

Safe Screen: Evidence Based Risk Assessment of Criminal Suspects = Safer Community

In July, 2015 the Deschutes County District Attorney's Office (DA) and Adult Parole and Probation (APP) will commence implementation of Safe Screen: a pre-sentencing risk screening program.

The objective is to keep our community safe by providing the DA with additional and early information about criminal defendants. This additional and early information will enable the DA to better assess which defendants with presumptive prison sentences should receive prison sentences and which should be treated locally.

Current Process:

DA considers the facts of the crime that was committed, the criminal record of the defendant, the input of the victim, and the advocacy of the defense attorney, and based on all this, decides whether a local sentence or a presumptive prison crime is appropriate. DA makes a sentencing recommendation to the court. The court then considers the facts, law and arguments of counsel and determines the appropriate sentence.

New Process:

1. DA and APP identify offenders facing presumptive prison sentences who may be eligible for a local sentence.
2. This process is initiated by the court release officer completing a screening tool with easy to use pull down menus.
3. If an offender is determined to be facing a presumptive prison sentence and to be eligible for a local sentence, the offender's records are reviewed to see if they've previously received a discretionary local sentence when they were facing a presumptive prison sentence. If they have, they will not receive a local sentence.
4. The next step is to use Oregon's Public Safety Checklist to calculate the offender's risk of committing another felony. If the risk score is 3 or greater the DA will not offer a local sentence.
5. If the risk score is 2 or less or less, the DA will conduct a review of the evidence and make a determination as to whether the harm or loss from the crime was greater than usual for the type of crime involved. If the harm or loss was greater, the DA will generally not offer a local sentence, but reserves the right to do so when circumstances warrant.
6. If the DA wishes at this point to continue considering offering a defendant a local sentence, the defendant is referred to APP for a Level of Service/Case Management Inventory (LSCMI) assessment to assess their risk and needs if given a local sentence.
7. Based on the results on the LSCMI, the DA decides whether to offer a local sentence.
8. Regardless of what the DA decides:
 - a. The defense can ask for a local sentence
 - b. It's up to the court to decide whether a defendant receives a local sentence.