

# DISRUPTING MASS INCARCERATION AT THE LOCAL LEVEL

## A GUIDE TO MAPPING REFORM

Kate Gonsalves



# About

The Oregon Justice Resource Center (OJRC) is a Portland, Oregon, 501(c)(3) nonprofit founded in 2011. We work to promote civil rights and improve legal representation for communities that have often been underserved in the past: people living in poverty and people of color among them. Our clients are currently and formerly incarcerated Oregonians. We work in partnership with like-minded organizations to maximize our reach to serve underrepresented populations, train public interest lawyers, and educate our community on civil rights and civil liberties concerns. We are a client-centered organization that uses integrative advocacy to achieve our goals. This strategy includes focused direct legal services, public awareness campaigns, strategic partnerships, and coordinating our legal and advocacy areas to positively impact outcomes in favor of criminal justice reforms.

[www.ojrc.org](http://www.ojrc.org)





# Acknowledgements

The Oregon Justice Resource Center expresses its sincere appreciation to the staff and board members of many organizations who contributed to the development of the ideas in this Guide. This Advocacy Guide builds on the efforts underway by activists, academics, employees, elected officials, practitioners, and currently and formerly incarcerated individuals working to reimagine and transform the criminal justice system from inside and out.

Special thanks are extended to all those impacted by the justice system who shared their stories and perspectives which have influenced the ideas in this Guide and added urgency to the work ahead. This effort would be impossible without the support of Oregonians who give their time to build power at the local level by donating, volunteering, testifying, running for office, voicing concerns to elected officials, taking part in peaceful protest, and putting their bodies on the frontlines.

The ideas in this Advocacy Guide are just the beginning. The Oregon Justice Resource Center is grateful to the many community groups and individuals who have expressed their willingness to collaborate on next steps in efforts to reform our criminal justice system at the local level. We look forward to our continued partnership.

Graphic design and editing of this report by Alice Lundell.



# Introduction

When considering criminal justice reform, the media and many of us are still primarily focused on the roles of the police and the federal government. Much attention has been appropriately paid to the lives lost and families torn apart in police shootings around the country as well as positions taken by President Trump and members of his administration on criminal justice reform.

What is often overlooked, however, is the significant power and responsibility of “down-ballot” elected officials such as county commissioners, district attorneys and school board members. These actors play a direct part in the systems that contribute to over-incarceration. They may run for election unopposed and their decisions can easily escape public attention. But these decisions,

be they about disciplinary policies, discretionary budget appropriations, or charging practices, have a direct, far-reaching, and often immediate impact at the local level.<sup>1</sup> The daily practices of these stakeholders play their part in perpetuating racial disparities in our criminal justice system and in shaping outcomes.

Simply put, meaningful criminal justice reform is unlikely to be achieved without buy-in from local level stakeholders. These decision makers, particularly sheriffs, district attorneys, and judges, hold the keys to the front door of the correctional system. County and municipal actors are responsible for many of the decisions that funnel people through that front door because people who are sentenced to state prisons are prosecuted locally. These local actors have

discretion over whether to stop, search, arrest, fine, divert, or charge someone and how long a sentence should be sought.

By refocusing our attention from the federal and state level to our local communities, we can see that locally-elected leaders at the city and county levels have tremendous power to drastically change systems of over-criminalization. This guide aims to expose the opportunity and responsibility that local elected leaders have to bring about criminal justice reform. It will also provide a framework to help you seek accountability from your local level officials and representatives.



# How to use this guide

This Guide focuses on the period leading up to incarceration as the foundation and critical phase of our system of mass incarceration. It was developed as a tool for advocates who are concerned with ending mass incarceration. Once we admit that over-incarceration is a shameful failure and has a disparate racial impact, we must then take on the tremendous challenge of

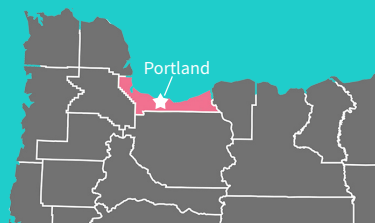
transforming this mammoth system with its myriad parts.

The scale of this undertaking could easily feel paralyzing. To overcome this problem, we have created this Advocacy Guide to help you break it down into clearly defined and manageable tasks. You can use this Guide to identify the decision makers who have authority to make changes

around particular issues as well as their “pressure points”, or the ways in which they can be influenced. These tasks may take many forms, such as writing to elected officials, attending budget hearings, or voting for change in local elections. Our hope is that you will find opportunities to more readily move your local decision-makers toward ending mass incarceration.

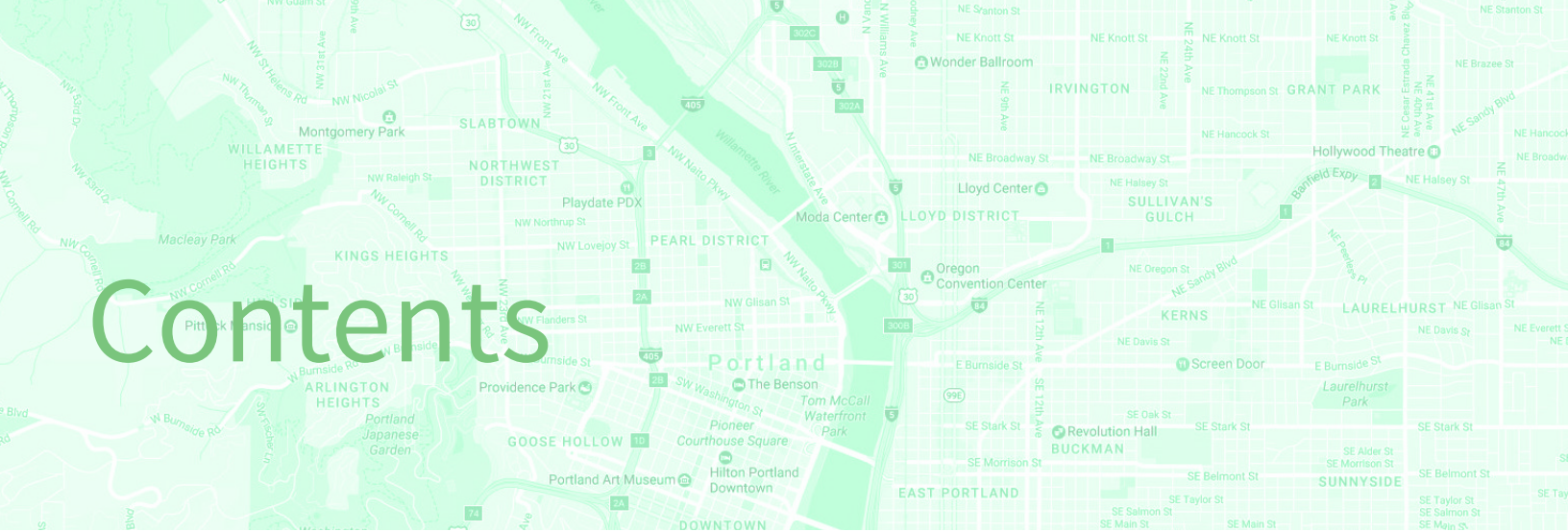


Multnomah County in northwest Oregon is the state's most populous county (799,766 residents). It is home to the cities of Portland (639,863 residents), Gresham (111,523 residents), Troutdale (16,617 residents), Fairview (9,290 residents), Wood Village (4,016 residents), and Maywood Park (828 residents).<sup>2</sup>



## Multnomah County and the city of Portland

**You might be surprised to learn that a large majority of incarcerated individuals in the U.S. are sentenced in highly populated urban areas that are typically considered progressive strongholds.**<sup>3</sup> For that reason, we have decided to use Multnomah County and the city of Portland and their school districts as an example of a local area where the ideas in this guide can be implemented. Other counties may have distinct governing structures that pose their own unique opportunities and challenges, including preemption.<sup>4</sup>



