

**MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL  
MINUTES**

**June 13, 2017 4:00 PM  
Commissioners' Board Room  
555 Court St. NE, Salem, OR**

**MCPSCC:** Cindy Becker, Walt Beglau, Mark Caillier, Janet Carlson, Bob Charpentier, Jayne Downing, Faye Fagel, Jim Ferraris, Don Frederickson, Tamra Goettsch, Levi Herrera-Lopez, Jessica Kampfe, Rick Lewis, Pete McCallum, Todd McCann, Ed McKenney, Cary Moller, Jerry Moore, Diane Morse, Jason Myers, Tracy Prall, Jeff Puterbaugh, John Teague, John Van Dreal, and Hitesh Parekh (recorder).

**GUESTS:** Rob Bovett, Kevin Cameron, Robert Carney, Roland Herrera, Alison Kelley, Jolene Kelley, Christine Kirk, Mike Laharty, Ashley Marshall, Dominique Millette, Tim Murphy, Amy Ryan, Jodi Sherwood, Kim Wallis, Anna Williams, Crystal Williams, Jeff Wood.

**1. ADMINISTRATIVE**

**WELCOME AND INTRODUCTIONS**

Commissioner Carlson welcomed council members to the meeting. Introductions were made around the table.

**MEMBERSHIP ISSUES (ACTION)**

- By statute, the MCPSCC must have a city councilor or mayor representative as a member.
- Prior to his appointment as state representative, Rick Lewis was the city mayor representative on the council.
- Upon Mr. Lewis's appointment to the legislature, staff e-mailed all cities in the county asking if any councilors or mayors were interested in serving on the MPSCC. Four applications were received.
- Steering committee is recommending Mayor Kim Wallis (City of St. Paul) and Councilor Roland Herrera (City of Keizer) be considered as city representatives to the council.
- If the council agrees, cities must concur, and then the Board of Commissioners will make the formal appointments.

**MOTION:** Faye Fagel moved Councilor Herrera and Mayor Wallis be recommended to serve on the MCPSCC. Seconded by Pete McCallum. Motion carried. A voice vote was unanimous.

**ANNOUNCEMENTS & UPCOMING EVENTS**

- Center for Hope and Safety hosted a visit from legislators.
- Senate Bill 26, requiring a victim services representative to be on local public safety councils, has been signed by the governor.
- City of Salem passed a \$62 million bond levy for a new police facility in Salem.
- City of Keizer Police Department is planning to add five police officers.

**STATE LEGISLATIVE UPDATE**

- Bills are moving very slowly in the legislature.

- Good news is that Justice Reinvestment Initiative and community corrections funding may not be cut for the 2017-19 biennium.
- Oregon Health Authority budget is moving to the Joint Committee on Ways and Means Subcommittee on Human Resources.
  - Budget includes additional taxes on hospitals and coordinated care organizations to make up the Medicaid funding shortfall.
  - Budget also includes funding to boost community mental health treatment by \$21.1 million.
- Senate Bill (SB) 414 (student threat assessment) will most likely be approved.
  - Oregon Department of Education will be responsible for training, support, and coordination of school districts that have no threat assessment system in place.
- House Bill (HB) 3067 proposing a CourtCare program in the Marion and Polk county courthouses is moving ahead.
  - YMCA will provide child care in the Marion County Courthouse.
- Possible that Marion County Circuit Court could get another judgeship position.
- Grand jury recordation bill moved along and will go to Joint Committee on Ways and Means Subcommittee on Public Safety.
- SB 935 relating to sentencing provisions increases maximum transitional leave from 90 to 180 days for Oregon Department of Corrections inmates with a few conditions.
- Some changes being made to Measure 57 that will impact identity theft in the first degree relative to minimum prison sentence. Sentence will be reduced from 18 to 13 months.
- Family Sentencing Alternative Program will allow counties to set up programming for parents, especially female parents in the correctional system.
- SB 846 concerning juvenile shackling was signed by the governor on June 6 and will take effect in 2018.
  - Marion County has already been following guidelines, so it should not impact the county.
  - Last week, the U.S. Courts for the 9<sup>th</sup> Circuit sent down a ruling that all defendants, not just juveniles, for all proceedings must be unshackled unless the court makes a particular finding.
    - This will significantly impact the Sheriff's Office and may change how court business is conducted.
- State budget shortfalls will result in devastating cuts to victim services funding.
- Accessory dwelling unit bills are dead.
- SB 682, establishing presumption that certain incarcerated obligors are unable to pay child support, has passed both chambers and is on its way to be signed by the governor.

#### STEPPING UP CONFERENCE RECAP

- Stepping Up conference in Salem on May 9 hosted by the Association of Oregon Counties was very well attended with interesting speakers, including a panel from Marion County.
  - Marion County already does a risk assessment at the jail, but will now add a mental health assessment at intake.

#### OTHER

- Marion County Reentry Council has changed its name and broadened its scope. It is now the Marion County Justice Reinvestment Council.

## APPROVE APRIL 11 MCPSCC MEETING MINUTES (ACTION)

**MOTION:** Jason Myers moved to approve the April 11 MCPSCC meeting minutes. Seconded by Michael Laharty. Motion carried. A voice vote was unanimous.

