

LEX QUOD ORDO

| Association of Prosecuting Attorneys | Quarterly Newsletter | Fall 2014 |

WELCOME TO THE LATEST EDITION OF LEX QUOD ORDO (LAW AND ORDER), APA'S QUARTERLY NEWSLETTER DEDICATED TO HIGH PERFORMANCE PROSECUTION. THIS FALL HAS BEEN A BUSY AND PRODUCTIVE TIME AT APA, AND WE LOOK FORWARD TO SHARING WITH YOU OUR RECENT PROJECTS AND SUCCESSSES.

MOST RECENTLY, APA, IN PARTNERSHIP WITH THE BUREAU OF JUSTICE ASSISTANCE (BJA) AND THE CENTER FOR COURT INNOVATION (CCI), HOSTED THE 9TH NATIONAL PROSECUTION SUMMIT IN DALLAS, TEXAS ON SEPTEMBER 22- 24, 2014. THE CONFERENCE WAS HELD AT THE HISTORIC ADOLPHUS HOTEL AND DREW OVER 170 PROSECUTORS AND ALLIED CRIMINAL JUSTICE PROFESSIONALS FROM ACROSS THE U.S. AND ABROAD. HIGHLIGHTS FROM THE SUMMIT WILL BE FEATURED IN GREATER DETAIL WITHIN THIS NEWSLETTER, BUT WE AT APA WOULD LIKE TO THANK OUR FACULTY AND ALL PARTICIPANTS FOR THEIR SUPPORT, COLLABORATION, AND PARTNERSHIP IN HELPING TO MAKE THIS SUMMIT AN OVERWHELMING SUCCESS. WE PLAN TO UTILIZE MANY OF THE GREAT IDEAS AND OPPORTUNITIES DISCUSSED THROUGHOUT THE SUMMIT TO HELP FURTHER DEVELOP TRAINING AND NO-COST TECHNICAL ASSISTANCE FOR PROSECUTORS SEEKING TO IMPLEMENT INNOVATIVE PROSECUTION PROGRAMS AND IMPROVE PUBLIC SAFETY.

ALONG WITH HIGHLIGHTS FROM THE 9TH NATIONAL PROSECUTION SUMMIT, THIS EDITION ALSO FEATURES AN ARTICLE FROM TREATMENT ALTERNATIVES FOR SAFE COMMUNITIES (TASC) EXPLORING COINCIDING TRENDS IN PRETRIAL PROGRAMS AND EXPANDED HEALTH CARE COVERAGE. THE EXPANDED IMPLEMENTATION OF DIVERSION PROGRAMS IS DOCUMENTED IN A NEW NATIONAL SURVEY CONDUCTED BY THE CHICAGO-BASED CENTER FOR HEALTH AND JUSTICE AT TASC, WHICH RECENTLY RELEASED A REPORT IDENTIFYING AND DESCRIBING A SAMPLE OF MORE THAN 100 CRIMINAL JUSTICE DIVERSION PROGRAMS FROM ACROSS THE COUNTRY UPON WHICH JUSTICE SYSTEMS INCREASINGLY RELY. AS THE REPORT NOTES, THE ADVENT OF FEDERAL HEALTH CARE REFORM UNDER THE AFFORDABLE CARE ACT (ACA) OFFERS THE PROSPECT OF APPLYING A PUBLIC HEALTH APPROACH AT SCALE TO THE LONGSTANDING CHALLENGES THAT OCCUR AT THE INTERSECTION OF CRIME, SUBSTANCE USE DISORDERS, AND MENTAL ILLNESS.

WE ALSO FEATURE AN ARTICLE HIGHLIGHTING ATHENS COUNTY, OHIO'S RECENTLY LAUNCHED FRESH START PROGRAM. DEVELOPED BY ATHENS COUNTY PROSECUTOR KELLER J. BLACKBURN AND HIS TEAM UNDER THEIR COMMUNITY JUSTICE INITIATIVE, FRESH START SEEKS TO ADDRESS PROBLEMS WITH DRUGS AND TO GIVE DRUG-ADDICTED INDIVIDUALS AND THE COMMUNITY AT LARGE SOME HOPE BY USING MONEY FROM DRUG-RELATED FORFEITURES AND RELATED SEIZURES TO HELP FUND DRUG TREATMENT INFRASTRUCTURE, ALLOWING INDIVIDUALS WHO WANT TREATMENT TO GET IT EVEN IF THEY CANNOT INITIALLY FOOT THE BILL. BLACKBURN HOPES THAT FRESH START CAN BECOME A MODEL FOR OTHER CITIES THAT HAVE MORE DRUG TREATMENT NEEDS THAN THEIR BUDGETS CAN FULFILL.

THIS EDITION ALSO FEATURES INFORMATION ABOUT A NEWLY CREATED POSITION OF POST- CONVICTION DEPUTY DISTRICT ATTORNEY WITHIN THE MULTNOMAH COUNTY DISTRICT ATTORNEY'S OFFICE. REFLECTING A GROWING NATIONAL TREND, MULTNOMAH COUNTY DISTRICT ATTORNEY ROD UNDERHILL RECENTLY ANNOUNCED THE CREATION OF THE NEW POSITION, WHICH IS DESIGNED TO FURTHER ENSURE THE INTEGRITY OF THE PROSECUTION FUNCTION, CONVICTIONS, AND THE POST-CONVICTION PROCESS.

AS ALWAYS, WE ENCOURAGE YOU TO REACH OUT TO US AT OUR WEBSITE, WWW.APAINC.ORG, CONNECT WITH US ON OUR FACEBOOK PAGE, AND FOLLOW US ON TWITTER.