About	01
Acknowledgements	02
Introduction	03
How to use this guide	04
Rethinking justice at the local level	06-07
The stars are aligned: leaders ready for change	08
Challenges for reformers	09
Power mapping framework	10
Types of effective action	11-12
Key local elected officials	13-17
Case study	18-19
20 actions you can take now	20-21
Summary	22
Multnomah County resource list	23
Elected officials' contact information	24-25
Issue assessment worksheet	26-28
Continue the conversation	29
Notes and citations	30-32





# Rethinking criminal justice at the local level

## SCOPE OF THE PROBLEM

With five percent of the world's population and nearly 25 percent of its prisoners, the United States has the dubious distinction of being the planet's leading jailer.<sup>5</sup> At the local level, jail admissions have nearly doubled, with almost 12 million admissions each year.<sup>6</sup> The hyper-criminalization of Americans, particularly those who are poor, black, or brown, has become normalized as punishment has grown more severe. In the last 40 years, the national prison population grew by more than 500 percent.<sup>7</sup>

In Oregon, despite our progressive reputation, we mirror the national trend toward over-incarceration. In January 1987, Oregon had a prison population of 4001.<sup>8</sup> 30 years later, in January 2017, the prison population had more than tripled

to 14,617.<sup>9</sup> Even allowing for the general population increase, this growth is staggering, with roughly 83,000 Oregonians under some form of correctional control.<sup>10</sup>

## REASON FOR GUARDED OPTIMISM

Despite the results of the recent presidential election, momentum for reform seems to be building. The 2016 elections delivered a tremendous surge of support for forward-thinking criminal justice reforms at the local level. Voters in multiple states passed ballot measures tackling criminal justice issues such as parole for nonviolent felons, bail reform, and the reclassification of some felonies as misdemeanors.<sup>11</sup> For the first time in recent history, voters in more than a dozen states ousted a significant number of incumbent district

attorneys and sheriffs in favor of reform-minded candidates.<sup>12</sup> Grassroots activists in Washington and California have made major progress in encouraging city councils to prevent construction of new jails.<sup>13 14</sup> These recent local-level victories illustrate how, if the broader goal of the criminal justice reform community is to bring about systemic change, a focus solely on the powers of the President would be short-sighted.

## WHY OREGON?

In contrast to focusing on the federal administration, a local-level approach to criminal justice reform provides the most promising path away from over-incarceration. Out of the roughly 2,500 counties across the nation, urban centers that are major population hubs hold the most

potential to transform systems of mass incarceration. A focus on progressive counties and cities with large populations can drive down admissions, transform practices, and reshape the criminal justice landscape for an entire state.

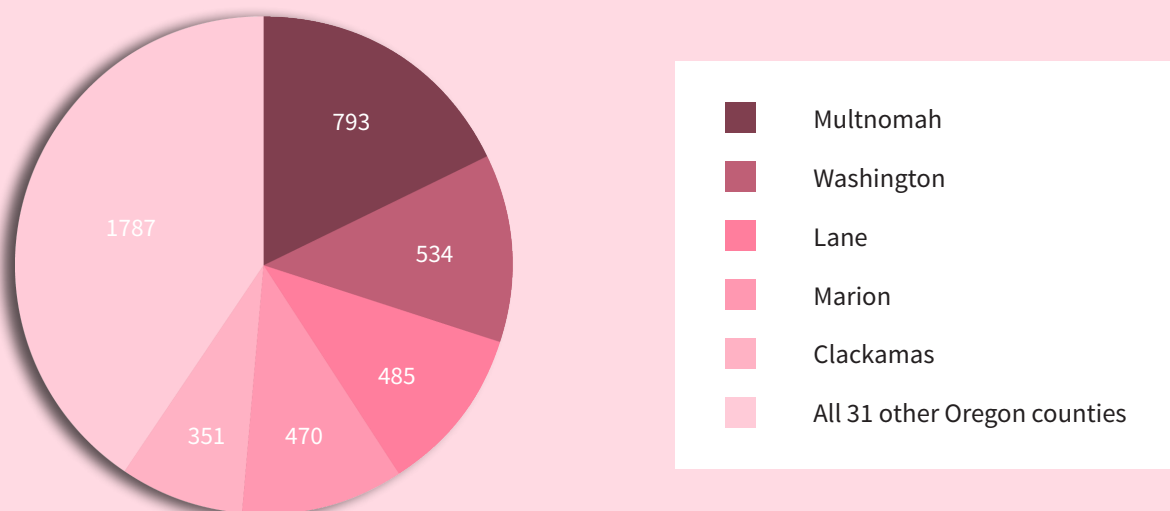
Growing awareness of the gross racial disparities that exist within Oregon prisons is fueling a debate over what stakeholders in the justice system can do to address this problem. What is less talked about is that an overwhelming number of people of color entering the system are being sent there from some of Oregon's most progressive cities and counties. These jurisdictions may not have the

largest disparities between the number of people of color they send to prison and the size of those ethnic and racial groups within their general populations. But, as the chart below shows, the sheer number of people these cities and counties send to prison relative to less populous places means their local level stakeholders have the greatest ability to address the disproportionate impact of mass incarceration on communities of color.<sup>15</sup> Nearly one in five Oregonians who went to state prison in 2016 was sent there from Multnomah County.

Public opinion polling demonstrates that a preventative-rehabilitative

approach to crime control is overwhelmingly favored by Oregonians, with 61.4 percent in favor according to polling.<sup>16</sup> Recently, voters bucked the national trend by electing progressives more favorable to criminal justice reform in the executive, Senate, and House, and by electing the most diverse crop of legislators in state history including more women, queer people, and people of color.<sup>17</sup> As Oregon addresses the real-world budget impact of ever-growing prison numbers risking the opening of new prisons, this is an opportune time to encourage local stakeholders to embrace less punitive but still effective alternatives to decrease admissions.<sup>18</sup>

OREGON STATE PRISON INTAKE COUNTS BY COUNTY, 2016<sup>15</sup>





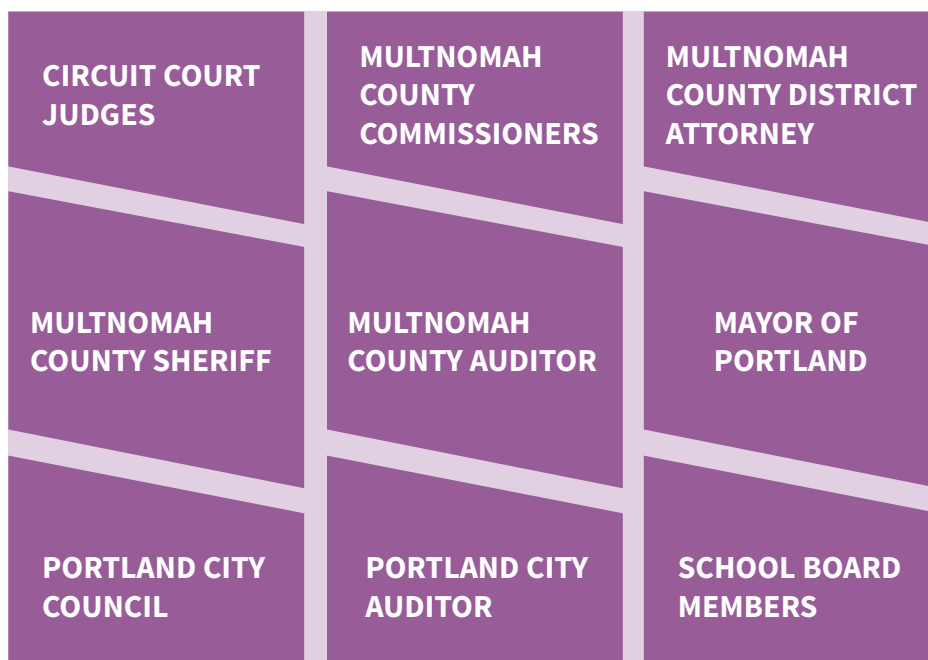


# The stars are aligned: we are ready for change

At the local level the stars are aligned for change. As a result of recent elections, the Multnomah County Commission is made up of a majority of people of color and entirely female. For the first time, Portland's auditor has more autonomy, there is a new mayor, a new police chief, a new sheriff, and there

will be a new superintendent of Portland Public Schools all answerable to one of the most progressive constituent bases in the nation.<sup>19</sup> Now is the time to persuade local stakeholders to switch to alternatives that may be less punitive but are still effective. Below are the nine key stakeholders you need to know

about because they have the greatest capacity to influence the local criminal justice issues you care about. As you read this guide, you'll learn more about the powers of these stakeholders and how they interact with one another as well as how you can help shape their decisions.





