

W. 10.a

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER 08- ) **IN THE MATTER OF TRANSFERRING LANE COUNTY**  
) **PAROLE AND PROBATION SERVICES FROM THE**  
) **DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE**  
) **DEPARTMENT OF PUBLIC SAFETY AND RESTRUCTURING**  
) **THE SUPERVISORY AUTHORITY TEAM**

**WHEREAS**, ORS 423.549 states that all state positions in community corrections branches of the Oregon Department of Corrections are abolished and responsibility and funding for administering both Community Corrections Act programs and parole and probation services are transferred to counties.; and

**WHEREAS**, the Public Safety Coordinating Council recommended that the location within Lane County where parole and probation services initially landed, should be temporary and considered a "placeholder;" and

**WHEREAS**, the Home Rule Charter Section 22 provides that the Board of Commissioners has full authority to prescribe the functions of any department, however, any action to take a function from the Department of Public Safety may have no legal affect until approved by the Sheriff or the voters at county election, and

**WHEREAS**, Lane Manual 3.034 (1) states that as recommended by the County Administrator, Lane County departments shall be organized and employ personnel that most efficiently and economically carry out the functions of the departments and discharge their responsibilities in the best interest of the people of Lane County; and

**WHEREAS**, the Lane County Strategic Plan, calls for evaluating possible reorganizations across County departments, specifically including Public Safety corrections services and Health and Human Services parole and probation; and

**WHEREAS**, both the Sheriff's Office Corrections Division and Health & Human Services parole and probation administer adult corrections programs and manage the same adult corrections population within the county; and

**WHEREAS**, the proposed reorganization would make the programs that deal with local offenders more effective and would lead to better service delivery through the elimination of redundant efforts and duplicative programs; and

**WHEREAS**, the PSCC and the Sheriff recommend restructuring the Supervisory Authority Team (SAT) to continue to be inclusive and equitable; and

**WHEREAS**, with a reorganization, parole and probation functions would be located in the same department as law enforcement and adult corrections; and

**WHEREAS**, the Supervisory Authority Team reviews and modifies policies and procedures affecting the activities of the Supervisory Authority; and

**WHEREAS**, in recent years, the SAT has taken on the responsibility of recommending the allocation of the Community Corrections Act funding to the PSCC and subsequently to the Board of County Commissioners; and

**WHEREAS**, the SAT jointly manages the corrections population by developing and using compatible policies and procedures; and

**WHEREAS**, the SAT makes recommendations to ensure the efficient and appropriate flow of offenders through the system; and

**WHEREAS**, in light of the Charter limitations on the Board's flexibility, and with the concurrence of the Sheriff, the Board is willing to transfer the function only for the term of the existing Sheriff, with the understanding that at the beginning of the next term of office of the Sheriff, a similar agreement can be made between the then-existing Board and Sheriff,

**NOW THEREFORE IT IS HEREBY ORDERED**, that, conditioned on the concurrence of the Sheriff as noted below, the Board of County Commissioners transfer Lane County parole and probation services from the Department of Health and Human Services to the Department of Public Safety on a trial bases until the end of the present term of office of Sheriff Burger, at which point the Lane County parole and probation services function is automatically returned to the Department of Health and Human Services, and it is and it is further

**ORDERED** that the Board of Commissioners will consider again the appropriate placement of the function of parole and probation services at its first meeting in January, 2009, and it is further

**ORDERED** that Board Order 02-11-26-1 be and hereby is amended to restructure the composition of the Supervisory Authority Team in that it shall be comprised of comprised of the Sheriff, the Presiding Judge and a County Commissioner. The Chair shall appoint the County Commissioner to serve on the Supervisory Authority Team, and it is further

**ORDERED** that staff is given direction to implement these changes in a reasonable manner with the goal of completing the transition on July 1, 2008.

Dated this \_\_\_\_\_ day of March, 2008.

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

I concur with the transfer and automatic retransfer of the Lane County Parole and Probation Services at the end of my term of office.

\_\_\_\_\_  
Sheriff Russ Burger

APPROVED AS TO FORM  
Date 4/8/08 Lane County  
*Teresa Hill*  
OFFICE OF LEGAL COUNSEL