

**MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL  
MINUTES**

**February 14, 2017 4:00 PM  
Commissioners' Board Room  
555 Court St. NE, Salem, OR**

**MCPSCC:** Walt Beglau, Mark Caillier, Janet Carlson, Jayne Downing, Faye Fagel, Don Frederickson, Tamra Goettsch, Jessica Kampfe, Greg Leo, Rick Lewis, Pete McCallum, Ed McKenney, Jerry Moore, Diane Morse, Jeff Puterbaugh, John VanDreal, Jeff Wood and Hitesh Parekh (recorder).

**GUESTS:** Cindy Becker, Mid-Valley Behavioral Care Network; Jennifer Brown, attorney at law; Councilor Robert Carney, Woodburn; Lt. Bob Charpentier, Oregon State Police; Madeleine Dardeau, Oregon Criminal Justice Commission; Ian Davidson, Polk/Yamhill Local Public Safety Coordinating Council; Angie Denning, Oregon Youth Authority; Ken Fahlgren, Crook/Jefferson Public Safety Coordinating Council; Alison Kelley, Liberty House; Jolene Kelley, Marion County; Jeanine Knight, Union Gospel Mission; Kim Larson, District Attorney's Office; Melissa McRobbie, Douglas/Josephine Public Safety Coordinating Council; Robert Mulcare, Klamath/Lake Local Public Safety Coordinating Council; Becki Ney, Center for Effective Public Policy; Patrick Sieng and Andy Smith, Association of Oregon Counties; Jonathan Tucker, Chemeketa Community College; Sara Webb, Community Action Agency; Benny Williams, NAACP.

**1. ADMINISTRATIVE ACTION**

Commissioner Carlson called the meeting to order at 4:00 p.m. Council members introduced themselves.

- Recap and Approval of January 10, 2017 meeting minutes.

**MOTION:** Greg Leo moved to approve the January 10, 2017 meeting minutes. Seconded by Mark Caillier; motion carried. A voice vote was unanimous.

- Announcements/Upcoming Events:
  - Legislators' public safety briefing is on February 23, 2017.
  - Chan Hellman presentation on hope was excellent.
  - Justice Reinvestment Summit is on February 16 and 17.
  - Hillcrest Pow Wow is on March 4 at the Hillcrest Youth Corrections facility.
- Bylaws revision and membership
  - Current council bylaws cap MCPSCC members at 29. Commissioner Carlson proposed revising bylaws to lift the cap.

**MOTION:** Faye Fagel moved to amend the council bylaws to reflect a *minimum* of 20 members. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

- As per county policy, the bylaws must now be approved by the Marion County Board of Commissioners.
- Oregon State Police Superintendent Travis Hampton selected Lt. Bob Charpentier to replace Lt. Tim Fox on the Marion County Public Safety Coordinating Council, (MCPSCC).

**MOTION:** Ed McKenney moved to recommend Lt. Bob Charpentier, Oregon State Police, as a member of the MCPSCC. Seconded by Chief Jerry Moore; motion carried. A voice vote was unanimous.

- Cindy Becker, executive director, Mid-Valley Behavioral Care Network, has applied to serve on the council. Ms. Becker brings more than two decades of experience in managing behavioral health organizations in Oregon.

**MOTION:** Jayne Downing moved to recommend Cindy Becker, as a member of the MCPSCC. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

- Mr. Benny Williams, president of the local chapter of the NAACP, nominated Pastor Garland King, also a member of the NAACP, to become a member of the MCPSCC.

**MOTION:** Faye Fagel moved to recommend Pastor Garland King as a member of the MCPSCC. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

- Vice Chair selection:
  - Long-time council member and vice chair Bob Royer sent a letter of resignation, thanking the council for the opportunity to serve. The board of commissioners will be presenting him with a plaque for his volunteer service to the county for the past 25 years.
  - Don Frederickson was contacted about his interest to serve as vice chair and expressed his willingness to do so.