# Challenges for reformers

## COMPLEXITY OF THE SYSTEM MAKES IT DIFFICULT TO PLUG IN TO ACHIEVE REFORM

Recent public opinion polling shows that we are ready for new approaches to criminal justice.<sup>31</sup> Yet, it can be frustrating and confusing to deal with the numerous uncoordinated and often autonomous actors associated with “the system”. Despite the significant amount of tax dollars spent on public safety, the public is both ill-informed about, and highly impacted by, the multiple agencies and actors that make up the justice system.<sup>20</sup> This maze of bureaucracy makes it difficult to pinpoint where accountability lies. With such an array of actors and institutions, the majority of reform energy tends to focus on police. This attention to law enforcement is understandable given the instances of excessive use of force, the visibility of the police

on our streets and the frequency of our interactions with them.<sup>21</sup> However, without the backing of those they answer to, expecting accountability from unelected frontline employees is fraught with difficult and potentially meager impact.

## NO SINGLE PERSON IN CHARGE

There is no one person in charge of the criminal justice system in the United States. Instead, criminal justice is often impacted by multiple stakeholders, each with varying degrees of discretion and influence. If you live in Portland, you may fall under the jurisdiction of the federal system, state prisons, county jails, Oregon State Police, the Portland Police Bureau, Oregon Health Sciences University police, TriMet police, Port of Portland Police, probation and parole divisions, and other agencies and services such as

drug courts and halfway houses, probation and community sanctions, and neighborhood prosecutors. In addition, there is a military criminal justice system, immigration detention, tribal courts with some criminal jurisdiction, and a separate system for juveniles.

These agencies and individuals are often the first to come to mind when thinking about criminal justice. When looking “upstream”, it becomes apparent that local elected officials play an oversized role in setting justice-related priorities and outcomes long before they are enforced. The focus and main priority of this advocacy guide is to build on current conversations focused on police, and take the discussion a step further to name the locally elected actors with the authority to bring about real culture change.





# Power mapping framework

## A PATH FORWARD: POWER MAPPING

The Oregon Justice Resource Center relies on a power mapping framework, long used by social justice organizers across the nation, but rarely applied to local criminal justice issues. This framework is particularly useful in the justice realm where identifying the best approach to transforming complex bureaucracies can be overwhelming. By identifying the many stakeholders with the authority to enact reform, the framework of power mapping serves to increase transparency, home in on realistic solutions, and move the conversation away from “tinkering” around the edges of a problem. An example starting point for mapping criminal justice issues is:

1. Identify an issue or problem
2. Identify decision-makers
3. Create an action plan.

### Step one: identify the problem

There are many ways to undertake power mapping. The process can be useful for individuals but is most effectively done in groups. First, agree upon an issue or problem. Then, gather information and familiarize yourself with the topic. Find out everything about the issue. What information do you have and what additional research questions do you need to answer? What progress has already been made on the issue?

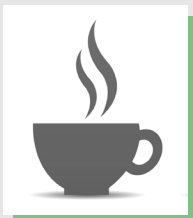
### Step two: identify decision-makers

The second step is to determine who are the key decision-makers on your issue. It may be helpful to determine the spheres of influence by drawing a grid of relational power lines. Who is in charge? To whom do they answer? Who supports the issue? Who can be influential? Who can be supportive? Who is most impacted? Are there associations, issue organizations or donors who can exert influence? Mapping relationships allows you to determine spheres of influence along with pressure points.

### Step three: make a plan and take action

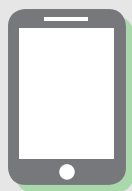
Create an action plan including development of priorities and goals, setting timelines, identifying your best messenger(s), adding key dates to calendars, and agreeing tactics to effect change. Get started and keep in mind that elected officials work for you. This step can be as simple as a phone call to local officials voicing support or opposition to a policy. It can be a more time-intensive campaign in partnership with other advocacy organizations. Even if you are confident that an official agrees with you it is important to thank them for making progress on issues you care about. This can provide them with cover and encourage them to go further.

# Types of effective action



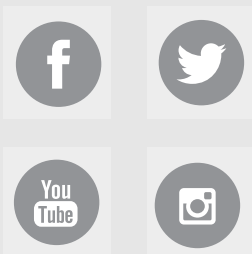
## FACE-TO-FACE MEETINGS

Office visits or conversations over coffee are effective especially when they come with a clear “ask” (request). Elected officials are frequently lobbied by influential special interest groups. This makes it even more important for them to hear directly from their constituents. Calling the office staff line and asking for a meeting only takes a moment. Be courteous to staff members who act as gatekeepers and sometimes draft memos and inform the elected official about your position.



## COORDINATED CALLS

Calls can make a big impact and take little time. Calls tied to a specific action in coordination with other groups are the most impactful, but even individual calls are noted. Elected officials notice how many calls they receive and about which issues. It can be helpful to write a quick script before calling to make sure you cover all your points. Most likely, you will not speak to the elected official directly but their staffer will take a message to pass on.



## SOCIAL MEDIA

Activists are increasingly turning to social media to engage. Twitter allows elected officials to be tagged and Facebook has launched a way for users to contact their representatives. Facebook Live, the site’s live video streaming service, is growing as a platform to broadcast townhalls and record elected officials’ statements on issues. Following and commenting on their pages provides feedback and allows you to stay up to date on where they stand. Find their campaign pages and start following them.



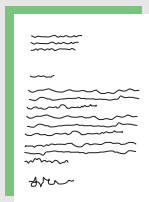
## SHOWING UP

Testifying at hearings and other local public events, joining subcommittees, and becoming a recognizable “face” are important in holding officials accountable. There are various ways to make an impact: by attending hearings and joining Budget Advisory Committees (CBACs) at the county level or Budget Advisory Committees (BACs) at city level. Check local government websites for schedules to find opportunities to engage.



A detailed map of Portland, Oregon, showing various neighborhoods like Willamette Heights, Slabtown, Northwest District, Pearl District, Lloyd District, Sullivan's Gulch, Laurelhurst, and Sunnyside. Major roads and landmarks are labeled.

# Types of effective action



## THE POWER OF THE WRITTEN WORD

Writing to your elected officials including by letter, signing petitions, or emailing is another good way to engage. Bulk email campaigns are less effective but letters frequently generate a response. Stressing that you are a constituent is the most effective way to be taken seriously. Many organizations such as Moveon.org and Color of Change send regular action alerts and petitions.



## SEEKING PRESS

Op-eds, press releases, letters to the editor, and earned media can be excellent ways to generate awareness and attention for an issue. Elected officials are always concerned with how they are perceived in the community. Local papers publish criteria for submitting op-eds for publication. In Multnomah County, both *The Oregonian* and the *Portland Tribune* publish guest opinion pieces.



## VOTING AND ELECTORAL ACTION

Learning about when candidates are up for re-election comes first. Recruiting candidates to run, holding candidate interviews, volunteering to knock on doors and make phone calls to candidates you support, donating, reading up on candidate positions, and voting can make a big impact. Visit the Oregon Secretary of State's My Vote website to check whether your voter registration is up to date. Don't forget that even if you are on probation or parole, you still have the right to vote in Oregon.



## OTHER FORMS OF ACTIVISM

There are numerous other creative ways to engage with elected officials. Some ideas include: art, protests, marches, civil disobedience, demonstrations, impact litigation, music benefit concerts, strikes, ballot measure campaigns, recall elections, boycotts, hacktivism, hosting forums, and holding events.



