Dear Chairwoman Kafoury,

For the past eight months, Disability Rights Oregon (DRO) has investigated the treatment of people with mental illness in the Multnomah County jail. The findings are deeply troubling. Our report, “A Merry Go Round That Never Stops: Mental Illness in the Multnomah County Detention Center,” details how our clients held there endure treatment and conditions that are traumatizing, dangerous and even life threatening.

Our investigation revealed a climate in which well-intentioned staff have become accustomed to responding to behavioral healthcare needs with force and deprivation, and in which “rogue” violence by a handful of ill-intentioned staff is not effectively reined in.

The report makes recommendations intended to provide concrete steps that span the entities involved in the criminalization and incarceration of people with mental illness. By taking these steps, we can use jails more efficiently and effectively to improve the lives of those in their custody and better protect public safety.

Though Sheriff Reese agrees with DRO’s recommendations, he is not equipped to solve these problems on his own.

The County Commissioners’ leadership will be pivotal to securing the funding and creating the political will to decriminalize behaviors related to mental illness and end abuse and neglect of people with mental illness in Multnomah County jails. Therefore, we would like to know whether you support these recommendations.

To take meaningful action to address the problems documented in the report, we request your written response to the following questions:

1. Do you support moving all or most detainees with mental illness held at MCDC to Inverness by the end of 2017?
2. Do you support funding additional clinical staffing and programming and implementing CIT training for all jail deputies by the end of 2017?
Rather than sinking precious resources into pursuing minor mental health-related charges, would you support investing money locally into the behavioral health services and housing that would stabilize these individuals, and our community, long-term?

Do you support expanding the Law Enforcement Assisted Diversion (LEAD) program to include offering treatment rather than arrest for people with mental illnesses and/or dual diagnoses who would otherwise face low-level charges?

Below is a summary of the issues that we think warrant your support:

**Move all or most detainees with mental illness held at MCDC to Inverness Jail by the end of 2017**

MCDC holds one-third of the jailed population, but accounts for 83 percent of incidents involving force against a detainee. The Sheriff’s own consultant suggested that this is likely because solitary confinement drives “adverse events.” Almost all detainees with mental illness in Multnomah County are held in solitary confinement. This is inhumane and unconstitutional. Detainees in MCDC rarely, if ever, access fresh air or face to face human contact. Echoing a recommendation in the Fall 2016 Grand Jury Report, we support moving detainees with mental illness to Inverness, where they can access fresh air and programming, and escape the conditions of violence and isolation at MCDC.

The Sheriff agrees with this recommendation. Funding is necessary to make this happen.

**Increase clinical staffing and programming and implement CIT training for all jail deputies by the end of 2017**

The County has a legal and ethical duty to meet basic healthcare needs of people in custody at the county jail. Currently, jail staff respond to behaviors stemming from mental health crisis with counter-therapeutic corrections tools: use of force, tasers, spit socks and the restraint chair, and conditions of extreme sensory and social deprivation.

Ending the use of these traumatizing tactics will require additional funding for clinical staffing and services.

It will also require a “culture shift” so that deputies value and make space for clinical interventions. Such a culture shift is predicated on accountability for deputies that abuse power, and training.

Deputies in the jail desperately need crisis intervention training and mental health training. The Sheriff agrees. Funding is necessary to accomplish this.

**Tell state lawmakers that you support investing money locally into the behavioral health services and housing to stabilize these individuals, and our community, long-term**

Though changes and investments are critical to improving conditions in MCDC, ultimately, there is no amount of funding, staffing or policy changes that can transform the jail into a safe,
A therapeutic environment for people whose primary need is behavioral healthcare. At the same time that we bring conditions up to constitutional standards, we must focus on ending the jail’s role as a dumping ground for people who lack a welcoming destination.

Toward that end, we request your support for state investments in behavioral health services and housing for people with mental illness.

Expanding the Law Enforcement Assisted Diversion (LEAD) program to include offering treatment rather than arresting people with mental illnesses and/or dual diagnoses who would otherwise face low-level charges

Many people with mental illness who are charged with crimes are not competent to “aid and assist” in their own defense. After a lengthy process to reach that determination, most of these defendants are sent to the state hospital (OSH) to receive competency restoration services.

More than 40 percent of those sent to OSH through this avenue face misdemeanor charges. A person can be held for up to a year at OSH on a misdemeanor charge, at a cost to Oregon’s general fund of $240,000. Then, he or she is returned to jail and discharged; all too often, to homelessness.

We request your support for expanding the LEAD program to include offering treatment for people with mental illness and/or dual diagnoses for crimes with low-level charges rather than charging them. By discontinuing arrests for low-level charges for people with these health issues, we will avoid triggering this expensive system.

Thank you in advance for responding to our request. These recommendations will improve conditions and treatment for our clients in jail. Disability Rights Oregon envisions a county in which people with disabilities are integrated into the fabric of daily life through services and supports. Investing in community integration makes our county richer, more stable, and more livable for everyone. We look forward to working with you to achieve this vision.

Sincerely,

Sarah Radcliffe
Managing Attorney
Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program
Disability Rights Oregon