**MOTION:** Jayne Downing moved to appoint Don Frederickson as council vice chair. Seconded by Ed McKenney; motion carried. A voice vote was unanimous.

## **2. ALLIANCE FOR HOPE UPDATE**

Commissioner Carlson introduced this item.

- In 2015, Marion County contracted with the Alliance for Hope International to evaluate Marion County's victim services.
- An Alliance team toured multiple public safety and victim services facilities and met with many groups in Marion County before issuing a report with immediate, short, and long-term recommendations.
- Marion County District Attorney's Office Victim Services, Center for Hope and Safety and Liberty House representatives are here to provide a progress report.

### Marion County Victim Assistance Division

Kim Larson, Victim Assistance Manager:

- Marion County Victim Assistance Division continues to conduct protocol training for law enforcement with the goal of consistent investigations.
- As a result of the protocol trainings, several officers have started using the "power and control" wheel to help victims document the abuse they've experienced.
- Plan to include emergency medical technicians, fire departments and first responders in protocol trainings.
- Implemented a video conferencing option for initial restraining order hearings. Division hopes to soon provide the opportunity for victims to testify during contested hearings.

### Center for Hope and Safety

Jayne Downing, Executive Director:

- Center for Hope and Safety has hired a bilingual victim services advocate.
- Advocate is in court four days per week and collaborates with the Victim Assistance Division in the District Attorney's Office.
- Center trains 8,000-10,000 people annually about violence against women.
- Educating victims in and of itself is a significant outcome.
- When a survivor understands the dynamics of domestic violence, it changes them and how they see themselves.

### Liberty House

Alison Kelley, Executive Director.

- Liberty House serves Marion and Polk counties.
- Uses a model on the best research responding to child victims over the past 35 years.

- In 2016, Liberty House provided mental health services to 76 children.
  - Offered trauma informed caregiver group sessions to seven families.
  - Provided adolescent parenting workshop to twelve parents.
  - Hopes to add three additional bilingual, bicultural therapists in the future.
  - Success is measured through long-term outcomes.
  - Want to process cases faster, but can't rush since dealing with children.

The council will receive another progress report in six months.

### **3. VETERANS TASK FORCE**

Commissioner Carlson introduced Sara Webb, Chair, Marion-Polk Community Network for Veterans.

- The Veterans Task Force name was changed to Marion-Polk Community Network for Veterans in June 2016.
- Network's goal is to combine resources to identify and address veterans issues in Marion and Polk counties.
- Partnering with law enforcement, mental health and housing agencies to address veteran concerns.
- Since October, network has screened 93 households in Marion and Polk counties. Of these:
  - 34% will always need permanent supportive housing;
  - 62% were homeless and needed immediate housing;
  - 37% had mental health issues; and only
  - 2% qualified for diversion.
- Affordable housing is a serious problem, especially for combat veterans.
  - Combat veterans suffer from post-traumatic stress disorders that makes them more likely to be arrested.
  - Without mental health/alcohol/drug treatment they constantly revolve through county jails and hospitals.
- Oregon has a whole new generation of veterans from Iraq and Afghanistan.
- There are inadequate resources in Marion County for veterans.
- Only have one dual diagnosis co-occurring facility in Oregon.
- Will need long-term supportive housing, mental health services, additional dual diagnosis facilities to cope.
- There is no veteran services officer (VSO) designated specifically for Marion County. All other counties in the state have one, even Polk County.
- On a per capita basis, Marion County needs three VSOs, not just one.
- Veterans are not getting their claims filed.
  - If can't get their claims filed, they are unable to access treatment and will be back on the street.
  - Need supportive housing, vouchers.
  - There is a complicated priority system to determine veterans' benefits, which means that not all veterans qualify.
- If veteran qualifies for assistance, s(he) faces a two year waiting list to access a primary care physician.