- ROBERT HOOD

DIRECTOR, COMMUNITY PROSECUTION AND VIOLENT CRIME DIVISION

Athens County Prosecutor Give Addicts Hope and a Fresh Start

Written By | Sarah Schweig | Senior Writer | Center for Court Innovation

ATHENS COUNTY PROSECUTOR KELLER J. BLACKBURN WAS CONVICTING THE GUILTY BUT HE WANTED TO DO MORE. HE WANTED TO SOLVE PROBLEMS. "I BELIEVE THE REAL ROLE OF THE PROSECUTOR IS TO MAKE THE COMMUNITY BETTER," BLACKBURN SAID.

IN THE OHIO COUNTY, 600 CASES GO THROUGH THE PROSECUTOR'S OFFICE PER YEAR; OF THOSE, 90 PERCENT ARE RELATED TO DRUGS AND ADDICTION. AND WITH THE RECENT OPIATE EPIDEMIC SWEEPING COMMUNITIES ACROSS THE COUNTRY, ESPECIALLY THOSE HIT HARD BY THE RECESSION, THE PROBLEM IS ONLY GETTING MORE SEVERE. "IF WE ELIMINATE THE DRUG PROBLEM, WE ELIMINATE MOST OF THE CRIME," BLACKBURN SAID.

IN AUGUST 2014, BLACKBURN AND HIS TEAM ANNOUNCED THE LAUNCH OF A NEW PROGRAM, FRESH START, WHICH SEEKS TO SOLVE THE DRUG AND RELATED BUDGET PROBLEMS. FRESH START USES MONEY FROM DRUG-RELATED FORFEITURES AND SEIZURES TO HELP FUND DRUG TREATMENT INFRASTRUCTURE. IN EFFECT, THIS MEANS THOSE WHO WANT TREATMENT CAN GET IT, EVEN IF THEY CAN'T INITIALLY FOOT THE BILL. "IT DOESN'T WORK WHEN SOMEBODY WANTS TO GO INTO TREATMENT ONLY TO FIND THEY'RE FACING A SIX MONTH WAITING LIST," EXPLAINED JOHN HASELEY, WHO WAS BROUGHT IN BY BLACKBURN TO FOCUS ON THE PROSECUTOR'S COMMUNITY JUSTICE INITIATIVE. THE MONEY FROM THE FORFEITURES GOES TOWARD THE PROSECUTOR'S FRESH START EFFORT, WHICH IS FURTHER SUPPORTED BY A PRIVATE FUND CREATED BY BLACKBURN AT THE ATHENS FOUNDATION WHICH ALLOWS COMMUNITY MEMBERS AND BUSINESSES TO TAKE PART IN THE SOLUTION BY MAKING DONATIONS.

ATHENS COUNTY HAS A 33 PERCENT POVERTY RATE, THE HIGHEST IN OHIO, AND ITS RESIDENTS HAVE BEEN HIT HARD BY THE ECONOMIC RECESSION. "THERE'S A LOT OF HOPELESSNESS," SAID HASELEY.

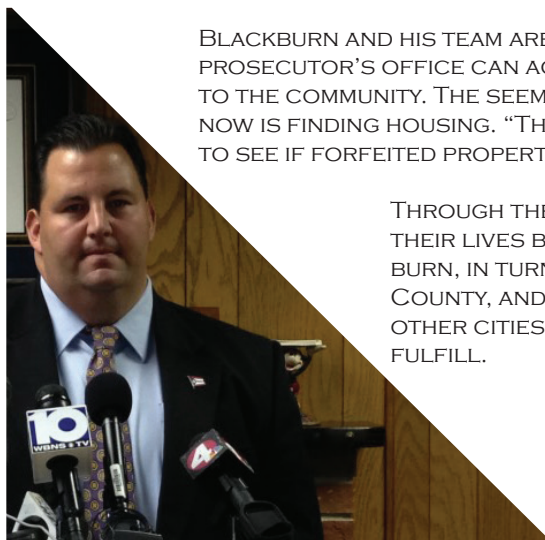
FRESH START IS PART OF A FOUR-PRONGED APPROACH THAT BLACKBURN AND HIS TEAM DEVELOPED UNDER THE COMMUNITY JUSTICE INITIATIVE TO GRAPPLE WITH THE DRUG PROBLEM AND TO GIVE DRUG-ADDICTED INDIVIDUALS AND THE COMMUNITY AT LARGE SOME HOPE. ANOTHER COMPONENT IS THE ATHENS COUNTY EMPOWERMENT (ACE) PROGRAM, WHICH DIVERTS PEOPLE FROM INCARCERATION TO PARTICIPATE IN COMMUNITY RESTITUTION PROJECTS LIKE HELPING TO RESTORE A RUNDOWN BUILDING OR WORKING WITH TOWN TRUSTEES ON A BEAUTIFICATION EFFORT. IN 2013, 122 PEOPLE WERE REFERRED TO THE ACE PROGRAM, AND A TOTAL OF 133—SOME FROM THE YEAR BEFORE—SUCCESSFULLY COMPLETED IT, AND HAD THEIR CASE DISMISSED. "PARTICIPANTS WORK WITH OTHERS AND FEEL GOOD ABOUT THE VISIBLE THINGS THEY DO THAT MAKE A DIFFERENCE IN THE COMMUNITY," HASELEY SAID.

