



Episode 10: Local CJ Planning Board Engagement Strategies in Oregon and Virginia

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Intro:

Welcome to the NCJA podcast. This podcast series explores promising practices, provides guidance on strategic planning, and discusses how the Byrne Justice Assistance Grant Program or Byrne JAG contributes to improving justice systems across the country. We hope you enjoy it.

Simone Greene:

Hello and welcome to the NCJA podcast. My name is Simone Greene and I'm a program manager at NCJA. Today, we are discussing a topic that is near and dear to my heart, local criminal justice planning boards. And we are lucky enough to be joined by representatives from two state administering agencies to discuss how their states engage with local criminal justice planning boards. Joining me today, we have Tom Fitzpatrick, the division director of programs and services for the Virginia Department of Criminal Justice Services and Ian Davidson, the justice reinvestment program manager for the Oregon Criminal Justice Commission. Welcome, Tom, and welcome, Ian. Before we get started, I want to give both of you the opportunity to introduce yourselves before we dive into questions.

Tom Fitzpatrick:

Wonderful. Thank you very much, Simone. This is Tom Fitzpatrick representing Virginia. Our division at the Department of Criminal Justice Services provides grants and technical support to hundreds of local nonprofit and government agencies in three broad category areas, actually now four. We provide support to all of the victim witness and victim service organizations in the state. We have a juvenile and child welfare section that works on juvenile justice delinquency work and prosecution and investigation of child welfare issues. And we have our adult justice programs that administers our local pretrial, our local probation initiatives, our re-entry and substance abuse and opioid addiction efforts in the state. And then we have recently taken on our gun violence intervention efforts as well. I used to work at the local level working on criminal justice planning. I was actually one of the funded positions that I'll talk about later. And I'm looking forward to this conversation today. Thank you very much.

Ian Davidson:

So I am Ian Davidson. As Simone said, I'm the justice reinvestment program manager for the Oregon Criminal Justice Commission. As you might imagine from a title like that, I manage our justice reinvestment grant. So the Oregon Criminal Justice Commission, our mission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. We're in kind of two different hats. One is we are the grant-making agency for most criminal justice grants in the state of Oregon. And then the second is that we are an independent research body for the state on criminal justice issues. And then prior to my present job at the Oregon Criminal Justice Commission, I, like Tom, was a staffer for one of these local criminal justice bodies. And I'll talk about that later.

Simone Greene:

Great. Thank you to the both of you for those introductions. So let's dive right in. So Oregon and Virginia both engage with these criminal justice planning boards a little bit differently. Can you provide a general overview of your state's respective local engagement efforts?

Tom Fitzpatrick:

Sure. So in Virginia, every local probation and pretrial program is required to have a local community criminal justice board. I'll refer to those as CCJBs. And under the code, those boards are comprised of judges, the chief magistrate, the local elected Commonwealth attorney, what we call our prosecutors, a public defender or representative of the local defense bar, the chief of police, a sheriff or jail administrator, an educator, and a representative of the Behavioral Health Agency. While by statute, their responsibilities are to advise the local probation and pretrial service agencies. Because they are local criminal justice boards, many have expanded their efforts to support cross agency initiatives or to enhance the local criminal justice systems more broadly.

I'll also be speaking about our local evidence-based decision-making teams that about seven years ago, several of our programs received technical assistance from the National Institute of Corrections to develop these evidence-based decision-making teams, EBDM teams as we call them. And they're comprised of many of the same members as the CCJBs. And much of the work was overlapping. So as I talk about the successes today, I'll probably be referring to some of the initiatives coming out of the CCJBs and some of the initiatives coming out of those EBDM sites.

Ian Davidson:

In Oregon, each of our state's 36 counties have what we locally call our local public safety coordinating councils or what we refer to as LPSCCs. So each county's governing bodies, so their county commissioners, they convene the LPSCCs and then the membership is outlined in state law. Counties, of course, can add additional members though there is that basic membership requirement outlined in statute. The makeup is pretty similar to what Tom just described for Virginia, but I'll briefly go through the list. It's a police chief selected by the police chiefs within the county, the sheriff of the county, the district attorney, a state court judge, a public defender, and both of those positions are appointed by the presiding judge of the local judicial district, the director of community corrections, a county commissioner, a juvenile department director, a health director, a mental health director, a representative of community-based nonprofit organizations that provide services to victims of crime, and at least one member of the community.