#### **Discussion:**

In 2016, Measure 96 passed, dedicating 1.5 percent (approximately \$ 9 million annually) of the state lottery's net proceeds to veterans services, including assistance with accessing state and federal benefits, reintegration, employment, education, housing, health care and additional treatment programs.

- Funding was to augment the Oregon Department of Veterans' Affairs (ODVA) budget. Instead the 2017-19 Governor's Budget proposed reducing the department's budget by the same amount.
  - Andy Smith, policy manager for veterans affairs, Association of Oregon Counties, said the Joint Committee on Ways and Means has proposed adding \$5 million back.
- Marion County needs adequate funding from the state for a dedicated VSO.
  - If the state does provide funding for a VSO, the county needs to ensure it provides better services than the state, or face complaints.

### **4. FEDERAL AND STATE LEGISLATIVE AGENDA**

Commissioner Carlson facilitated this item.

- MCPSCC members voted to approve the federal agenda at the January council meeting. Commissioner Carlson asked if there were any additions to the federal agenda that were identified since the January meeting. The council had no additions.

- Today the focus is on the 2017 state legislative agenda. This agenda will be presented to Marion County's legislative delegation on February 23.
  - Agenda should include those items it overwhelmingly agrees upon, and remove others.
  - Ed McKenney noted the state was facing a budget deficit in 2017-19.
    - He could therefore only support a maintenance budget without requesting additional funds.
- Commissioner Carlson reminded the council that support for Justice Reinvestment; Community Corrections; Juvenile Crime Prevention, Basic and Diversion were approved by the council in January.

## **JUVENILE JUSTICE**

**Senate Bill 303.** Bill amends, clarifies and creates consistency in statutes related to minors possessing, purchasing, attempting to purchase or acquiring alcoholic beverages or marijuana items.

**Discussion:**

If bill passes, there is no fiscal impact to state and local governments.

**MOTION:** Faye Fagel moved to support SB 303. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

**Senate Bill 82.** Bill prohibits the use of isolation as punishment for an offender who commits a rule violation in a youth correctional facility.

**Discussion:**

Bill is sponsored by the Oregon Youth Authority and impacts the OYA, not county juvenile detention facilities.

**MOTION:** Greg Leo moved to support SB 82. Seconded by Pete McCallum; motion carried with majority of "ayes" and one "nay" from Ed McKenney.

## **MENTAL HEALTH**

### **Oregon Health Authority "370" Aid and Assist Population**

#### **Grants for adults who are unable to "aid and assist" in their own defense.**

**Discussion:**

- Funding for community mental health services is vital to both community and taxpayers.
  - Prevents mentally ill from coming into the criminal justice system and emergency hospitals.
  - Found a case where an individual who was admitted into the Oregon State Hospital for 14 months due to an error cost taxpayers more than \$ 450,000.

**MOTION:** Walt Beglau moved to support. Seconded by Jessica Kampfe; motion carried. A voice vote was unanimous.

#### **Juvenile services for youth who cannot "aid and assist" in their own defense.**

The Juvenile Fitness to Proceed (Aid and Assist) legislative concept would change Oregon Revised Statutes. Would provide behavioral health services in community-based, non-residential settings to youth with the aim of restoring their fitness to assist with their legal defense.

**Discussion:**

- Marion County Juvenile Department director Faye Fagel is concerned about a legislative bill allowing juveniles to be held in detention for a period of time while the "aid and assist" process unfolds.
- Recommend removing from the 2017 legislative agenda until there is more information about what the bill would do.

### **Criminal Justice-Behavioral Health Partnership**

**Mental health grant funds.** In 2013, Senator Peter Courtney championed additional funding for community-based mental health services. As a result, the Oregon Health Authority was appropriated funding to expand services. Marion County receives critical grant funds for the mobile crisis teams and jail diversion.

**Discussion:**

- Maintenance of these grant funds are essential to the success of the county's mobile crisis teams and jail diversion.