# Key local elected officials

ELECTED OFFICIAL AND JURISDICTION	EXAMPLE OF KEY DECISION POINTS (ADDITIONAL POWERS AND DUTIES MAY APPLY)	CURRENT OFFICE HOLDER(S) AND DATE OF EXPIRY OF TERM	TERM	SALARY (NOT INCLUDING BENEFITS)
<p><b>CIRCUIT COURT JUDGE</b></p> <p>Multnomah County and City of Portland.</p> <p>The circuit court also serves as the municipal court for the City of Gresham and other municipal government in Multnomah County.</p>	<p>Imposes sentencing decisions and fines and fees</p> <p>Approves search warrants</p> <p>Sets bail and release conditions</p> <p>Rules on pretrial motions</p> <p>Presides over trials including introducing evidence and instructing jurors</p> <p>Dismisses charges, accepts pleas</p> <p>Conducts hearings, revokes probation</p> <p>Makes decisions on diversion</p> <p>Presides over arraignments and settlement conferences</p>	<p>There are 38 authorized judges for the 4<sup>th</sup> District Circuit Court.</p>	<p>Judges are frequently appointed and then run to retain their seats in elections held in even-numbered years. They serve six year terms and may run for re-election.</p>	<p>\$135,776<sup>22</sup> (Varies depending on length of service.)</p>
<p><b>MULTNOMAH COUNTY DISTRICT ATTORNEY</b></p> <p>County and city code crimes in Portland.</p>	<p>Manages large staff and sets the tone for office priorities</p> <p>Determines which cases will be prosecuted and to what degree</p> <p>Decides whether to divert, to dismiss/seek charges, convenes grand juries</p> <p>Decides whether to pursue case as a misdemeanor or felony</p> <p>Pushes for trial or offers plea deal</p> <p>Influences grand jury recommendations on whether to indict, tracks appeals</p> <p>Presents evidence, questions witnesses</p>	<p>Rod Underhill, 2020</p>	<p>Nonpartisan race, elected at-large, serves four-year terms with no limits. The election can easily be won in the primary if only one candidate files for the office or if one receives at least 50% + 1 votes.</p>	<p>\$175,868<sup>23</sup> (The district attorney receives a salary of state and county funds combined.)</p>



MULTNOMAH  
COUNTY  
COMMISSIONERS

County.

Sets and oversees county priorities  
Chair serves as chief executive and proposes budget, works with commissioners to pass budget  
Primary power of the purse  
Ability to pass policy and vote at board meetings  
Ability to request data and convene groups  
Oversight of issues and strategic planning  
Specific power to decline or approve all budget requests related to criminal justice including the sheriff's and district attorney's  
Oversees the Local Public Safety Coordinating Council  
Oversees community parole and probation.

Chair Deborah Kafoury, 2018; Sharon Meieran, 2020; Loretta Smith, 2018  
Term limited; Jessica Vega Pederson, 2020; Lori Stegman, 2020

Multnomah County has one chair and four county commissioners. Commissioners are elected on non-partisan ballots to four-year terms and can serve two four-year terms in a 12-year period. The chair is elected at-large and all other commissioners are elected from west, north, central, and east geographic districts. Half the seats turn over each election.

Chair: \$150,704<sup>24</sup>

Commissioners: \$99,946<sup>25</sup>

MULTNOMAH  
COUNTY SHERIFF

County.

Enforces laws, supervises large staff, and sets tone for office priorities  
Manages two county jails and their conditions  
Books arrestees and supervises those serving in jail and those awaiting trial  
Has the power to arrest or detain and to search people and premises  
Can investigate crimes and execute warrants  
Patrols unincorporated areas of the county  
Limited probation oversight  
Has limited speciality units such as search and rescue  
Can set and implement new policies  
Prioritizes budget requests to submit to the county chair.

Mike Reese, 2020.

Nonpartisan race, elected to two four-year terms, and can serve two four-year terms in a 12-year period. The election can easily be won in the primary if only one candidate files for the office or if one receives at least 50% + 1 votes.

\$154,381<sup>26</sup>

**MULTNOMAH  
COUNTY AUDITOR**

County.

Has power to conduct regular criminal-justice-related performance audits  
Can act as a watchdog to ensure departments are on track to meet their stated goals  
Can address the misuse of local resources and the adequacy and effectiveness of criminal justice agencies and make recommendations.

Steve March, 2018. Term limited.

Nonpartisan race, elected at-large, can serve two four-year terms in a 12-year period. Term limited.

\$108,620<sup>27</sup>

**PORTLAND CITY  
COUNCIL**

City of Portland.

Make budget decisions including for investments and divestments  
As the policy-making body of the city, play a role in determining which behaviors and acts will be criminalized by defining city code ordinances and resolutions  
Hold the ability to form committees, to report back, and to make recommendations around issues such as racial disparities  
Can use the bully pulpit to establish Council policy committees, raise awareness, ask probing criminal justice questions of local actors and agencies, and request reports  
Can request audits not included in the annual audit plan  
Can set fines and fees  
Can strengthen independent police review to address complaints, conduct investigations, compel review, and suggest policy recommendations  
Responsible for long-range and strategic planning  
Can issue subpoenas  
Can refer ballot measures to the people to vote on.

Amanda Fritz, 2020;  
Nick Fish, 2018;  
Dan Saltzman, 2018;  
Chloe Eudaly, 2020.  
(Mayor Ted Wheeler is listed below.)

Portland City Council has five City Commissioners including the Mayor.

Nonpartisan race, elected at-large, serve four-year terms with no limit. Half the seats usually turn over each election.

\$113,131<sup>28</sup> depending on length of experience.

**MAYOR OF  
PORTLAND**

City of Portland  
(nonpartisan).

Supervises the general affairs of the city  
Oversees the bureau assignments of the city, including the Police Bureau  
Along with other council members, holds power to negotiate staffing contracts with local police unions and can incentivize new policing practices such as tougher punishments for excessive force, demilitarized policing practices, and departmental protocols around the use of body cameras  
Votes at council meetings  
Submits to the council a recommended budget  
Appoints/removes police chief and other senior city officials  
As police commissioner, can influence policies and establish best practices  
Can use the bully pulpit to champion and set priorities  
Works with the US Department of Justice to follow the terms of the settlement on excessive use of force

Ted Wheeler,  
2020

Nonpartisan race, serves four-year terms with no limit.

\$134,326<sup>29</sup>

**PORTLAND CITY  
AUDITOR**

City of Portland.

Oversees 50 employees to provide independent reviews, audits, and access to public information  
Oversees the Independent Police Review which observes and participates in investigations into officer-involved shootings and in-custody deaths among other issues  
Addresses complaints  
Conducts investigations  
Suggests policy in addition to compelling officer testimony  
Submits an annual audit plan to Council and can spontaneously initiate any other audit deemed necessary.

Mary Hull  
Caballero, 2018.

Nonpartisan race, elected at-large, serve four-year terms with no limits.

\$113,131<sup>30</sup>



## SCHOOL BOARD

District or zone.

Multnomah County includes portions of several cities including Fairview, Gresham, Lake Oswego, Maywood Park, Milwaukie, Portland, Troutdale, Wood Village, and several unincorporated communities.

Has power to decrease the school-to-prison pipeline  
Makes key policy and hiring decisions  
Has power to hire the superintendent  
Makes decisions around school curriculum  
Oversees school discipline policies and has ability to incorporate a restorative justice approach  
Makes decisions around expulsions, training, and intervention  
Sets policy around whether to have a police presence in schools (school resource officers.)

Multiple positions.  
Several seats are up in 2017.

School board members are elected in odd-numbered years to serve four-year terms with no limits. Generally, board members are elected district-wide to represent the entire school district. In some cases, they must reside in a particular zone. Half the seats usually turn over each election.

Unpaid position.