And all of those positions are appointed by the county commissioners. And then we have a representative from the city, either as a city council or mayor, and then also a city manager or another city staff person. And both of those positions are selected by the cities within the county. And then lastly, we have two non-voting positions. The first is a representative from the Oregon State Police. And then the second is a representative from the Oregon Youth Authority. So statutorily, these LPSCCs, their charge is to develop and recommend to the County Board of Commissioners a plan for adult and juvenile populations. And these plans must provide for coordination of community-wide services, involving prevention, treatment, education, employment resources, and intervention strategies. And then with time, these bodies have taken on additional responsibilities. So we, the Oregon Criminal Justice Commission, we're an agency with grant funding. So we, more often than not, require the local public safety coordinating councils to develop and manage the grant programs we fund. So in very

general terms though, the LPSCCs, they're the body that coordinate local criminal justice policy among all different criminal justice entities within the county.

Simone Greene:

Thank you. It's interesting to hear about the similar diverse stakeholders that both states engage with, but also the different approaches that are really taken by both of your states. So why have these boards been so important in your states and whom have you been able to engage as a result of their development?

Tom Fitzpatrick:

In Virginia, we've seen a mix of both very engaged and sometimes not quite as engaged boards. And in those localities where we've seen those engaged boards, we've really also witnessed strong partnership between the prosecutors, the defense bar, local law enforcement, and the jails in the local community corrections and pretrial programs. And those collaborative efforts have led to the implementation of many different new initiatives, including new diversion programs, the adoption and greater utilization of specialty courts, and improvements in the pretrial process more broadly.

We've also learned through our efforts over the past couple years, a lot of important lessons on implementation of new initiatives and the importance of really engaging with local stakeholders. We've had several different rollouts of different evidence-based practices for local probation and changes in pretrial, including changes in our pretrial risk assessment instrument. And what we noticed was that we saw greater success in those areas that had strong collaboration with the local criminal justice partners and really strong CCJBs or EBDM sites

Ian Davidson:

Like in Virginia, Oregon has some LPSCCs that are very engaged and some that are not quite as engaged. What we've noticed though, is that engaged LPSCCs, generally speaking, produce stronger programs that span multiple agencies and offices. So as an example, if the county wanted to address homelessness among the justice involved individuals, that really is a kind of problem that requires an all hands on deck approach. And the LPSCCs, or perhaps a subcommittee of the LPSCC, those bodies seem to be the most effective at tackling those difficult issues.

And then for us as a state agency who's partially tasked with supporting counties, it's nice to have one point of contact to reach out to and engage with a wide variety of issues. These connections, of course, serve as a two-way street where we can be a resource for them on best practices, grant management questions, or the latest research. But then also, we can ask them for feedback on new initiatives that we're considering or receive user feedback on, as an example, our latest data dashboard that we've developed.

Simone Greene:

Thank you. It's great to hear both of you speak about the importance of engaging with stakeholders. What other successes have each of your agencies seen regarding local engagement through these councils?

Tom Fitzpatrick:

I could probably speak for hours about some of these successes, but I'll highlight a few from Virginia that I think are pretty cool. One that came to mind for our staff was about a decade ago, the CCJB in a locality in Southwest Virginia, which is in the Appalachian Mountains, noticed and started responding to the crisis of opioid addiction that struck the region and really struck countless communities throughout the country. And they brought that information to the DEA and the attorney general just started responding to that crisis. Another local CCJB developed a web-based administrative response matrix to provide responses to probation compliance and to reward the pro-social behaviors of those that are on probation.

And this tool was used by both the state probation office and our local probation offices. You don't often see such close collaboration between two different probation agencies, but it was because of the strength of the local CCJB and the strong collaboration that was already in place that led to this joint success. Other CCJBs in the state have done studies on the populations in their jails to help understand the unique needs of those populations. One included a deep dive analysis of those with mental health needs at the jail. And then we've also seen strong partnerships between the CCJBs and some local universities to study the criminal justice data and to help inform the policy-making in those localities.

Ian Davidson:

In Oregon, I'll add that there's been a lot of innovation locally driven by discussions that have happened, unsurprisingly, at the local level. In fact, LPSCCs themselves are modeled on a local planning board that was created in one of our counties, Benton County, in the 90s. So that experiment went well enough that the state ultimately created them statewide. So each county now has a LPSCC. Many of these counties, they have strong prison diversion programs because their LPSCCs have come together to build strong justice reinvestment grant applications. One of the stated goals of the Justice Reinvestment Grant here in Oregon is to reduce the prison population for individuals charged with nonviolent crimes. So counties over the years, they've iterated and evolved their programs. To give a little bit of history to maybe demonstrate the impact of the LPSCCs, in 2013, prison forecast expected that the state would need to build one more men's prison by 2017.