**MOTION:** Jerry Moore moved to support. Seconded by Don Frederickson; motion carried. A voice vote was unanimous.

## **LAW ENFORCEMENT**

### **Certification and Training**

**Continued funding for the Center for Policing Excellence** at the Oregon Department of Public Safety Standards and Training, which provides resources and certification programs that public safety officers and local public safety organizations need to maintain the highest professional skill standards, stewardship and service to Oregon's communities and citizens.

**Discussion:** None

**MOTION:** Jerry Moore moved to support. Seconded by Walt Beglau; motion carried with majority of "ayes" and one "nay" from Ed McKenney.

### **Driving Safety**

**SB 2.** Bill increases penalties for using a mobile communications device while driving to equal penalties for driving under the influence: one year in prison, \$6,250 fine, or both.

**Discussion:**

- Distracted driving is a problem, but this bill legislates excessive penalties.
- There is a less draconian bill floating around that addresses the same issue.
- SB 2 will have a disparate effect on less affluent people that do not have hands-free communication devices in their vehicles.

**MOTION:** Ed McKenney moved to watch SB 2. Seconded by Jessica Kampfe; motion carried with majority of "ayes" and one "nay" from Ed McKenney.

### **Driving Safety**

**Transportation safety plan for North Marion County.** Marion County supports a plan for additional road construction funding to provide infrastructure relief to county roads and improve traffic safety issues in the Donald/Aurora I-5 interchange.

**Discussion:**

- Concern that county will be competing with a number of cities also looking for transportation funding.
- The north part of the county sees three times as many accidents than the south.
- Financing the plan could be a problem.

**MOTION:** Greg Leo moved to support. Seconded by Tamra Goettsch; motion carried with majority of "ayes" and one "nay" from Ed McKenney.

## **Crime Labs, Polygraphs, Other Police Technology**

**Oregon State Police budget,** especially as it impacts crime labs and high-throughput DNA (property-crime DNA) testing.

**Discussion:**

- The 2017-19 Governor's Recommended Budget recommended investing additional resources in the Oregon State Police's Forensic Services Division to promptly process Sexual Assault Forensic Evidence Kits.
  - Governor also recommended keeping patrol trooper positions to maintain public safety, by providing a uniform presence throughout the state.
- Overall, the governor's budget provided \$ 414.8 million total funds for the department. This is a one percent increase from OSP's 2015-17 Legislatively Approved Budget.

**MOTION:** Jerry Moore moved to support. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

**Senate Bill 519.** The bill authorizes police agencies to use polygraph as a pre-employment hiring tool before a person's initial full-time employment as a peace officer.

**Discussion:** None

**MOTION:** Jerry Moore moved to support. Seconded by Ed McKenney; motion carried. A voice vote was unanimous.

## Other

### **Grand Jury Recordation.**

**Discussion:**

- Will impact all citizens in the state.
- Details of the bill will matter.
- This bill could be expensive for the state if it passes.

**MOTION:** Walt Beglau moved to watch future legislation. Seconded by Ed McKenney; motion carried. A voice vote was unanimous.

## VICTIM SERVICES

**Towing fees.** Victims of vehicle theft often forfeit vehicles because of their inability to pay towing and related fees on the recovered vehicle. Insurance companies typically do not cover towing and related recovery fees. These fees disproportionately affect low-income people.

**Discussion:**

- Significant problem in Marion County.
- Happens at least once a week.
- Possible that state will cap charges towing companies demand.
- Not a bill so don't know what tow company responsibilities are.

**MOTION:** Walt Beglau moved to support legislation that addresses towing fees. Seconded by Greg Leo; motion carried. A voice vote was unanimous.

**Senate Bill 26.** The bill adds providers of victim services to the list of statutory members of local public safety coordinating councils.

**Senate Bill 318.** The bill directs the Oregon Department of Education to provide technical assistance and support to school districts and community colleges to prevent and respond to interpersonal violence.

