions to eight days per petition. The daily average of beds occupied is 31.8 beds. Youth are evaluated every 10 days to determine whether detention is still the least restrictive means to ensure the welfare of the youth and safety of the community while the youth are pending adjudication.

The CGJ was able to tour the library, dorm area, gym, outdoor recreation space, and the healthcare unit. The CGJ was able to hear testimony from some management staff, but did not have access to speak to Juvenile Custody Service Specialists, Juvenile Justice Counselors, or teachers within the facility's school program.

JJC Summary of Conditions, Safety, and Operations

Conditions

From our brief visit it appeared that conditions were adequate and sanitary for the purposes of the facility. JJC is in the process of renovating parts of the facility and has made progress on their

¹²

https://multco.preservica.com/Render/render/waybackproxy/20130914002100/https://multco.us/sites/default/files/employee-labor-relations/documents/guidelines_for_usage_and_approval_of_ksas_for_local_88_employees.pdf

remodeling plans. The CGJ viewed the outdoor recreational area with completed resurfaced floor and new exercise equipment. The outdoor recreational area was temporarily closed during our visit due to adding video cameras to better monitor the space. Remaining updates to the facilities include shower additions, renovating the nurses' station, improvements to create a more trauma-informed living environment, and continued safety upgrades such as better lines of sight for security purposes.

Meals

Youth receive three meals a day plus afternoon and evening snacks. All meals are prepared in the facility using fresh ingredients and provided via carts in dorms using an "offer vs. serve" model in which youth select what they want to eat from the items available. The United States Department of Agriculture (USDA) School Lunch Program subsidizes breakfast and lunch, resulting in a larger budget per meal than at MCDC and MCIJ. Culturally specific meals like tinga and pozole are some of the youth's favorite items. The CGJ sampled a meal of chicken nachos and was pleased with the quality and taste.

Medical

Multnomah County Corrections Health staffs the medical services, including RN coverage from 7:30 am-11:00 pm. Services include flu and COVID vaccination clinics as well as substance use disorder treatment. Dental services and new equipment have recently been added onsite. A recently added nurse supervisor position oversees nursing staff at JJC. The CGJ commends the agency for successfully transitioning to Epic¹³ digital records in 2020.

Programming and Education

Programming includes skill building workshops (on subjects such as goal setting and mental health), spiritual services, PSU Capstone, street soccer, library services, tutoring, music, art projects, and Dove Lewis therapy dogs. JJC partners with Latino Network and Portland Opportunities Industrialization Center (POIC) to offer diversion programs.

High school education is provided through the Multnomah Education Service District (MESD) Bars to Bridges transitional program of daily class offerings. 80% of students are on an individualized education program (IEP), meaning they have been identified as having a disability that impacts their education and they have a legal right to accommodations. The CGJ was informed that MESD is looking into providing tablets to youth to assist with their education. Unfortunately, the CGJ was not able to speak with any staff from the school.

The CGJ toured the dorm that currently serves as the library. Multnomah County Library staff visit once a week and conduct programs such as music recording and songwriting.

Job readiness and vocational programming is offered for youth who are no longer in detention, including forklift training, gardening programs, and a Culinary Arts Youth Program for youth interested in developing skills in the food service industry.

Restorative Justice

JJC is in the process of shifting to restorative justice practices in their programming and operations to emphasize repairing the harm caused by criminal behavior. Their Restorative Dialogue program facilitates discussions to create a safe and healing space to promote empathy and accountability. A restorative justice coordinator was hired this year.

¹³ <https://www.epic.com/>

Audits and PREA results

The facility undergoes multiple inspections each year and adheres to the standards mandated by the Juvenile Detention Standards for Oregon (ORS 169.740). The November 2022 inspection results were in full compliance with all standards.

JJC passed their PREA audit in 2022.

Recommendations

The CGJ heard testimony that only one employee had a Spanish KSA designation, while other staff provided language assistance ad-hoc. The contract was recently updated to add additional KSAs. The CGJ would like to see this implemented as soon as possible and added to current positions and future vacancies in an effort to increase representation and access, both for justice-involved youth and for their families. The CGJ believes it is critical that staff reflect the language and culture of the youth in order to provide connection and support.

The CGJ heard testimony that there has been a gardening program in the past, but it was interrupted by the pandemic and safety concerns and has not been brought back. The CGJ would like to see the gardening program revived to provide youth an opportunity to connect their science lessons with nature.