However, because of efforts by the county's LPSCCs, aided by justice reinvestment funding, the state has not had to build the prison. And in fact, the latest forecast do not even have that as a possibility on any kind of meaningful timescale. And in fact, recently, the state has closed a men's prison. So that, I think, partially can be credited to the LPSCCs and the collaborative work that they've done across the state. Other LPSCCs have secured federal and nonprofit funding to help focus on efforts of concern that are particular to their region like racial justice, housing, and their local diversion programs. And I could probably go on and on, but that's probably enough of our successes locally for today's podcast.

Simone Greene:

Thank you. I feel like we could probably speak for hours and hours about the successes that both of you have seen in your states. So what are some of the obstacles and challenges you've encountered when standing up these programs initially and as you continue to implement them?

Tom Fitzpatrick:

So I would say that one of the challenges in Virginia is getting the right people at the table. While the code that I mentioned earlier lists out those who should be at the table, the CCJBs really work best when the principal decision-makers are sitting at the table to discuss the issues and to develop those solutions. And it gets much more difficult when they send placeholders who can't make decisions or feel limited in their abilities to participate. There've also been several times where judges believe that they probably can't sit on such a board because of their judicial canons that prohibit them from being on policy-making boards. But we've worked with the advisory committees for the judges and gotten advice from them that the judges are able to sit on our CCJBs and provide advice to the work that's. And we realize it's really those CCJBs that have strong participation by their judges, really have seen strong collaboration among all of the criminal justice individuals in their localities. So we welcome and encourage our local judges to be strong participants on our CCJBs as well.

Ian Davidson:

Yeah. I think what Tom just described is a similar challenge to what we have here in Oregon. In terms of how to stand up these kinds of bodies, Oregon first instituted LPSCCs statewide in 1995. Unfortunately, I was only six then, so I can't offer too much insight into what it looks like to stand these groups up. I can, however, talk a little bit about what it looks like to reinvigorate these bodies. So in 2016, my agency, the Oregon Criminal Justice Commission, received a federal maximizing justice reinvestment grant, and we were able to hire or assist in the hiring of staff for 15 of Oregon's rural LPSCCs. Before I worked for my present employer, I was one of those six individuals hired to support rural counties' LPSCCs. And to make a very long story short, most of these counties in the state, their LPSCCs had atrophied. And we as staff spend our time working kind of strengthening the muscles of the LPSCCs.

Many stakeholders didn't quite have the vision of what a well-functioning LPSCC could be. So a big part of our role was initially to help those counties realize that having a working LPSCC would be a benefit to their communities. Eventually, many of the counties caught the vision, and they've since found funding to support these positions, even after the federal grant expired. However, I would caution that without deliberate thought, a LPSCCs meeting just becomes another meeting and no one likes having one more meeting. So these meetings need to be worthwhile for folks or they will stop attending. And to maybe borrow that muscle metaphor one more time, the muscles of the LPSCC grow weak over time to such a degree that when the county needs to undertake a heavy lift like rethinking their treatment program or their prison diversion program, it might not have the strength to be able to do that.

Simone Greene:

Thank you. I think that's a really good metaphor for it. And overall, these are really, really important lessons learned for other states. So for the listeners, what do you think are vital things to know when considering implementing local planning boards such as the ones implemented in Oregon and Virginia?

Tom Fitzpatrick:

I liked how Ian phrased his answer to the last question about not having just another meeting. So I would say that one of the successes, or for those programs that are successful, they recruit the right people to participate, and then they help those people see the value in participating on one of these boards. So they're not just attending another meeting. And then I think you got to take the time to plan, use data as part of that planning. And what we often remind folks internally is that there are different stages of group development, including forming, storming, norming, and then performing. So after you

form your group, there's often a storming stage where people that are accustomed to being leaders in their respective agencies have to learn how to work together and be collaborative partners together. And just the process of pulling those stakeholders together and starting the participation together also opens up lines of communication. And I think that's the value in the CCJBs is that ability to bring those people to the table, working together with a shared mission, and then looking forward to those successes they can develop together.

Ian Davidson:

I would echo a lot of what Tom has just said. I would also add that having clear roles defined is essential. How does this body, this LPSCC in Oregon, how does it differ from normal agency operations or informal ad hoc bodies? If it's a formal public body with a company in public meeting law that needs to be followed, what's the point of it? You must have clearly defined roles that are shared by the group. And if that sounds hard, it is. The folks on the LPSCC are probably accustomed to running their own office as an agency, or they've been elected by the public to these positions. They may not be the most ready to play nicely with others. So I think the opportunity for these bodies is to lean into those challenges, having those difficult and sometimes awkward conversations that folks have put off for two decades.