**Senate Bill 232.** Last session, Senate Bill 525 was adopted, bringing Oregon in line with federal laws prohibiting gun possession by domestic violence offenders who have been convicted of a misdemeanor crime of domestic violence, or who are subject to certain restraining orders. Oregon previously did not have such a law, hindering effective implementation of these provisions for Oregon survivors. This session, Governor Brown is proposing legislation to include dating relationships in the category of victims covered under Senate Bill 525 provisions.

**House Bill 2955.** The bill upgrades first time strangulation from misdemeanor to Class C felony; upgrades the heightened category of offense from Class C to Class B felony; and adds domestic violence relationship to heightened category.

**MOTION:** Jayne Downing moved to support SB 26,318 and 232 and watch HB 2955. Seconded by Greg Leo; motion carried with majority of "ayes" and one "nay" from Ed McKenney.

## HOUSING AND HOMELESSNESS

### **House Bill 2937 and 2938 allowing accessory dwelling units in rural areas.**

**Discussion:**

- Those experiencing homelessness require more affordable housing supply.
- Legislation will allow accessory dwelling units in the rural areas of the county.

- Included as a strategy in the Mid-Willamette Homeless Initiative strategic plan.
- Marion County is also working on allowing accessory dwelling units in urban areas, which is already allowed under Oregon law.
- Accessory dwelling units can be built for anyone, not just for the homeless.
- One unit may be constructed per lot, per parcel, within 100 feet of the existing dwelling.
- Counties will be responsible for developing codes.
- Applies to exclusive farm use and rural residential zones.

**MOTION:** Greg Leo moved to support. Seconded by Jayne Downing. Motion carried. Voice vote was unanimous.

**Funding to create a sobering center in the Salem area.**

**Discussion:**

- Much needed in the community.
- Also part of the Mid-Willamette Homeless Initiative strategic plan.

**MOTION:** Jerry Moore moved to support. Seconded by Jayne Downing; motion carried. A voice vote was unanimous.

**Increase Oregon Affordable Housing Tax Credit cap to \$34 million.**

**Discussion:** Recommend removing from the legislative agenda as this is a statewide issue.

**Increase the Emergency Housing Account and State Homeless Assistance Program to \$30 million.**

**Discussion:** Providers in Marion County receive these funds to assist with shelter programs.

**MOTION:** Jayne Downing moved to remove the Oregon Affordable Housing Tax Credit cap from the agenda and support the Emergency Housing Account and State Homeless Assistance Program. Seconded by Greg Leo; motion carried with majority of “ayes” and one “nay” from Ed McKenney.

**LAW ENFORCEMENT**

**Profiling**

**House Bill 2355.** Bill expands officer education and training to include profiling prevention and overcoming implicit bias.

**Discussion:**

- Would like to hear from Sheriff Jason Myers on this bill.
- A lot of negotiators at the table.
- There may be a cost associated with this bill.

**MOTION:** Jerry Moore moved to watch HB 2355. Seconded by Don Frederickson; motion carried. A voice vote was unanimous.

**LAW ENFORCEMENT**

**Marijuana**

**Discussion:** Many large and complex bills that are being considered. Difficult to tell at this point which bills will move forward. Recommend watching marijuana bills and adding following paragraph to the legislative agenda briefing paper (conceptual language was approved at the council meeting and refined by District Attorney Beglau and Janet Carlson after the meeting) :

The Marion County Public Safety Coordinating Council understands that a number of bills are being considered by the legislature addressing marijuana issues. Many of these bills impact public safety and are important to Oregon. At this juncture, the council was reluctant to endorse or oppose proposed marijuana legislation, given the length of a number of the bills as introduced and recognizing that these bills will undergo significant revisions during the session. Council members are working within our respective associations (Association of Oregon Counties, District Attorneys, Sheriffs, Chiefs of Police, etc.) so that public safety interests are at the forefront during legislative

deliberations. Bills that appear to have a public safety impact include the following: SB 302, 305, 306, 319, 323, 570 662 and HB 2198, 2200, 2204 and 2556.

