

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Work Session: Community Justice Initiative Update

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Meeting Date: June 15, 2016  
Department: Central Services  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: A  
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#### **ISSUE STATEMENT**

In April 2015, the City Manager sent a memo to inform the City Council about a new Community Justice Initiative. The overarching goals of this new initiative are to address quality of life public safety issues while working in collaboration with community partners to weave together a basket of services to help community members find paths to wellness, and still have a system that holds the most serious offenders accountable. The purpose of this work session is to update the council on staff efforts and progress, including a community court pilot project.

#### **BACKGROUND**

For many years, the municipal justice system has experienced multiple challenges, which have hindered its ability to reduce property and behavioral crime in Eugene and to create a safe community. The most significant challenges have included:

- The number of misdemeanor case filings entering the system significantly exceeds the capacity of the City Prosecutor and Municipal Court's ability to adjudicate in a timely manner;
- Ineffectiveness in reducing property and behavioral crime recidivism, primarily (though not exclusively) because defendants are not matched with the appropriate social services, such as substance abuse treatment, job training, or homeless services, which would help defendants address their underlying conditions and reduce the likelihood of reoffending;
- The high volume of new filings entering the system, including cases where no substantial City interest is served by the prosecution or where there are non-criminal alternatives to prosecution, prevents the City Prosecutor's Office from focusing on the cases that would make the biggest difference in terms of reducing crime and recidivism in the community; and
- Limited jail bed capacity and insufficient non-jail sanction alternatives, such as community service and treatment options, contribute to the court sanctions often not being tailored to support a defendant's likelihood of success.

Attachment A provides a summary of existing system challenges from the perspective of the Presiding Judge, Municipal Court Administrator, Police Chief, and City Prosecutor.

In order to address these and other challenges, an interdepartmental policy team was created to work on a new Community Justice Initiative. Members of this team include the Central Services Executive Manager, Police Chief, City Attorney, Municipal Court Judge, Assistant Municipal Court Judge, City Prosecutor, Court Administrator, and several other staff members from the Eugene Police Department and Central Services Department. The overarching goals of this new initiative are to address quality of life public safety issues while working in collaboration with community partners to weave together a basket of services to help community members find paths to wellness, and still have a system that holds the most serious offenders accountable. The system will strive to reach a balance of fairness, accountability, and compassion for community members while working to garner the trust of the community.

In order to achieve these goals, the team established seven municipal justice system objectives:

- Implement community-based problem solving and restorative justice;
- Reduce crime and recidivism and minimize repeat customers;
- Provide individualized treatment for community members;
- Ensure high system cooperation and compatibility;
- Strive for quick and swift resolution of cases;
- Involve, listen to and build trust in the community (including victims); and
- Work for adaptability of the system and ability to re-evaluate and adjust as needed.

The initiative is intended to create a system that expands the solution set and removes boundaries to provide multiple paths at various contact points to connect the community members with services, support, and alternative resolution. In essence, each facet of the system will approach problem-solving through an expanded lens by offering “off ramps” out of the traditional justice system with the goal of utilizing legal system resources for those cases in need of stronger sanctions or greater accountability. Rather than waiting for cases to reach the court system for triage to alternative sanctions and services, Eugene Police Officers and the City Prosecutor will proactively evaluate each individual situation in order to determine what “off ramps” may apply. A summary of the potential “off ramps” is provided in Attachment B.

### **Community Justice Initiative Progress To-Date**

Over the past year, the Community Justice Team has been working on advancing the above objectives via several collaborative efforts, the most significant of which are described below:

- Utilizing a \$50,000 grant from the State Justice Institute, Municipal Court staff completed a Caseflow Management Assessment that provided a number of recommendations for improving case management at all stages of the municipal justice process.
- Municipal Court judges and staff, in close coordination with the City Prosecutor’s Office, have been working on reducing the existing case backlog. The team reduced the backlog by 19 percent.
- Completed implementation of a City Prosecutor electronic case management system.
- The City Prosecutor’s Office was relocated to a larger and more functional space at the Atrium.
- Municipal Court staff partnered with the National Center for State Courts to complete an assessment of the existing Mental Health Court program.

- Eugene Police staff have been conducting community outreach with retail merchants and downtown business owners to inform them about alternative response options and other crime reduction strategies for low-risk offenses, such as theft in the third degree. As part of this effort, staff are working on developing a pilot restorative justice program that would provide an alternative “off ramp” for low-risk retail theft offenses.
- The City Attorney’s Office staff have been examining possible changes to the City Code that would provide for greater flexibility in responding to certain low-risk offenses.
- Municipal Court staff, in partnership with the Lane County Sheriff’s Office, have been working on the implementation of offender assessment tools.