BECAUSE PROPERTY CRIME IS OFTEN PART OF THE CYCLE OF DRUG CRIME, AS ANOTHER COMPONENT OF THEIR APPROACH, THE PROSECUTING ATTORNEY'S OFFICE HAS STARTED A PROPERTY CRIME TASK FORCE, WHICH INCLUDES MEETINGS WHERE PARTICIPANTS IN THE ACE PROGRAM EDUCATE COMMUNITY MEMBERS ABOUT PROTECTING THEMSELVES FROM THEFT.

BLACKBURN AND HIS TEAM ARE ALSO WORKING WITH THEIR COUNTY'S REENTRY TASK FORCE TO SEE HOW THE PROSECUTOR'S OFFICE CAN ACTIVELY PLAY A ROLE IN HELPING FORMERLY INCARCERATED PEOPLE RETURN TO THE COMMUNITY. THE SEEMINGLY INSURMOUNTABLE PROBLEM FOR FORMER PRISONERS IN ATHENS RIGHT NOW IS FINDING HOUSING. "THERE'S NO HALFWAY HOUSE IN ATHENS COUNTY—SO WE'RE LOOKING TO SEE IF FORFEITED PROPERTIES CAN HELP," BLACKBURN SAID.

THROUGH THESE COMPONENTS, THE COMMUNITY JUSTICE INITIATIVE HELPS PEOPLE GET THEIR LIVES BACK ON TRACK. "WE NEED TO GIVE PEOPLE HOPE," BLACKBURN SAID. BLACKBURN, IN TURN, HOPES TO HELP ESTABLISH A RESIDENTIAL TREATMENT CENTER IN ATHENS COUNTY, AND ALSO HOPES THAT THE FRESH START PROGRAM CAN BECOME A MODEL FOR OTHER CITIES WHO HAVE MORE DRUG TREATMENT NEEDS THAN THEIR BUDGETS CAN FULFILL.

"ANYONE CAN CONTRIBUTE TO THE EFFORT TO GET TREATMENT FOR THOSE WHO NEED IT. THEY JUST WRITE A CHECK TO THE ATHENS FOUNDATION WITH 'FRESH START PROGRAM' IN THE MEMO. DRUGS AREN'T BOUND BY COUNTY OR STATE LINES, SO WHY SHOULD SOLUTIONS BE?"



ATHENS COUNTY PROSECUTOR
HON. KELLER J. BLACKBURN

FOR MORE INFORMATION, VISIT
[HTTP://ATHENSCOUNTYPROSECUTOR.ORG/COMMUNITY-PROGRAMS/](http://athenscountyprosecutor.org/community-programs/)
- SARAH SCHWEIG

TASC Featured Article

Submitted By | Treatment Alternatives for Safe Communities | Inc. |

PRETRIAL PROGRAMS AND EXPANDED HEALTH CARE COVERAGE: COINCIDING TRENDS

LAW ENFORCEMENT, PROSECUTORS, AND COURTS ACROSS THE COUNTRY ARE INCREASINGLY DIVERTING ELIGIBLE INDIVIDUALS WITH LOW-LEVEL CHARGES AWAY FROM COURTS AND INCARCERATION AND INTO SMARTER, MORE SCIENCE-BASED, AND MORE EFFECTIVE ALTERNATIVES IN THE COMMUNITY.

MEANWHILE, EXPANDED MEDICAID COVERAGE IS ALLOWING FOR INCREASED ACCESS TO HEALTH CARE FOR PREVIOUSLY UNINSURED POPULATIONS. OF THE APPROXIMATELY 12 MILLION PEOPLE WHO CYCLE THROUGH JAILS IN THE UNITED STATES EACH YEAR, ABOUT NINE IN 10 ARE UNINSURED. WITHOUT INSURANCE, INDIVIDUALS LACK PAYMENT OPTIONS FOR MENTAL HEALTH ISSUES, SUBSTANCE USE DISORDERS, AND OTHER CHRONIC HEALTH CONDITIONS THAT FREQUENTLY CONTRIBUTE TO THEIR ARRESTS.

THE CONFLUENCE OF INCREASED USE OF DIVERSION PROGRAMS AND EXPANDED ACCESS TO HEALTH CARE IS FORTUITOUS FOR PROSECUTORS, JUDGES, AND OTHER CRIMINAL JUSTICE LEADERS WHO SEEK EFFECTIVE MEANS TO REDUCE RECIDIVISM, ESPECIALLY AMONG INDIVIDUALS WITH UNTREATED HEALTH CONDITIONS.

THE EXPANDED IMPLEMENTATION OF DIVERSION PROGRAMS IS DOCUMENTED IN A NEW NATIONAL SURVEY CONDUCTED BY THE CHICAGO-BASED CENTER FOR HEALTH AND JUSTICE AT TASC. THE 2014 REPORT, NO ENTRY: A NATIONAL SURVEY OF CRIMINAL JUSTICE DIVERSION PROGRAMS AND INITIATIVES IDENTIFIES AND DESCRIBES A SAMPLE OF MORE THAN 100 CRIMINAL JUSTICE DIVERSION PROGRAMS FROM ACROSS THE COUNTRY UPON WHICH JUSTICE SYSTEMS INCREASINGLY RELY.

THESE DIVERSION OPTIONS ARE DESIGNED TO INCREASE PUBLIC SAFETY, SAVE COSTS, ADDRESS INDIVIDUALS' BEHAVIORAL HEALTH ISSUES, AND REDUCE THEIR LIKELIHOOD OF RECIDIVISM.