**MOTION:** Walt Beglau moved to add the above language to the legislative agenda. Seconded by Jerry Moore; motion carried. A voice vote was unanimous.

## **MENTAL HEALTH**

### **Oregon Health Plan/Medicaid**

#### **State funds to continue Medicaid expansion.**

##### **Discussion:**

- A large number of Marion County's services for the chronically mentally ill, including addiction services, mental health services and drug courts are funded with Medicaid. These funds have made a tangible difference to those individuals diverted from the criminal justice system needing substance abuse and/or mental health treatment
- Marion County Parole and Probation Division currently supervises more than 3,000 individuals and can send most of these individuals to treatment because of the Medicaid funds.
  - Without these funds, the division will only be able to serve approximately 75 individuals annually.
  - It is an imperfect system but it does provide for those who have no health care insurance.
- However, much of the current budget deficit is driven by the large increase in state general fund needed to sustain the expansion, because of a reduction in federal funds.

**MOTION:** Rick Lewis moved to oppose supporting state funds to continue Medicaid expansion because of the budget deficit and potential cuts to other public safety programs. Ed McKenney seconded.

##### **Motion fails.**

**MOTION:** Greg Leo moved to watch supporting state funds to continue Medicaid expansion. Seconded by John Teague. Motion carried with majority of "ayes" and "nays" from Janet Carlson, Rick Lewis and Ed McKenney. Jeff Puterbaugh abstained. Janet Carlson explained that her vote would be to "support" state funds for Medicaid expansion.

## **JOINT TASK FORCE ON REENTRY, EMPLOYMENT AND HOUSING LEGISLATION**

**Senate Bill 682.** Directs the Oregon Department of Justice to make changes to how they address child support modifications for people who are incarcerated at prison entry and upon release.

**Discussion:** Janet Carlson explained that this bill was supported by the Joint Task Force and amendments are being developed by the Oregon Department of Justice. Portions of the bill bring Oregon into compliance with state law. The thrust of the bill is to help strengthen family ties, reduce debt burdens on clients returning to communities, support legitimate employment and increase the chances that the obligor will pay a realistic level of child support, approved by the courts.

**MOTION:** Ed McKenney moved to support SB 682. Pete McCallum seconded; Motion carried. A voice vote was unanimous.

**SB 241:** Bill if Rights for children of Incarcerated parents.

**SB 360:** Directs the Oregon Department of Corrections to establish by rule a community service exchange program for a person to enter into an agreement with a community based organization to perform community service in lieu of payment for delinquent fees or debts and supervision fees.

**SB 689:** Reestablishes Task Force on Reentry, Employment and Housing.

**SB 690:** Establishes procedures for applying for a Certificate of Good Standing eligibility certification and for petitioning for and issuing Certificates of Good Standing.

**SB 691:** Eliminates certain driving privilege suspensions.

**SB 692:** Appropriates moneys from the General Fund to the Public Defense Services Commission for a pre-entry pilot program.

**HB 2249:** Authorizes the Oregon Department of Corrections to enter into agreements or arrangements with counties to provide supplemental funding for reentry support and services for offenders released before attaining 25 years of age.

**HB 2650:** Prohibits landlords from evaluating an applicant for tenancy from considering the applicant's criminal history prior to performing criminal background check.

**MOTION:** Greg Leo moved to monitor or watch Senate Bills 241,360, 689, 690, 691 and 692 and House Bills 2249 and 2650. Jayne Downing seconded motion. Motion passes unanimously.

#### **5. EMERGING ISSUES/ PROBLEM SOLVING**

Commissioner Carlson asked if there were any emerging issues. Hearing none, the meeting was adjourned at 5:55 PM.