Attachment C provides a summary of the reports and analyses prepared over the past year as part of the Community Justice Initiative. Due to the large volume of information, full copies are provided in the City Council notebook rather than attachments to this agenda item summary.

### **Site Visit to Spokane, WA**

In February 2016, several members of the Community Justice Team made a site visit to Spokane, Washington to learn about their implementation of community court concepts, and about the challenges and considerations associated with transitioning from a traditional criminal justice approach to a community court model. Spokane was selected because it is one of the recognized leaders in community justice initiatives regionally and nationally, and because its demographic profile and the size of the metro area are similar to those of Eugene.

Spokane’s community court model is based on seeking to reduce property crimes and quality of life offenses through a collaborative, problem-solving approach to crime, with a particular focus on the downtown area. In partnership with the Spokane Police Department, prosecuting attorney, public defender, social services providers and other stakeholders, Spokane’s community court is focused on factors impacting defendants’ criminal behavior, addresses victims’ needs, and holds defendants accountable.

During the work session, staff will provide a thorough overview of the Spokane community court system and how it will be modeled for Eugene. Key concepts of the Spokane model include:

- Partnering with a wide range of social services providers and other stakeholders to help court customers address their challenges and achieve lasting behavior modification.
- A research partner to assist with evidence-based, data driven program evaluation to see what is working, and what are the impacts on public safety outcomes.
- Strong support from elected officials, executive leadership, and community stakeholders.

### **Community Justice International Summit in Chicago**

In April 2016, several members of the Community Justice Team and Councilor Pryor attended the Community Justice International Summit, which is a joint project of the Bureau of Justice Assistance, an agency of the U.S. Department of Justice, and the Center for Court Innovation.

This conference brought together an international audience of practitioners and researchers to explore the most pressing issues and best practices in criminal justice reform. Conference topics included strategies for community engagement, addressing community justice funding needs,

reduction in jail-based sanctions, offender risk and needs assessments, addressing substance abuse and mental health issues as they relate to the criminal justice system, ensuring procedural justice and legitimacy, exploring restorative justice options, young adult justice issues, and others.

At the Community Justice International Summit, the City of Eugene was recognized as one of the ten communities nationwide that was awarded a \$200,000 community court grant with no local monetary match requirement to assist with implementation of the community court concepts. In issuing the grant award, the Bureau of Justice Assistance and the Center for Court Innovation noted a substantial amount of recent progress towards implementing a community court model in Eugene, as well as Eugene's strong commitment to finding innovative and effective ways to improve its municipal justice system and achieve better public safety outcomes. Additional background information regarding this grant opportunity is provided in Attachment D.

### **Grant-Funded Pilot Projects**

The recently awarded community court grant will cover a two-year period from July 2016 through June 2018. The pilot project will at first be focused on offenses committed within one block of LTD's downtown station, and then expand to cover the EPD's downtown patrol area after the mechanics of the program are worked out. A map of the downtown patrol area is provided in Attachment E. The pilot program will be geared towards non-violent offenses, such as open container violations and theft in the third degree.

An essential component of the grant is the community court case management process, which will identify eligible offenders, conduct an initial assessment, and develop an individualized case plan. The grant funds will cover one limited duration case manager position, courtroom security, training and hardware costs, as well as technical assistance from the Center for Court Innovation. A decision on whether to continue the program beyond the two-year grant period will be based on an evidence-based assessment of its effectiveness in reducing crime and recidivism.

### **RELATED CITY POLICIES**

The Community Justice Initiative supports the council goals of safe community and effective and accountable municipal government.

### **COUNCIL OPTIONS**

The council is invited to provide feedback on the overall policy direction of the Community Justice Initiative. No council actions are suggested at this time.

### **CITY MANAGER'S RECOMMENDATION AND SUGGESTED MOTION**

There are no specific recommendations or suggested motions at this time.

### **ATTACHMENTS**

- A. Statements of existing challenges for the municipal justice system
- B. Community Justice process diagram

- C. Summary of Community Justice reports and analyses
- D. Intergovernmental Relations Committee memo regarding CCI community court grant
- E. Downtown patrol area map

**FOR MORE INFORMATION**

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