AS THE REPORT NOTES, THE ADVENT OF FEDERAL HEALTH CARE REFORM UNDER THE AFFORDABLE CARE ACT (ACA), WHICH INCLUDES REQUIREMENTS AND RESOURCES FOR THE PROVISION OF ADDICTION TREATMENT AND MENTAL HEALTH SERVICES AT PARITY WITH MEDICAL SERVICES, OFFERS THE PROSPECT OF APPLYING A PUBLIC HEALTH APPROACH AT SCALE TO THE LONGSTANDING CHALLENGES THAT OCCUR AT THE INTERSECTION OF CRIME, SUBSTANCE USE DISORDERS, AND MENTAL ILLNESS.



TASC CEO PAM RODRIGUEZ

“THE IDEA WITH THIS REPORT IS TO PROVIDE A PICTURE OF THE LANDSCAPE OF DIVERSION AND TO PROMOTE ITS EFFECTIVE USE AT THE FRONT END OF THE JUSTICE SYSTEM,” SAID TREATMENT ALTERNATIVES FOR SAFE COMMUNITIES (TASC) PRESIDENT PAMELA RODRIGUEZ, WHOSE POLICY CENTER PUBLISHED THE REPORT. “THE SURVEY INTENDS TO BOOST CONVERSATIONS ACROSS THE COUNTRY ABOUT AVAILABLE ALTERNATIVES TO CONVICTION AND INCARCERATION.”

RODRIGUEZ SAYS DIVERSION PROGRAMS ARE GAINING CURRENCY AMONG LAW ENFORCEMENT, PROSECUTORS, AND COURTS ACROSS THE COUNTRY.

“AS PRISON POPULATIONS HAVE SWELLED AND PUBLIC BUDGETS HAVE TIGHTENED, MANY JURISDICTIONS ARE EMBRACING DIVERSION ALTERNATIVES OUT OF NECESSITY,” SAID RODRIGUEZ. “THE REPORT IS A GREAT BENEFIT TO LAW ENFORCEMENT AND JUSTICE SYSTEMS IN TERMS OF THE SCOPE AND BREADTH OF DIVERSION OPTIONS AVAILABLE TO THEM.”

TASC Featured Article

PRETRIAL AND CONNECTION TO HEALTH CARE: CASE EXAMPLE OF WINNEBAGO COUNTY, ILLINOIS

WINNEBAGO COUNTY, ILLINOIS, APPROXIMATELY 90 MILES NORTHWEST OF CHICAGO, IS AN EXAMPLE OF A COUNTY THAT HAS MADE EXTENSIVE INVESTMENTS IN PRETRIAL INTERVENTIONS FOR THOSE BEING RELEASED FROM JAIL, INCLUDING COURT-BASED PRE-TRIAL SUPERVISION THROUGH PROBATION AND A BROAD ARRAY OF PROSECUTORIAL DIVERSION STRATEGIES, LARGELY FOCUSING ON LOW-RISK DEFENDANTS. A NEW FOCUS ON LOW AND MEDIUM-RISK DEFENDANTS REQUIRES NEW COMMUNITY RESOURCES WHICH ARE NOW BEING MADE AVAILABLE THROUGH EXPANDED MEDICAID COVERAGE IN ILLINOIS AND OTHER STATES.

IN 2013, CHIEF JUDGE JOSEPH MCGRAW OF THE 17TH JUDICIAL CIRCUIT, WHICH ENCOMPASSES WINNEBAGO AND BOONE COUNTIES IN ILLINOIS, CONVENED A PLANNING PROCESS TO ANTICIPATE THE BENEFITS OF THE EXPANDED MEDICAID COVERAGE FOR HIS JURISDICTION. THE PLANNING PROCESS INCLUDED A STEERING COMMITTEE AND SEVERAL HIGH-LEVEL OPERATIONAL WORKING GROUPS TO DETERMINE HOW BEST TO ALIGN HEALTH INSURANCE ENROLLMENT AND BROAD LINKAGE TO CARE WITH JUSTICE SYSTEM PROCESSES AND INTERCEPT POINTS, INCLUDING THE WINNEBAGO COUNTY JAIL AND ADULT PROBATION DEPARTMENT. THE PLANNING PROCESS ALSO ENGAGES THE LOCAL MEDICAL, MENTAL HEALTH, AND SUBSTANCE USE DISORDER TREATMENT AGENCIES IN ONGOING CONVERSATIONS ABOUT HOW COMMUNITY SERVICES MIGHT BE EXPANDED TO MEET THE NEEDS OF THIS POPULATION, AND HOW THEY WILL COLLECTIVELY RESPOND TO THE INCREASED REFERRALS FOR TREATMENT THAT ARE EXPECTED FROM JUSTICE PARTNERS.

WITH A SOPHISTICATED PRETRIAL SYSTEM AND ASSESSMENTS, ROBUST INFORMATION TECHNOLOGY NETWORKS, AND MYRIAD WILLING STAKEHOLDERS AND PARTNERS, THE 17TH JUDICIAL CIRCUIT IN ILLINOIS PRESENTED AN ESPECIALLY CONDUCIVE ENVIRONMENT IN WHICH TO IMPLEMENT EXPANDED PRETRIAL EXPEDITED ASSESSMENT AND SERVICES IN THE CONTEXT OF EXPANDED MEDICAID. WINNEBAGO COUNTY CAUGHT THE EYE OF THE PUBLIC WELFARE FOUNDATION AS BEING STRATEGICALLY POSITIONED FOR THE DEVELOPMENT AND TESTING OF A PRETRIAL MODEL THAT COULD BE REPLICATED IN OTHER JURISDICTIONS.