This can be a venue to have those conversations. So setting aside time, actual real time, for these meetings is important. Some of these bodies in Oregon have annual retreats for goal-setting. It's time-consuming, but it seems to be worth it. So others have fewer meetings through the calendar year, but those meetings last a couple hours and are very deliberative. Some LPSCCs in Oregon rely really heavily on subcommittees to focus on particulars. So those kinds of questions are ones that I would encourage others to consider before implementing local planning boards like our LPSCCs.

Simone Greene:

Thank you. I think these are all really helpful and realistic tips for people to take away. So, Tom, how did Byrne JAG funding help to implement CCJBs in Virginia?

Tom Fitzpatrick:

One of the things we realized, and I say we, but I was not actually at the agency when this happened, was that you often need dedicated staffing to a CCJB to really help guide the planning process. So our agency put out grant solicitations using Byrne JAG funds to fund local criminal justice planners for data analyst positions. And we funded about a dozen of those positions over the years with some localities then funding those positions after those grants ended or picking up those responsibilities. And I had said at the beginning of the podcast, but I actually was one of those Byrne JAG funded criminal justice planners about a decade ago for the city of Richmond and helped to do a lot of planning and coordination of the local efforts that were taking place in Richmond.

Simone Greene:

Thank you. Tom, that means you understand it from both angles. So, Ian, while you all don't use Byrne JAG funding to support LPSCCs, you do use other funding sources. So how does this funding support the work of LPSCCs?

Ian Davidson:

Yeah, that's a great question. We presently do not have dedicated state funding that supports our LPSCCs. However, we do allow a portion of our grant funding that we award to counties to be used to support LPSCCs. So I'll use the grant that I manage as an example. So a county that receives our state's Justice Reinvestment Grant can use a portion of their grant award to hire and retain LPSCC staff or address other LPSCC initiatives that they may have. So while we have not conducted any kind of empirical study on this, anecdotally, the counties that have active LPSCCs tend to be the most competitive with our grants. And those LPSCCs with dedicated staff, even if it's only a part-time staff, seem to be among the most active LPSCCs.

I would also add that our largest grants that we, as an agency, award our Justice Reinvestment Grant and our Specialty Court Grant, they require regular LPSCC approval, as well as regular review and consultation. So by requiring these bodies to kind of take an active hand in things, they're empowered to take ownership of these criminal justice programs that span the criminal justice system. So it's harder to maintain a siloed structure of doing business if this silo busting body, which I think is what a LPSCCs is, is regularly reviewing the operations and successes of a program that involves multiple stakeholders.

Simone Greene:

Thank you. So we've discussed successes, we've discussed challenges, tips, and tricks, funding. So now let's close out with talking about sustainability. So final question, how do you plan to ensure sustainability and long-lasting success for these local engagement strategies?

Tom Fitzpatrick:

Over the last couple years, we've recognized the importance of implementation science and how important it is for strong local collaboration when we roll out new criminal justice programs. In the past couple years, we've also provided technical assistance and training to local CCJBs when they request for our assistance. And we are hoping in the coming years to be able to provide more assistance to those local boards, with the hope that all 37 of our local community corrections and [inaudible 00:22:36] agencies have strong and engaged CCJBs.

Ian Davidson:

Like in Virginia, Oregon, we offer individual technical assistance to the LPSCCs and their staff. In addition, we host a monthly meeting with LPSCC staff across the state where we present agency updates, so updates from the Oregon Criminal Justice Commission. We field questions from them and discuss challenges that they face. It also serves as a good venue for sharing of best practices and an opportunity for them to ask their peers for advice. I think Tom can maybe relate to this, but being a staff person to one of these bodies can be pretty unique. So having a sounding board has proven beneficial to many of these people. So our agency is also, as I mentioned earlier, an independent body that conducts research on criminal justice matters for the state. So we're also able to serve as a conduit of that information to the counties through these ongoing conversations, which helps them as they innovate and make changes to their processes and programs. Though, I think candidly, I think Oregon would probably benefit from considering a stable long-term funding model for these LPSCCs.

Simone Greene:

Thank you, Tom, and thank you, Ian, for joining me today. It was great hearing about what Virginia and Oregon are doing to support local criminal justice planning boards. Your approaches have many

similarities, and they also have some differences and can really help other jurisdictions as they consider providing support to these types of boards. So thank you again, and it was a pleasure to speak to the both of you. Take care.

Ian Davidson:

Thank you.

Tom Fitzpatrick:

Yeah. Thank you for the time today.

Outro:

Thanks again to Thomas Fitzpatrick of Virginia and Ian Davidson of Oregon for taking the time to speak with us about local engagement strategies in their states and the role that Byrne JAG funding has played in developing and supporting them. To learn more about local engagement in Virginia and Oregon, visit the web links