*Salaries listed are based on the most recent publicly available data. Salary levels may be affected by a variety of factors — including length of service — so data from previous years may not apply to current and/or future office-holders.*



# Case study

More than 150 cities and counties across the US along with half the states have passed legislation commonly referred to as “Ban the Box” laws.<sup>31</sup> These laws aim to remove barriers to employment for people with criminal histories. They increase the chances of people with such histories becoming employed by prohibiting the inclusion of questions on employment applications asking whether applicants have prior felony convictions. 2015 saw Portland and Oregon join the nationwide momentum toward reform by passing their own versions of these laws. The campaign around “Ban the Box” in Portland offers a model for how you can plan, organize, and carry out a campaign around your chosen issue.

## Identifying the problem

People with criminal histories face significant barriers to finding employment. According to the National Employment Law Project, nearly one in three US adults has an arrest or conviction that may show up on their record during routine employment background checks.<sup>32</sup> Employers often ask job applicants to disclose whether they have anything on their record, asking them to “check the box” if they have prior convictions. For those who check the box, this information may be used to dismiss their application out of hand, without regard to learning more about what rehabilitation the applicant may have undergone, how long ago their conviction was, how serious it was, or how far they can show they have changed since that time. Candidates may not get the chance to explain their convictions because they never make it to the interview stage of recruitment.

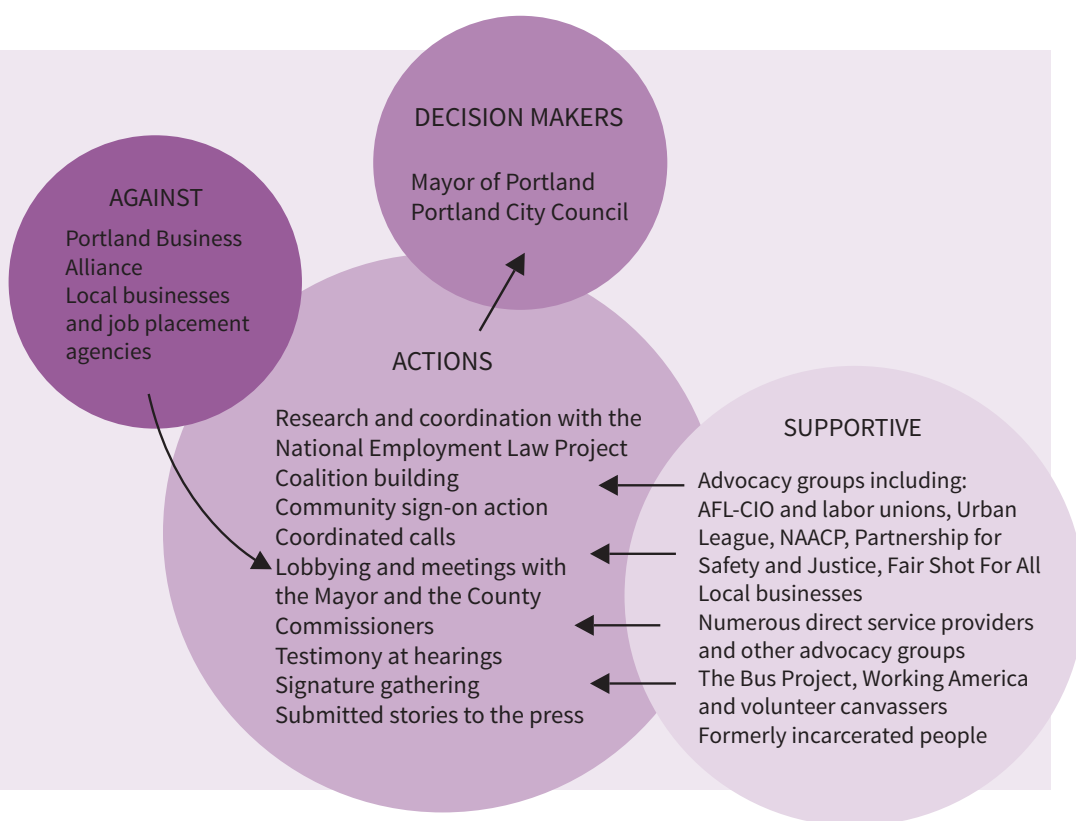
In recognition of the way that applicants with criminal histories are missing out on employment opportunities, the “Ban the Box” movement was born. It aims to persuade jurisdictions to prohibit the inclusion of questions about criminal histories at the application stage, although it does not prevent employers from learning about them later in the process, once candidates have had a fair shot at gaining an interview where they can provide an explanation and context to their record.

## Identifying decision-makers

The Mayor and the Commissioners were the decision-makers since they have the power to pass city ordinances.

## Taking action

This chart shows how supportive and opposing groups took action to influence the decision made by the Mayor of Portland and the Portland City Council on “Ban the Box”. The campaign in support involved coordination of multiple local and national actors for focused advocacy, media, campaigning, and public education.



## Outcome

In 2015, after months of organizing and coordinated action by community groups such as the Urban League of Portland, Fair Shot Oregon and the Oregon AFL-CIO, the Portland City Council unanimously approved a new “Ban the Box” ordinance.<sup>33</sup> The regulations were stronger than the state policy passed earlier that year. Now, most Portland private-sector businesses with more than five employees cannot ask about a prospective employee’s criminal history before offering them a job.

While widely applauded as a step forward, studies on how “Ban the Box” laws are working in practice around the country have raised concerns employers may end up discriminating broadly against particular racial or ethnic groups to try to circumvent the law.<sup>34</sup> Removing barriers to employment is important but it is not the end of the road: there is more to be done to tackle entrenched racism in hiring practices.



Photograph courtesy of the Oregon AFL-CIO



20

# actions you can take now

## ..... EDUCATE YOURSELF .....

1. Educate yourself and others about the justice system with special

focus on historically marginalized groups, crimmigration and LGBTQ history. Read books such as *Just Mercy* and *The New Jim Crow* and learn from documentaries such as *13<sup>th</sup>*. Subscribe to The Marshall Project's email news roundup to get daily updates on criminal justice issues.



2. Stay informed about local policies, ordinances, changes to the charter, budget appropriations, upcoming hearings and bargaining around the police union contract.

3. Attend conferences and events that have been sponsored by community partners. Learn about and support intersectionality to build power as well as avoid making progress at the expense of another group.

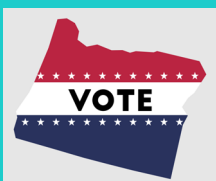
4. Support investigative journalism. Seek out alternative analysis behind fearmongering use of statistics. Track issues, read up on why it is important to reform the entire system of over-incarceration, not just the so-called "nons" (non violent/non serious/non sexual offenses.)

5. Know your rights. When an officer contacts you ask, "Am I free to go?" When police ask to pat you down, look in the trunk of your car, or question you, do not consent without a lawyer.



## ..... PARTICIPATE .....

6. Register and vote. Vote on down-ballot races. Read up on the powers and platforms of local candidates. Seek ballot measure information from a nonprofit organization you trust before voting. Many Oregonians now regret voting in favor of mandatory minimum sentencing ballot measures.



7. Run for office. Enroll in a candidate training program to prepare yourself. Here in Oregon, several programs exist, including those provided by Emerge Oregon, the Oregon Labor Candidate School, The Bus Project, and Amplify.



8. Show up informed for jury duty. Educate yourself on forensic science advances before you do.



9. Dismantle white supremacy and hate speech. Check your privilege. Intervene if you witness bullying or intimidation. Ensure those most impacted are front-and-center in decision making.

10. Vote your pocket book by supporting companies and financial institutions that share your values. The purchasing decisions you make every day do impact the issues you care about.



## ..... BUILD COMMUNITY .....

11. Get involved and join local criminal justice reform organizations (see the resource list on page 23) and find out which campaigns you can plug into. Offer your skill sets. Mobilize a group around a specific criminal justice reform issue at the local level.

13. Stop calling the police. Find alternative dispute resolution techniques where possible for non-emergencies.

14. Donate to criminal justice reform organizations. If you believe that mass incarceration is wrong, show your much-needed support for those who are working to end it.



15. Examine your philosophies around parenting and punishment. Develop your conflict resolution skills. Get involved at local schools and help to establish or expand restorative justice programs.