THE GOAL OF THE PROJECT IS TO PROVIDE AN EXPEDITED ALTERNATIVE TO DETENTION FOR LOW AND MEDIUM-RISK DEFENDANTS WHOSE PRIMARY RISK FACTORS ARE UNTREATED SUBSTANCE USE, MENTAL HEALTH AND MEDICAL CONDITIONS. FOUNDATION FUNDING WILL SUPPORT ADDITIONAL STAFF FOR PRETRIAL COMMUNITY SUPERVISION AND CASE MANAGEMENT TO ENGAGE AND RETAIN DEFENDANTS IN CARE IN THE COMMUNITY. PROJECT EVALUATION WILL MEASURE OVERALL REDUCTIONS IN

PRETRIAL JAIL DAYS. THROUGH THE ACA, DEFENDANTS WILL APPLY FOR MEDICAID COVERAGE AND BE LINKED TO SERVICES. THE PROJECT'S SUCCESS RELIES ON THE CLOSE COLLABORATION BETWEEN THE CHIEF JUDGE, THE STATE'S ATTORNEY, PROBATION, TASC, AND COMMUNITY TREATMENT AGENCIES. IT ALSO BUILDS ON THE EXISTING ACA PLANNING PROCESSES, AND SEEKS TO FURTHER LEVERAGE CURRENTLY AVAILABLE LOCAL EXPERTISE AND RESOURCES. AS NOTED BY STATE'S ATTORNEY JOE BRUSCATO, "THE STATE'S ATTORNEY'S OFFICE HAS THE GOAL TO SEEK JUSTICE FOR CRIMES COMMITTED.

IT IS IMPORTANT TO HOLD DEFENDANTS ACCOUNTABLE FOR BREAKING THE LAW. ONCE ACCOUNTABILITY HAS BEEN ADDRESSED, THEN FOCUS SHOULD SHIFT TO FACTORS THAT CAUSE DEFENDANTS TO MAKE BAD JUDGMENTS. ALCOHOLISM, DRUG ADDICTION AND MENTAL HEALTH ARE ALL COMMON CONCERNS THAT IF UNADDRESSED WILL LIKELY RESULT IN RECIDIVISM."

THE UNDERLYING ASSUMPTION IS THAT COMMUNITY-BASED SERVICES NOW AVAILABLE THROUGH EXPANDED MEDICAID COVERAGE CAN BOLSTER NOT ONLY THE HEALTH OF JUSTICE-INVOLVED INDIVIDUALS, BUT ALSO INCREASE THE CONFIDENCE OF THE JUSTICE SYSTEM TO RELEASE DEFENDANTS FROM JAIL MORE QUICKLY, KNOWING THEY WILL HAVE ACCESS TO CRITICAL BEHAVIORAL HEALTH AND OTHER MEDICAL SERVICES. OVER THE DURATION OF THE 12-MONTH PILOT PROGRAM, EXPECTED TO START SOMETIME IN EARLY 2015, IT IS ANTICIPATED THAT THE PARTICIPATING LOW- AND MEDIUM-RISK DEFENDANTS WILL HAVE FEWER PRE-TRIAL DAYS IN JAIL DUE TO MANY OF THEM BEING LINKED TO MEDICAL AND BEHAVIORAL HEALTH SERVICES SOONER THAN THEY WOULD HAVE BEEN HAD THEY BEEN INSIDE THE JAIL.

POSITIVE LONG-TERM OUTCOMES ARE ALSO EXPECTED. NEW MECHANISMS TO ACCESS MEDICAID/MARKETPLACE INSURANCE AND LINKAGES TO COMMUNITY-BASED HEALTH SERVICES SHOULD RESULT IN OVERALL HEALTH IMPROVEMENTS AMONG PARTICIPANTS. THIS IMPROVEMENT OF BEHAVIORAL HEALTH ISSUES SHOULD RESULT IN REDUCED RE-OFFENSE RATES AND REDUCED INVOLVEMENT IN THE CRIMINAL JUSTICE SYSTEM. AS SEEMA GAJWANI OF THE PUBLIC WELFARE FOUNDATION POINTS OUT, "RESEARCH SHOWS THAT EVEN PRETRIAL SHORT JAIL STAYS AMONG LOW- AND MEDIUM RISK INDIVIDUALS DISRUPT POSITIVE SOCIAL FACTORS AND INCREASE RATES OF RECIDIVISM IN THE FUTURE."

AT THE SAME TIME, EXPANDED COVERAGE NECESSITATES THE DEVELOPMENT OF SUFFICIENT CAPACITY OF BEHAVIORAL AND PRIMARY CARE HEALTH SERVICES TO MEET THE NEEDS OF THE GROWING NUMBERS OF ELIGIBLE RELEASEES, "TO REALIZE THE FULL PROMISE OF THE ACA TO BRING ABOUT SUSTAINED HEALTH AND RECOVERY," SAID RODRIGUEZ, ENROLLMENT AND ACCESS TO SERVICES ARE THE BEGINNING, AND CONTINUITY OF CARE IS ESSENTIAL. ULTIMATELY, SUCCESS RELIES ON HAVING AVAILABLE CAPACITY TO TREAT JUSTICE-INVOLVED POPULATIONS."