The CGJ heard testimony that the JJC is moving towards a more trauma-informed, restorative justice model of interacting with youth while in custody.¹⁴ The CGJ recognizes that by its very nature, incarceration is a traumatizing experience, and the tension between this fact and running a trauma-informed facility can be hard to reconcile. We commend this shift towards trauma-informed practices.

Similarly, the CGJ is encouraged by the shift to restorative practices, which emphasize reparation of harm over a punitive response. The CGJ recognizes that justice involved youth are often survivors of trauma, are still developing and are deeply impacted by the adults in their lives and broader societal issues such as poverty and racism. The work of juvenile corrections has a huge potential to help or harm a youth at a pivotal stage in their development. The CGJ did not have the opportunity to speak to frontline staff to hear more details about how restorative justice and trauma-informed care are being implemented, and wish for future grand juries to have more opportunities to hear about the details, as well as the educational programs.

The CGJ heard testimony that one of the main staffing challenges at JJC is the length of time it takes to hire new staff. Background checks must be completed by different agencies, and the hiring process can take months. During this time, some candidates find employment elsewhere.

COLUMBIA RIVER CORRECTIONAL INSTITUTION

Columbia River Correctional Institution (CRCI) is a minimum-security prison, located at 9111 NE Sunderland Avenue, Portland, Oregon 97211. CRCI is operated by the Oregon Department of Corrections, with a capacity of housing 595 AICs. CRCI is populated by AICs who have five years or less remaining to serve on their sentence, and serves as a release facility for those who will reside in Multnomah County, Clackamas County, or Washington County following release. CRCI houses AICs who are lower risk, both behaviorally and medically. The focus of AICs' time at CRCI is to prepare for life post-incarceration.

¹⁴ Trauma-informed is defined as looking at the youth as a whole person and recognizing the societal and interpersonal traumas that have impacted them. The five guiding principles of trauma-informed care are safety, choice, collaboration, trustworthiness, and empowerment.

Conditions

CRCI houses AICs in open dormitories, with much more freedom of movement than the jail facilities due to its lower security status. The conditions at CRCI were also very different than the other county jail facilities the CGJ toured. The facility has high ceilings, an abundance of natural light, and well-maintained grounds. The CGJ heard testimony that, perhaps due to all of the glass in the building, the indoor temperatures are not always comfortable during the summer and winter. The building is over 30 years old and renovations are beginning to be needed. The dishwasher was recently replaced, and the HVAC system is nearing the end of its life. The CGJ noticed signs of deferred maintenance throughout the facility. The intake vents were dusty, there was evidence of leaking windows, and many ceiling tiles were missing. The outdoor recreation area seemed to be well maintained, complete with weights and organized sports for the AICs.

Meals

The food at CRCI appeared to meet nutritional needs. The CGJ was impressed that the Department of Corrections (DOC) chose to run their own food services, rather than contracting it out to a third party. The DOC works with a nutritionist to create menus for all state correctional facilities, providing AICs with 3,200 calories a day and meals made from scratch. At CRCI, AICs prepare the meals under the supervision of the Food Services Manager and staff. Through this program, AICs are able to receive food service training, food handler's certification, and letters of recommendation upon release. The food at CRCI was subjectively the best tasting of the three meals the CGJ tried.

Recommendations

The CGJ recommends timely renovation of the CRCI facility, specifically with a focus on improving the HVAC system to maintain safe and comfortable temperatures within CRCI, as well as improved indoor air quality. The CGJ also recommends increased access to the garden program for interested AICs as a form of nature therapy. Finally, the CGJ recommends covering part of the outdoor area to make it more usable during the rainy months and as well as during the hottest parts of the summer.

Health and Safety

The CGJ spoke with three AICs at CRCI. All three testified to feeling safe within the facility. CRCI, like all of the correctional facilities in Multnomah County, uses a grievance process to bring any safety concerns to light, and the AICs testified that those concerns are addressed promptly. One AIC testified that there is a need for greater access to mental health programming. In his words, "Everyone wants to change, but there's not enough tools right now."

One program of note is the Alternative Incarceration Program (AIP). This program allows AICs who have been authorized by the court to participate in substance use disorder and mental health treatment. Participation can result in a reduction in sentence time.