12. Learn about trauma and acknowledge that people deserve to be given second chances. Don't judge someone solely on the worst thing they ever did in life. Write to an incarcerated person. Visit someone. Hire a formerly incarcerated person. Rent to a formerly incarcerated person.



Photo by Flickr user drburtoni



## ..... SPEAK OUT .....

ne to plant a

years ago.

best time is

W.

16. Contact your local elected officials regularly and identify yourself as a constituent, request a meeting, attend and speak out at hearings, town halls, and constituent coffee events.



Photo by Flickr user Alison and Fil

17. Record and report unfair treatment by police and immigration officials. Download the ACLU's Mobile Justice app to your phone so you are ready.

18. Stop using words such as "felon" or "convict" which carry lifelong negative connotations. Instead, use "people-first" terms such as "formerly incarcerated person". Language matters.

19. Protest and speak out, organize, write, retweet, share, repost social media posts, sign petitions, write op-eds and letters to the editor, comment on articles published online.



20. Follow your tax dollars. Take an assessment of how many diversion opportunities and community supports exist in your neighborhood. Bring the number up when attending budget hearings. Join oversight committees, budget advisory committees and public watchdog groups.



# Summary

*If you want more justice in the justice system, then we've all got to vote not just for a president, but for mayors, and sheriffs, and states' attorneys, and state legislators. That's where criminal laws are made, and we've got to work with police and protestors until laws and practices are changed."*<sup>35</sup>

President Barack Obama

A growing number of Americans now strongly believe that reducing the prison and jail population will make communities safer through diverting investment to crime prevention and rehabilitation.<sup>36</sup> The next step is transforming these beliefs into action by ensuring city and county budgets, policies, and practices reflect these beliefs. With the recognition that too many people have been criminalized, and that sentences have become overly punitive beyond a point of effectiveness, comes a push for radical transformation starting in the communities where stakeholders in the justice system live, work, and answer to the people who elect them.

Oregon counties and cities have the capacity to more effectively

treat addiction, mental illness, poverty, and crime at a fraction of the human and fiscal costs of confinement. Elected officials can use less punitive alternatives to address the root causes of crime while holding people who break the law accountable. Efforts underway to build cross-collaborative partnerships by the Local Public Safety Coordinating Committees are a good start but need to go further. In order to correct the course away from the era of racialized mass incarceration, local elected officials have an opportunity to support new initiatives and a new direction. It will take sustained pressure and the backing of community advocates to ensure they do.

Elected leaders, especially those in the United States' most

populous counties, have the authority to bring about an end to the era of mass incarceration. They can begin changing policy by overhauling state criminal codes, ending local "broken windows" ordinances, and working to repeal mandatory minimums. True change will also require going beyond policy to alter daily practices and protocols such as by giving warnings and offering assistance as an alternative to arrest, diverting instead of pressing charges, allocating funding to pre-adjudication alternatives, and establishing new protocols that have teeth to end police brutality. With the growing recognition that local elected officials hold these tremendous powers comes the chance for Oregonians to demand change.





# Multnomah County Resource List

Albina Ministerial Alliance Coalition for Justice and Police Reform  
American Civil Liberties Union of Oregon  
Asian Pacific American Network of Oregon  
Basic Rights Oregon  
Beyond These Walls  
Black Lives Matter Portland  
Black Male Achievement  
Black Parent Initiative  
CAUSA Oregon  
Central City Concern  
Coalition of Communities of Color  
Critical Resistance Portland  
Disability Rights Oregon  
Don't Shoot PDX  
Ecumenical Ministries of Oregon  
Enlace  
Family Resource Center  
Immigrant & Refugee Community Organization  
Latino Network  
Legal Aid Services of Oregon  
Mercy Corps Northwest  
Mental Health Association of Oregon  
Metropolitan Public Defenders

Momentum Alliance  
National Alliance on Mental Illness Oregon  
NAACP Portland  
Native American Youth and Family Center  
Native American Program for Oregon Legal Services  
Northwest Health Coalition  
One Oregon  
Oregon Criminal Defense Lawyers Association  
Oregon Innocence Project  
Oregon Justice Resource Center  
Partnership for Safety and Justice  
Portland Copwatch/Peace and Justice Works  
Portland Resistance  
Q Center  
Red Lodge Transition Services  
Street Roots  
Unite Oregon  
Urban League  
Western States Center  
Youth, Rights & Justice  
YWCA of Greater Portland  
...and many other direct service providers not included in this advocacy organization list.



# *Elected officials'* Contact information

## Multnomah County

### DISTRICT ATTORNEY

Rod Underhill  
503-988-3162

### SHERIFF

Michael Reese  
503-988-4300

### COUNTY COMMISSION CHAIR

Deborah Kafoury  
503-988-3308

### COMMISSIONER, DISTRICT ONE

Sharon Meieran  
503-988-5220

### COMMISSIONER, DISTRICT TWO

Loretta Smith  
503-988-5219

### COMMISSIONER, DISTRICT THREE

Jessica Vega Pederson  
503-988-5217

### COMMISSIONER, DISTRICT FOUR

Lori Stegmann  
503-988-5213

### AUDITOR

Steve March  
503-988-3320

### CIRCUIT COURT

Too numerous to list. Contact your county clerk or see the online judicial directory for updated contact information. For names of current circuit court judges and their terms, see the 2017-19 League of Women Voters PDX Multnomah County Directory of Elected Officials at [www.lwvpx.org](http://www.lwvpx.org).

### SCHOOL AND COLLEGE BOARDS

Too numerous to list. Contact your county clerk for additional information or the Oregon School Boards Association for updated contact information. For names of current school and college board members and their terms, see the 2017-19 League of Women Voters PDX Multnomah County Directory of Elected Officials at [www.lwvpx.org](http://www.lwvpx.org)



# *Elected officials'* Contact information

## City of Portland

### MAYOR

Ted Wheeler  
503-823-4120

### COMMISSIONER, DISTRICT ONE

Amanda Fritz  
503-823-3008

### COMMISSIONER, DISTRICT TWO

Nick Fish  
503-823-3589

### COMMISSIONER, DISTRICT THREE

Dan Saltzman  
503-823-4151


### COMMISSIONER, DISTRICT FOUR

Chloe Eudaly  
503-823-4682

### AUDITOR

Mary Hull Caballero  
503-823-4082





# Issue assessment worksheet

## 1. Identify the problem

What problem are you concerned about or would like to see change?

Is there a group of like-minded people who may work on this issue with you?

Have you familiarized yourself with the topic?

Can you explain what the problem is in 30 seconds?

What are the pro/con arguments on this issue?

Has this problem changed over time?

Have you reached out to community groups or advocacy organizations working on this problem?

How does your state, county, city, or town compare to other places on this issue?

What additional research questions do you need to answer?

## 2. Identify decision-makers

It may be helpful to draw a grid of relational power lines to show the spheres of influence. Mapping relationships also allows you to work out where the pressure points are.

Who are the key decision makers?

Whom do they answer to?

Who supports your issue?