TASC Featured Article

PRETRIAL AND HEALTH LINKAGES: A NATIONAL TREND

WINNEBAGO COUNTY REPRESENTS ONE OF MANY COUNTIES ACROSS THE COUNTRY FOCUSED ON EXPANDING PRETRIAL PROGRAMS AND STRENGTHENING LINKAGES TO HEALTH CARE IN THE COMMUNITY. MANY JURISDICTIONS ARE EXPLORING DIVERSION ALTERNATIVES OUT OF NECESSITY; THE NUMBERS OF PEOPLE ENTERING COURTS AND CORRECTIONAL INSTITUTIONS HAVE SWELLED AND PUBLIC RESOURCES HAVE TIGHTENED. PROSECUTORS AND JUDGES ARE FINDING ALTERNATIVE SOLUTIONS.

“WE ARE AT A CRITICAL JUNCTURE IN CRIMINAL JUSTICE POLICY,” SAID TASC’S RODRIGUEZ. “DIVERSION PROGRAMS ACROSS THE COUNTRY ARE EMERGING WITH A COLLECTIVE VOICE THAT SAYS, ‘LOCKING UP AND LABELING PEOPLE IS RARELY THE ANSWER TO NON-VIOLENT OFFENSES, ESPECIALLY WHEN SUBSTANCE USE AND MENTAL HEALTH ISSUES PLAY A ROLE. THERE’S A BETTER WAY.’”

RODRIGUEZ SAYS THAT THE SURVEY RESTS ON THE UNDERSTANDING THAT A CRIMINAL CONVICTION — FOR EITHER A MISDEMEANOR OR FELONY — TRIGGERS A CASCADE OF COLLATERAL CONSEQUENCES THAT OFTEN SEVERELY HAMPER AN INDIVIDUAL’S ABILITY TO BECOME AND REMAIN A PRODUCTIVE MEMBER OF THE COMMUNITY.

“THIS SURVEY FOCUSES ON DIVERSION PROGRAMS THAT ADDRESS AN INDIVIDUAL’S BEHAVIOR WITHOUT RESULTING IN A CRIMINAL CONVICTION,” SAID RODRIGUEZ. “THESE PROGRAMS MAY OCCUR AS EARLY AS STREET-LEVEL LAW ENFORCEMENT INTERVENTION, OR AS LATE AS COURT INVOLVEMENT, BUT THE DISTINGUISHING CHARACTERISTIC OF THE PROGRAMS SURVEYED IS THAT THEY ALLOW INDIVIDUALS TO AVOID A CONVICTION, WHICH OTHERWISE CLINGS TO A PERSON LONG AFTER HIS OR HER DEBT TO SOCIETY HAS BEEN PAID.”

ULTIMATELY, THE LESSONS LEARNED AND INFORMATION GATHERED FROM THE DEMONSTRATION PROJECT IN WINNEBAGO COUNTY WILL SERVE AS A FOUNDATION FOR OTHER JURISDICTIONS AS THEY CONSIDER WHETHER OR NOT PRETRIAL EXPEDITED ASSESSMENT AND SERVICES CAN HELP THEM APPROPRIATELY AND EFFECTIVELY LEVERAGE NEW HEALTH COVERAGE RESOURCES TO ACHIEVE LOCAL PUBLIC SAFETY AND PUBLIC HEALTH GOALS.

ABOUT THE CENTER FOR HEALTH & JUSTICE AT TASC

THE CENTER FOR HEALTH AND JUSTICE AT TASC (WWW.CENTERFORHEALTHANDJUSTICE.ORG) IS A NATIONAL PUBLIC POLICY GROUP THAT OFFERS SOLUTIONS FOR CRIMINAL JUSTICE, CHILD WELFARE, AND BEHAVIORAL HEALTH, FOCUSING ON STRATEGIES AND LESSONS LEARNED FOR REDUCING RECIDIVISM, IMPROVING HEALTH INTERVENTIONS, AND ACHIEVING PUBLIC COST SAVINGS.

TASC

Treatment Alternatives for Safe Communities

9th National Prosecution Summit Dazzles in Dallas

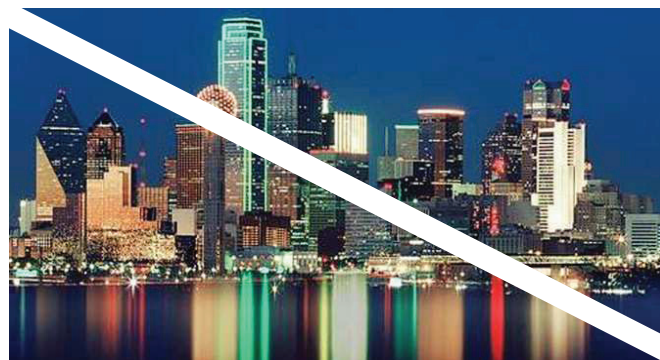
Written By | Bob Hood | Community Prosecution Director, APA