For non-emergent medical needs, AICs send a request to be seen, which is triaged by the nursing staff. According to the nurse manager AICs are seen within 24 hours of their request. The nurse manager also testified that staffing is at a safe level, but that staffing is still a challenge, due to staff absences. Finding agency nurses to fill in can be difficult. The AICs testified that non-urgent care, such as needing glasses, can take as long as eight months.

The CGJ also heard testimony that CRCI is still using paper medical record keeping. The DOC has entered into a contract with Epic digital records but the transition had not yet started.

Recommendations

We heard testimony that communal living is challenging for AICs who are introverted. The CGJ recognizes the challenges of balancing diverse needs with safety; and recommends that where feasible, AICs have increased access to opt-into spaces where they can be alone for a pre-determined amount of time.

Operations

The CGJ had the opportunity to speak with the Superintendent at CRCI. They shared that their leadership focuses on making the working conditions for CRCI staff as safe and as positive as possible. The CGJ commends this philosophy of leadership, focusing on the relationship of the AICs and staff. Unlike the county jail system, CRCI is currently well staffed and only has one to two correctional officer vacancies. There is, however, a need to create new positions to better coordinate with community organizations and programs tasked with supporting AICs with reintegration into society.

The CGJ spoke with staff in the mailroom who detailed the precautions taken with screening the mail to prevent drugs from entering the facility. As fentanyl continues to be a concern, particularly with its ability to evade detection due to different formulations, they requested upgraded equipment to test the mail before passing it on to AICs.

All three AICs that the CGJ spoke with discussed the programs in which they participate, such as classes in partnership with Portland Community College, internships, positive decision making, relapse prevention, men's groups, and spiritual and cultural activities such as Pow-Wows. We heard testimony that more programs were available before the pandemic, and that current programming has not yet recovered to the previous levels.

The CGJ had the opportunity to tour the Law Library, which is a legal resource for AICs. The Law Library includes computers with Westlaw, which is software that assists AICs in researching legal issues, and a legal coordinator. Westlaw is the same software that is commonly used by practicing attorneys. The AICs can access their discovery documents,¹⁵ conduct legal research and write legal documents to aid in potentially overturning their conviction, assist them in their personal legal issues (ex: eviction, child custody), or to seek a shorter sentence. SB 819 allows AICs to apply to the District Attorney who prosecuted their case to change, vacate, or modify their sentence or conviction in the interest of justice. The AICs appreciate the Multnomah County District Attorney's SB 819 program, which has staff dedicated to reviewing these requests.

The AICs we spoke with reported that communication with the outside world is a challenge. They reported that there are only three phones per dorm area, which house 80 people each, and AICs have 30-minute time slots to make phone calls. The lack of access to phones can cause tension among the AICs. In addition, there are only 11 tablets available for communication purposes.

Recommendations

We recommend increasing the number of phones and tablets available to AICs to improve communications with approved persons and resources. These tablets would increase access to current programs offered at CRCI. Along with these forms of communication, upgraded mail screening equipment to prevent drugs from entering the facility would be beneficial.

¹⁵ Discovery is a legal term for the requirement that the prosecution provide all police reports and other relevant materials that could assist the defense in preparation of their case.

We heard testimony that a limiting factor in programming is the staff available to support and vet programs from the outside community. The CGJ recommends increasing staffing to allow for more rehabilitative and educational programs, specifically focused on mental and behavioral health, relapse prevention, and job training for a living wage position in the Portland Metro area.

The superintendent stated in order to maintain previous programming, they need to increase the number of program managers for existing and new programs. This would support the superintendent's goal of improving the health and welfare of staff and AICs.

OVERALL CONCLUSIONS

The CGJ recognizes the tension in the community, both at the county and state level, between diverting public funds and resources away from incarceration, and the ongoing need to adequately fund, maintain, and staff facilities that are healthy and safe. As mentioned above, concerns with staffing shortages have been identified in CGJ reports over many years and remain unsolved.

The CGJ recommends that MCSO complete a post factor study to determine accurate current staffing needs, complete an independent audit of overtime pay and hours, complete a PREA audit of MCSO to stay in compliance, and fully support the Equity and Inclusion Unit.

Increasing access to tablets throughout all four correctional facilities will provide multiple benefits, such as assisting with communication, education, and access to justice.

Every facility has an issue of deferred maintenance. The organizations are doing their best to maintain the aging infrastructure, but each facility is reaching the end of its useful life. The time for finding funds to address these issues is now.