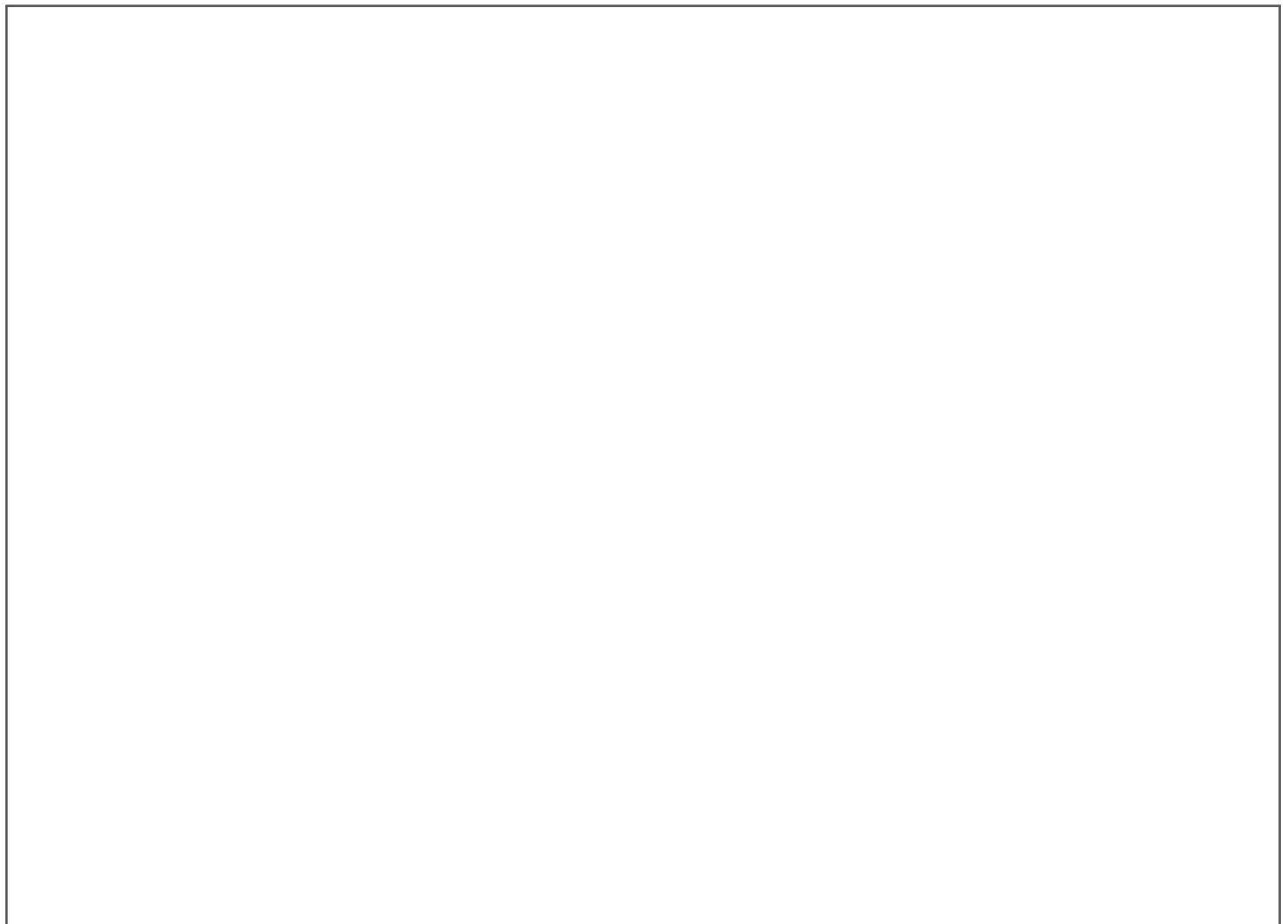
Who can be influential?

Who can be supportive?

Who will oppose and what will their concerns be?

Who is most impacted?

Are there associations, issue organizations, or donors who have influence?



### 3. Make a plan and take action

What are your priorities and short- and long-term goals?

How do you define success?

What is your timeline to create change?

Who are your best messengers?

Are there key dates to add to calendars?

Have you identified a solution and/or developed demands?

Who is your target and how will you present your demands to them? Using which tactics?

A large, empty rectangular box with a thin black border, intended for users to write their plans and actions based on the prompts above.

Get started and keep in mind that elected officials work for you!





# Continue the conversation

This Advocacy Guide is just the beginning. In 2017, the Oregon Justice Resource Center is collaborating with community groups and nonprofits to gather these organizations' experiences with the justice system and prioritize targets for local level reform. We work with a number of groups and partners to lead discussions on power mapping criminal justice reform issues.

If you represent a community group that would like to learn more or get involved, please contact our Political Director, Kate Gonsalves, at [kgonsalves@ojrc.info](mailto:kgonsalves@ojrc.info).

Moving forward, we will continue to strive for collaboration and build the conversation about transforming the criminal justice system at the local level. Please visit our website at [www.ojrc.org](http://www.ojrc.org) to learn more about the issues we are working on and to discover events focused on reform such as conferences and movie screenings.

If you would like to work with us or have ideas for reform, we would love to hear from you. Visit our website to share your thoughts.

This guide and its companion documents are available to download from our website at [www.ojrc.org/disrupting-mass-incarceration-at-the-local-level](http://www.ojrc.org/disrupting-mass-incarceration-at-the-local-level).



# Notes and citations

1. Recent Oregon election data by county clerks reveal the positions of District Attorney, Sheriff, Auditor, Judge and some school board positions frequently run unopposed. For the most recent Multnomah County election results demonstrating these findings please contact the county clerk or see the 2016 results from the Multnomah County Elections Division: <https://multco.us/elections/november-8-2016-general-election> (Accessed February 15, 2017.)
2. US Census Bureau. American Fact Finder: Multnomah County, Oregon. [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml?src=bkmk](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk)
3. Pfaff, John F. *Locked In*. Basic Books. New York. 2017. Page 172.
4. Graham, David. "Red State, Blue City." *The Atlantic*. March 2017. <https://www.theatlantic.com/politics/archive/2012/11/red-state-blue-city-how-the-urban-rural-divide-is-splitting-america/265686/>
5. Obama, Barack. "The President's Role in Advancing Criminal Justice Reform." *Harvard Law Review*. January 2017. Volume 130, Number 3 pg. 816. <http://cdn.harvardlawreview.org/wp-content/uploads/2017/01/811-866-Online-Final.pdf>
6. Garduque, Laurie. "Local fixes key to criminal justice reform": column. *USA Today*. February 1, 2017. <http://www.usatoday.com/story/opinion/policing/2017/02/01/criminal-justice-reform-jails-incarceration-policing-the-usa/97251208/>
7. Lauren-Brooke Eisen, James Cullen. The Brennan Center for Justice. "Update: Changes in State Imprisonment Rates." June 7, 2016. <https://www.brennancenter.org/analysis/update-changes-state-imprisonment-rates>
8. Oregon Department of Corrections. "Historical Prison and Community Corrections Populations." <http://www.oregon.gov/doc/RESRCH/docs/pops4.pdf>
9. Oregon Department of Corrections. Inmate Population Profile for 01/01/2017. [http://www.oregon.gov/doc/RESRCH/docs/inmate\\_profile\\_201701.pdf](http://www.oregon.gov/doc/RESRCH/docs/inmate_profile_201701.pdf) (Accessed January 10, 2017.)
10. Prison Policy Initiative. "How many people are in Oregon's Criminal Justice system?" <https://www.prisonpolicy.org/profiles/OR.html> (Accessed December 20, 2016.)
11. Schwarzapfel, Beth. "The states where voters decided to give criminal justice reform a try." The Marshall Project. November 9, 2016. <https://www.themarshallproject.org/2016/11/09/the-states-where-voters-decided-to-give-criminal-justice-reform-a-try#.7fOPsmb5l>
12. Chammah, Maurice. "These Prosecutors Campaigned for Less Jail Time and Won." The Marshall Project: Crime on the ballot. November 9, 2016. <https://www.themarshallproject.org/2016/11/09/these-prosecutors-campaigned-for-less-jail-time-and-won#.d5XV5nOqz>
13. Green, Emily. "No New Jail after S.F. Supervisors Refuse to Allocate Funds." December 16, 2015. <http://www.sfgate.com/bayarea/article/No-new-jail-S-F-supervisors-refuse-to-6700835.php>
14. Beekman, Daniel. "Activists Groups ask Seattle to halt new county jail for youth." *The Seattle Times*. November 15, 2015. <http://www.seattletimes.com/seattle-news/pol->