THE ASSOCIATION OF PROSECUTING ATTORNEYS, WORKING WITH THEIR PARTNERS AT THE CENTER FOR COURT INNOVATION AND THE BUREAU OF JUSTICE ASSISTANCE AT THE U.S. DEPARTMENT OF JUSTICE, RECENTLY COMPLETED ANOTHER HIGHLY SUCCESSFUL NATIONAL PROSECUTION SUMMIT IN DALLAS ON SEPTEMBER 22-24TH. WITH OVER 170 PROSECUTORS AND ALLIED CRIMINAL JUSTICE PROFESSIONALS PRESENT FROM ACROSS THE NATION ALONG WITH SEVERAL INTERNATIONAL VISITORS, ATTENDEES WERE TREATED TO THOUGHTFUL AND PROVOCATIVE PRESENTATIONS BY OVER 40 FACULTY EXPERTS IN SEVEN PLENARY SESSIONS AND EIGHT BREAKOUT SESSIONS. THE CONFERENCE AGENDA COVERED EVERYTHING FROM CONVICTION INTEGRITY UNITS AND PROSECUTORIAL ETHICS TO PROBLEM SOLVING IN THE COMMUNITY, FROM SMART PRETRIAL PRACTICES TO IMPROVED CRIMINAL JUSTICE OUTCOMES THROUGH DIVERSION AND DEFERRED PROSECUTION, FROM INTEGRATING SCIENCE INTO CRIMINAL JUSTICE TO SHARING, MANAGING, AND EVALUATING CRIMINAL JUSTICE DATA AND NEW STRATEGIES TO ADDRESS GUNS, GANGS, AND VIOLENCE REDUCTION. ALL AND ALL, IT WAS A VERY BUSY SUMMIT.

THE SUMMIT ALSO PROVIDED A FORUM FOR SEVERAL KEY ANNOUNCEMENTS. IN A KEY NOTE ADDRESS, BETH MCGARRY, CHIEF OF STAFF AND SENIOR COUNSEL AT THE U.S. DEPARTMENT OF JUSTICE, USED THE OCCASION TO ANNOUNCE THE WINNERS OF DOJ'S SMART PROSECUTION GRANTS, PROSECUTOR'S OFFICES IN CHICAGO, HOUSTON, LOS ANGELES CITY AND SAN FRANCISCO. SHE ALSO ANNOUNCED THE SELECTION OF THE ASSOCIATION OF PROSECUTING ATTORNEYS AS THAT GRANT'S TRAINING & TECHNICAL ASSISTANCE PROVIDER. THE ASSOCIATION OF PROSECUTING ATTORNEYS ALSO USED THE SUMMIT AS AN OPPORTUNITY TO ANNOUNCE THE INITIAL SELECTIONS OF THE HIGH PERFORMANCE PROSECUTION MENTOR SITES, INCLUDING THE COOK COUNTY STATE'S ATTORNEY'S OFFICE, THE SAN FRANCISCO DISTRICT ATTORNEY'S OFFICE, THE LOS ANGELES CITY ATTORNEY'S OFFICE, THE MARICOPA COUNTY ATTORNEY'S OFFICE, THE NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE, THE PHILADELPHIA DISTRICT ATTORNEY'S OFFICE, AND ONE JOINT SITE - THE DALLAS COUNTY DISTRICT ATTORNEY'S OFFICE AND THE DALLAS CITY ATTORNEY'S OFFICE.

DESPITE THE LONG SUMMIT SESSIONS AND ALMOST CONTINUOUS NETWORKING OPPORTUNITIES, ATTENDEES ALSO GOT AN OPPORTUNITY TO ENJOY AN EVENING RECEPTION SPONSORED BY TARGET CORPORATION AT THE DALLAS REUNION TOWER, AN OUTDOOR ROOFTOP MIXER AT A TRENDY DALLAS HOTEL OVERLOOKING DOWNTOWN DALLAS, SOME OF DALLAS'S GREAT RESTAURANTS AND NIGHTLIFE, AND SOME EVEN ATTENDED A TEXAS RANGERS BASEBALL OUTING.

AT THE TARGET RECEPTION, WAYNE COUNTY PROSECUTOR KYM WORTHY, OF DETROIT, RECEIVED AN APA "ICEBERG AWARD", RECOGNIZING HER LONG STANDING EFFORTS TO PROMOTE PUBLIC SAFETY AND PROTECT CRIME VICTIM INTERESTS IN THE FACE OF SEVERE, LONG TERM BUDGET CHALLENGES AND RESOURCE CONSTRAINTS.



WE WOULD LIKE TO USE THIS OCCASION TO OFFER A FINAL THANKS TO OUR PARTNERS AT CCI (JULIUS LANG AND BRETT TAYLOR) AND BJA (DIRECTOR DENISE O'DONNELL AND SENIOR POLICY ADVISOR FOR ADJUDICATION KIM BALL), AND ALL OF OUR FACULTY AND STAFF WHO HELPED TO MAKE THIS SUMMIT A SUCH A GREAT SUCCESS. WE COULD NOT HAVE DONE IT WITHOUT THEM. WE WOULD ALSO LIKE TO OFFER OUR SINCEREST THANKS TO OUR CITY HOSTS, DALLAS DISTRICT ATTORNEY CRAIG WATKINS AND DALLAS CITY ATTORNEY WARREN ERNST, ALONG WITH THEIR WONDERFUL AND HARD WORKING STAFFS, INCLUDING RACHAEL JONES, MAUREEN MILLIGAN, AND VANA HAMMOND, IN HELPING TO MAKE THIS SUMMIT AN ENJOYABLE EVENT AND VISIT FOR US ALL. FOR SOME GREAT PICTURES FROM THE EVENT SEE THE BACK PAGE OF THIS NEWSLETTER.

WITH THIS SUMMIT COMPLETE, APA AND ITS PARTNERS WILL NOW TURN TO FINISHING THE DEVELOPMENT OF THE HIGH PERFORMANCE PROSECUTION MENTOR NETWORK, HELPING LAUNCH THE SMART PROSECUTION INITIATIVE, AND WORK ON PLANS FOR OUR NEXT MAJOR TRAINING EVENT, WITH THE INNOVATION IN CRIMINAL JUSTICE SUMMIT 3 TO BE HELD IN THE LATE SPRING OF 2015.