WE WOULD LIKE to thank

The CGJ would like to recognize the Multnomah County Corrections Health Management Team for making themselves available at every county facility during the tours.

The CGJ would also like to recognize Captain Diamond for her transparency and willingness to locate additional requested information.

2023 MULTNOMAH COUNTY CORRECTIONS GRAND JURY WITNESS LIST

9/22/2023 Multnomah County Courthouse:

Jeffrey M. Lowe, Multnomah County Deputy District Attorney

9/26/2023 MCDC Tour:

Captain Denise Diamond, Corrections Compliance Manager

Captain Brian Parks, MCDC Facilities Commander

Sergeant Mihai Bascuti, Corrections Operations

Rachael Lee, Senior Operations Manager Correction Health

Myque Obiero, RN, Corrections Health Director

Eleazar Lawson, MD, Multnomah County Health Department Medical Director

Michelle Cannavino, Mental Health Manager

Amy Quist, Lead Forensic Evidence ID Technician

Sergeant Jordan Bryant, Corrections

Brittany Hood, AIC

9/27/20233 – Multnomah County Courthouse:

Travis Sewell, Multnomah County Deputy District Attorney, Justice Integrity Unit

9/27/20233 – MCIJ Jail Tour:

Captain Kurtiss Morrison, MCIJ Facilities Commander

Sergeant Steven Nicholson, Corrections Operations

Sergeant Brandon Pedro, Corrections

Deputy James Kessinger, Corrections Deputy Trainer

Edward Climer, Aramark District Manager (Food Service)

Albert Meidl – AIC

Deputy LaRae Ross, PEP Program

Sergeant Daniel Brown, PEP Program

9/28/2023 – Multnomah County Court House Interviews:

Deputy Nicole Buscher, Union President

Jennifer Grogan, MCSO Human Resources Manager

Scott Schlimpert, MCSO Finance Manager

Jon Harms-Mahlandt, MCSO Chief of Business Services

Captain Rian Hakala, Corrections Training

Katie Burgard, MCSO Chief of Staff

Captain William Hong, Court Services (Transport)

Stephanie LaCarrubba, MCSO Facilities Services Mgr.

Captain Carey Kaer, MCSO Investigations

Deputy Sheriff Dylan Lerch, MCSO Jail Detective

Chief Deputy Steven Alexander, Agency Services

Chief Deputy Stephen Reardon, Corrections Facilities

9/29/2023 – Multnomah County Court House Interviews:

Sheriff Nicole Morrisey O'Donnell

10/3/2023 – Donald E. Long, Juvenile Detention Center Tour:

Kyla Armstrong-Romero, Juvenile Services Director

Ken Jerin, Juvenile Services Division Manager

Kate Molina, Senior Deputy District Attorney
Belinda Pascaul, Community Justice Program Manager
Ashley Adams, RN, Nursing Supervisor
Patrick Bennett, Intake Specialist

10/5/2023 – Multnomah County Courthouse Interviews:

The Honorable Cheryl A. Albrecht, Multnomah County Chief Criminal Judge

10/6/2023 – Multnomah County Courthouse Interviews:

Susheela Jaypal, Multnomah County Commissioner District 2
Jessica Vega-Pederson, County Chair

10/10/2023 – MC Courthouse Interviews:

Multnomah County District Attorney Mike Schmidt

10/11/2023 – Multnomah County Courthouse Interviews:

Alicia Herscher, Criminal Defense Attorney

10/12/2023 – CRCI Tour:


Stacy Jackson, Executive Support Specialist Corrections
Shannon McLean, Correctional Officer, Mail Room CRCI
Jason Hanson, CRCI Superintendent
Dane Koznek – CRCI Nurse Manager
Rita Hartley DDS, CRCI Dentist
Francisco Hernandez, CRCI Food Services Manager
Caleb Pulative, CRCI Legal Coordinator
Justin O. North, AIC
Kyron Trevino, AIC
Shylas Windsong, AIC

10/13/2023 – Multnomah County Courthouse Interviews:

Drake Durham, Criminal Defense Attorney

JUROR SIGNATURES

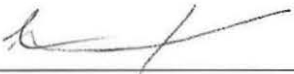
2023 Corrections Grand Jurors



Jaclyn Leon, Foreperson



Patricia Morán, Alternate Foreperson



E. C. Mathews, Clerk



Richard McGonigle



Cedric McLaurin



Leah Plack



Leo Morales