- [itics/activist-groups-ask-seattle-to-halt-new-county-jail-for-youth/](#)
15. Oregon Criminal Justice Commission. Prison Intakes and Length of Stay. <https://www.oregon.gov/cjc/data/Pages/prison-intakes.aspx> (Accessed June 15, 2017.)
  16. Sundt, Jody, Francis T. Cullen, Angela J. Thielo & Cheryl Lero Jonson. "Public Willingness to Downsize Prisons: Implications From Oregon." *Victims & Offenders*. October 15, 2015. [www.tandfonline.com/doi/abs/10.1080/15564886.2015.1078180?journalCode=uvao20](http://www.tandfonline.com/doi/abs/10.1080/15564886.2015.1078180?journalCode=uvao20)
  17. Achen, Paris. "Diversity Increasing in Oregon Legislature." *The Outlook*. December 26, 2016. <http://portlandtribune.com/go/42-news/337797-217596-diversity-increasing-in-oregon-legislature>
  18. Oregon Legislative Fiscal Office. Item 31: Department of Corrections Deer Ridge Correctional Institution Emergency Board May 25, 2016. <https://olis.leg.state.or.us/liz/201511/Downloads/CommitteeMeetingDocument/90173> (Accessed June 16, 2016.)
  19. "Portland among nation's most liberal cities." *Portland Business Journal*. August 11, 2005. <http://www.bizjournals.com/portland/stories/2005/08/08/daily30.html>
  20. Pfaff, John. "The Complicated Economics of Prison Reform." *Michigan Law Review*. Volume 114. Issue 6. 2016. <http://repository.law.umich.edu/cgi/viewcontent.cgi?article=1249&context=mlr>
  21. Frame Works Institute "Pictures in Their Heads" video. Available at: <http://www.frameworksinstitute.org/public-safetycriminal-justice.html> (Accessed January 9, 2016.)
  22. Hubbard, Saul. "Oregon Judges Lobby Legislature for More Pay, Bigger Pension Increases." *The Register-Guard*. February 16, 2017. <http://registerguard.com/rg/news/local/35285507-75/oregon-judges-lobby-legislature-for-big-pay-pension-increases.html.csp>
  23. Multnomah County Salary Commission Report. 2016. Multnomah County Website. Accessed April 10, 2017. <https://multco.us/2016-salary-commissions-report-released>
  24. Id.
  25. Id.
  26. Id.
  27. Multnomah County Home Rule Charter. Page 18. "Effective upon certification, the salary for the auditor shall be four-fifths of a circuit court judge's salary." <https://multco.us/file/23673/download>
  28. Multnomah County Salary Commission Report. 2016. Multnomah County Website. Accessed April 10, 2017. <https://multco.us/2016-salary-commissions-report-released>
  29. Id.
  30. Resolution 37265 of the Portland City Council. "Refer charter amendment to protect auditor's independence to voters at the May 16, 2017, special election." Adopted February 1, 2017. <https://www.portlandoregon.gov/auditor/article/626896> (Accessed June 15, 2017.)
  31. Natividad Rodriguez, Michelle and Avery, Beth. National Employment Law Project. "Ban the Box: Cities, counties and states adopt fair hiring policies." June 5, 2017. <http://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/> (Accessed June 15, 2017.)
  32. Emsellem, Maurice and Avery, Beth. National Employment Law Project. "Racial profiling in hiring: a critique of new "Ban the Box" studies." <http://www.nelp.org/publication/racial-profiling-in-hiring-a-critique-of-new-ban-the-box-studies/> (Accessed June 9, 2017.)
  33. Theen, Andrew. "Portland embraces stronger protections for ex-offenders, passes new 'ban the box' rules." *The Oregonian*. November 25, 2015. <http://www.oregonlive.com/portland/index.ssf/2015/11/portland-embraces-stronger-pro.html>
  34. Semuels, Alana. "When banning one kind of discrimination results in another." *The Atlantic*. August 4, 2016. <https://www.theatlantic.com/business/archive/2016/08/consequences-of-ban-the-box/494435/>
  35. President Obama. Democratic National Convention Speech. July 28, 2016. [http://www.huffingtonpost.com/entry/obama-criminal-justice-reform\\_us\\_57997ca5e4b01180b531bedd](http://www.huffingtonpost.com/entry/obama-criminal-justice-reform_us_57997ca5e4b01180b531bedd)
  36. American Civil Liberties Union Nationwide Poll on Criminal Justice Reform. Benson Strategy Group. 1050 telephone interviews from June 2-6, 2015. Available at: <https://www.aclu.org/other/aclu-nationwide-poll-criminal-justice-reform> (Accessed June 16, 2016)



## IMAGE CREDITS

1. Cover image “Portland skyline”, also used on page 4, Created by and © Flickr user Holly Hayes. <https://www.flickr.com/photos/sacreddestinations/10316913064/in/photolist-gHESPs-d46DBG-bt5g5h-7ivZDx-aqvV5W-RYNBFx-8jKiz5-UF64M5-dTEQoN-sw97qX-pbTEfS-eKtpYD-TWGsYv-rojARX-dU7cdZ-f2ixa6-krSHR8-w3u2JC-S6CCiw-oVV2fb-nFpMMF-dy2y5y-sjXwLW-U5cltq-nMdeJb-6tyhLi-SEPdH9-saKVmS-TdGSTZ-SCQxd9-qrKGr3-so9wMv-V7LrQf-ef1df9-7ShTff-ajtiEv-9bC8nY-pGByac-nGMNEH-dxWcWH-U67ane-e6zzxC-x2UgEe-nxRm8-SY3e3j-p6XBBP-dTfta6-doh9Ps-bCrmne-nLzySz>
2. Map of Portland, Oregon, USA, used throughout. Map data ©2017 Google.
3. Image on page 19 courtesy of the Oregon AFL-CIO.
4. “Row houses in Northwest Portland, Oregon.” Page 21. Created by and © Flickr user drburtoni. [https://www.flickr.com/photos/84346589@N00/4626696626/in/photolist-83R2Hu-FrUKxs-6vZu5C-kmXfCR-2sEXMf-9qsMNH-L6yZ6-5D323a-4wrdyG-CKMoYU-nT6cgT-9oHjvc-aiGAqX-d8iNdA-nT68oF-5JJjSP-pVWvW3-aiR4Sg-oaqU83-rwsjcM-BUgcx-5D2ZQ8-9oLoAS-nuYwjX-4wn3zz-qdr8PA-4wrdab-5D2YzD-9w4doQ-6K8AVz-4g2uib-asYo3-aiRp7c-wJQh2s-brxMAM-aN6Wtz-9w1c1a-65GAyL-dSSaVH-nT5jCP-6jePFJ-B-](https://www.flickr.com/photos/84346589@N00/4626696626/in/photolist-83R2Hu-FrUKxs-6vZu5C-kmXfCR-2sEXMf-9qsMNH-L6yZ6-5D323a-4wrdyG-CKMoYU-nT6cgT-9oHjvc-aiGAqX-d8iNdA-nT68oF-5JJjSP-pVWvW3-aiR4Sg-oaqU83-rwsjcM-BUgcx-5D2ZQ8-9oLoAS-nuYwjX-4wn3zz-qdr8PA-4wrdab-5D2YzD-9w4doQ-6K8AVz-4g2uib-asYo3-aiRp7c-wJQh2s-brxMAM-aN6Wtz-9w1c1a-65GAyL-dSSaVH-nT5jCP-6jePFJ-B-UnmG-dSSdiF-9HH2u5-6K8KsH-px-pCK8-BUjSz-ptNUGD-F4aa-4pH2Pa)
5. “Coffee.” Page 21. Created by and © Flickr user Alison and Fil. <https://www.flickr.com/photos/fbohac/7576069660/in/photolist-cxtkyG-UuVWhj-5faiddzeNfr-oKAK5v-c7MMWA-qpR-zWL-VhkpJF-am7E9u-9QibWj-Up84wB-S7UfLQ-pr8jds-9k4qSE-nbrryw-fEybki-ce4bkm-anoea6-nDoeuw-nnF2T2-e5kDFb-e6vye2-edwzw3-8byuju-mW41f2-9BJBs1-zbSTU-os9kFN-8iYLd7-fvoa4Q-vMEFLj-cXR8rd-pWUpcY-5siVTF-ak3bTV-bnn2od-kHFCm-o3Af5u-pYjwFL-nTcv4Q-b8Y4UZ-cNqkEY-9h85Zy-dxaRH2-aRaodZ-cu9MoA-bpiybR-oKySLJ-dbSKQ7-9iq5hd>