[1] "NO FEDERAL FUNDS WE USED TO SUPPORT ANY OF THESE ACTIVITIES."

Multnomah County District Attorney Rod Underhill Appoints Post-Conviction DDA

Written By | Bob Hood | Community Prosecution Director, APA

REFLECTING A GROWING NATIONAL TREND, MULTNOMAH COUNTY DISTRICT ATTORNEY ROD UNDERHILL RECENTLY ANNOUNCED THE CREATION A NEW POSITION WITHIN HIS OFFICE DESIGNED TO “FURTHER ENSURE THE INTEGRITY OF THE PROSECUTION FUNCTION, CONVICTIONS AND THE POST-CONVICTION PROCESS”. DEPUTY DISTRICT ATTORNEY J. RUSSELL RATTO, A THIRTY FIVE YEAR VETERAN OF THE OFFICE, WAS APPOINTED AS THE POST-CONVICTION DEPUTY DISTRICT ATTORNEY, EFFECTIVE OCTOBER 27, 2014.

THE POST-CONVICTION DDA WILL SEEK TO REINFORCE CONFIDENCE IN THE PROSECUTION FUNCTION, ENSURE THAT WRONGFUL CONVICTIONS DO NOT OCCUR AND THAT POST-CONVICTION MATTERS ARE APPROPRIATELY ADMINISTERED. THE POST-CONVICTION DDA WILL BE RESPONSIBLE FOR REVIEW AND COORDINATION OF THE RESPONSE TO ALL LEGITIMATE CLAIMS OF ACTUAL INNOCENCE PURSUANT TO OREGON STATUTE. IN ADDITION TO REVIEWING CLAIMS OF ACTUAL INNOCENCE, THE POST-CONVICTION DDA WILL ALSO REVIEW OTHER CLAIMS OF INNOCENCE, ACT AS A LIAISON WITH THE OREGON ATTORNEY GENERAL’S OFFICE REGARDING PETITIONS FOR POST-CONVICTION RELIEF, REPRESENT THE DISTRICT ATTORNEY IN CASES BEFORE THE OREGON BOARD OF PAROLE AND THE PSYCHIATRIC SECURITY REVIEW BOARD, AND MAINTAIN OFFICE POLICIES AND PROTOCOLS DEVELOPED TO PREVENT WRONGFUL CONVICTIONS FROM OCCURRING AND TO ENSURE THE PROPER ADMINISTRATION OF JUSTICE.

DDA RATTO GRADUATED FROM WILLAMETTE LAW SCHOOL IN 1979 AND BEGAN WORKING AS A MULTNOMAH COUNTY DEPUTY DISTRICT ATTORNEY IN NOVEMBER, 1979. HE HAS WORKED IN A BROAD VARIETY OF ROLES WITHIN THE OFFICE INCLUDING BEING A CROSS-DEPUTIZED SPECIAL ASSISTANT UNITED STATES ATTORNEY WHILE WITH THE REGIONAL ORGANIZED CRIME AND NARCOTICS TASK FORCE (ROCN) FOR NEARLY 15 YEARS. AS A SPECIAL AUSA, RATTO HANDLED COMPLEX FEDERAL NARCOTICS CASES INVOLVING MULTI-STATE CONSPIRACIES, PROSECUTED MANY FEDERAL JURY TRIALS, AND SUCCESSFULLY ARGUED CASES IN FRONT OF THE NINTH CIRCUIT COURT OF APPEALS.

IN RECENT YEARS, IN ADDITION TO HANDLING A FULL LOAD OF FELONY DRUG AND VIOLENT/SEXUAL ASSAULT CASES, RATTO HAS DISTINGUISHED HIMSELF AS AN EXPERT IN THE LAW PERTAINING TO, AND THE COMPLEX PROCEDURES OF, THE OREGON BOARD OF PAROLE. I HAD THE OPPORTUNITY TO MEET DDA RATTO WHILE CONDUCTING A TRAINING ON THIS SUBJECT BEFORE THE OREGON DISTRICT ATTORNEY’S ASSOCIATION IN SALEM, OR IN LATE OCTOBER.

MULTNOMAH COUNTY DISTRICT ATTORNEY UNDERHILL’S EFFORT JOINS ABOUT TWENTY OTHER SUCH POSITIONS OR UNITS FROM JURISDICTIONS AROUND THE COUNTRY. SIMILAR UNITS OR POSITIONS HAVE BEEN CREATED IN FIVE DIFFERENT PROSECUTOR’S OFFICES THIS YEAR ALONE, INCLUDING IN THE PHILADELPHIA (PA), CUYAHOGA COUNTY (OH), AND THE ORLEANS PARRISH (LA) DISTRICT ATTORNEY’S OFFICES, THE BALTIMORE (MD) STATE’S ATTORNEY’S OFFICE, AND THE U.S. ATTORNEY’S OFFICE FOR THE DISTRICT OF COLUMBIA. CONVICTION INTEGRITY AND CONVICTION REVIEW UNITS WERE ALSO A FEATURED PLENARY SESSION AT APA’S RECENTLY COMPLETED 9TH NATION PROSECUTION SUMMIT.

TO LEARN MORE ABOUT THE MULTNOMAH COUNTY EFFORT, SEE [HTTP://MCDA.US/INDEX.PHP/NEWS/DA-UNDERHILL-CREATES-POST-CONVICTION-DEPUTY-DA-POSITION/](http://mcda.us/index.php/news/da-underhill-creates-post-conviction-deputy-da-position/).

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