## **2. MARIJUANA LEGISLATION UPDATE (INFORMATION/DISCUSSION)**

Association of Oregon Counties Legal Counsel Rob Bovett presented this item. ([Click here for Powerpoint.](#)) Summary of presentation:

- SB 1057 (signed) is an omnibus bill.
  - Requires designated marijuana growers that have 12 or more plants be in the Oregon's Cannabis Tracking System (CTS).
  - CTS is run by the Oregon Liquor Control Commission.
  - Tons of marijuana not accounted for and "leaking" out of the system.
  - Federal government concerned since Oregon is a major producer of marijuana.
  - SB 1057 took care of the leakage problem.
- The following marijuana bills are still being processed:
  - Senate Bills 56 and 1015.
  - House Bills 2197, 2198, 2371 and 2372.
  - Very high likelihood that all or most will pass and be signed into law.
- Virtually the entire marijuana offense code was rewritten in Senate Bills 302 and 303. Both bills were signed by the governor on April 21.
  - Bills took eighteen months to write.
  - SB 302 improves and simplifies marijuana offense laws.
  - SB 303 cleans up minor in possession (MIP) laws related to both marijuana and alcohol.
- Bills were a negotiated compromise and settlement between law enforcement, Oregon Criminal Defense Lawyers Association and a variety of other stakeholders.
- Penalties for unlawful possession, delivery and manufacture of marijuana.
  - If manufacturing butane hash oil, even if it does not combust, person is committing a Class B felony.
  - A butane hash oil lab that explodes is the equivalent of an "Arson 1 and 2" felony.
  - Offense to import or export marijuana into Oregon.

Summary of discussion.

- U.S. Attorney General Jeff Sessions sent Oregon congressional leaders a letter asking them to undo federal medical marijuana protections in place since 2014.
  - This protection, known as Rohrabacher-Farr, prohibits the U.S. Justice Department from using federal funds to prevent certain states "from implementing their own State laws that authorize the use, distribution, possession or cultivation of medical marijuana."
    - So United States Department of Justice (USDOJ) is very serious about closing down the black market for marijuana.
      - Can enforce the Controlled Substances Act, but have not as yet made any threats to Oregon.
    - Oregon produces between four to five times the amount of marijuana it can consume.
- Parents cannot give their own children marijuana, although they can give their own children limited amounts of alcohol for religious reasons.
- There are medical marijuana dispensaries and recreational marijuana retailers.
  - Had about 600 dispensaries, but now down to 40.

- Oregon Liquor Control Commission licensed retailers can sell both medical and recreational marijuana.
  - There are 1,000 or more retailers in Oregon, although there are less than 1,000 retail growers and almost 9,000-10,000 medical marijuana growers.
- Banking sector is a mess due to federal banking laws.
  - Provisions in banking law saying you cannot launder money, and marijuana sales are a federal offense.
  - If a bank knows you are in a marijuana business, it has to go through a lot of hoops to provide services.
    - Need Congress to fix the banking laws and section 280e of the revenue code to allow marijuana businesses to get their normal business deductions just like everyone else.
    - This will benefit the 26 states that have some type of medical or recreational marijuana legalization.
    - Roughly 50 % of Oregon’s marijuana businesses have bank accounts and the other 50% work in pure cash.

### **3. SAFEOREGON (INFORMATION/DISCUSSION)**

Jodi Sherwood, School Safety Tip Line Project Manager, Oregon State Police, presented this item. ([Click here for Powerpoint.](#)) Summary of presentation.

- Oregon State Police (OSP) started a statewide school safety tip line in January 2017.
- 348 schools have already signed up with approximately 200 tips already received.
  - Tip line was the result of meetings held by the Oregon Task Force on School Safety Recommendation established by HB 4087.
    - Charged with improving school safety and security across the state.
    - Task force integrated the statewide school safety tip line with the statewide student threat assessment system and youth suicide prevention effort.
- Goal of the tip line is to allow students and other members of the public to use voice, text, phone, photos, and videos to confidentially or anonymously transmit messages and information regarding potential harmful or criminal acts against students, school employees, or school property.
  - Tips go to a central database accessed by tip line technicians and are reviewed 24/7 and 365 days of the year.
  - Technicians are trained in crisis management, recognizing mental illness and emotional disturbance and also know when they should call 911.
  - 90% of the tips fall within the “standard” category of things schools are dealing with on a daily basis such as bullying, harassment, or a friend who is depressed.
- New system, so want to see how it is being used. Very rare for OSP to visit a school, unless local authorities ask.
- Schools must sign up to use the system.

Summary of Discussion.

- OSP is reaching out to school districts in Oregon to get them to use the system.
  - 19 education service districts in Oregon and more than 1,200 schools with 570,000 students in public schools.
  - Each school is unique.
- Governor’s Office very enthusiastic about this.

- No cost to the schools. Legislature funded this at \$1 million over five years. Good value for the money.
- Some schools are resistant to signing up.
  - Know their students, don't want law enforcement managing this, concerned about liability issues.
- Schools can still handle walk-ins and "face to face" tips separately from the tip line.

#### **4. JUSTICE REINVESTMENT INITIATIVE PLAN UPDATE (DISCUSSION/APPROVAL)**

Commissioner Carlson presented this item. Summary of presentation:

##### Background

- HB 3194 passed in 2013 when Oregon was on the verge of building a prison.
  - Marion and several of the larger counties in the state were exceeding their baseline prison usage.
  - Very expensive to build and staff a prison.
  - Oregon Criminal Justice Commission and legislature worked together to come up with legislation to divert non-violent property and drug offenders from prison into community supervision.
  - Counties to receive Justice Reinvestment Initiative (JRI) grant funds to divert offenders.
- Purpose of the grant program is to provide funding to counties to plan, implement, or expand initiatives to increase public safety, avert prison costs, and improve offender services that reduce recidivism and increase accountability.
- Marion County applied for and received \$3,534,081 in grant funds for the 2015-17 biennium.
- 10% or 353,408 to be used for victim services.
  - The council did a lot of work around victim services, developed a flow chart, and added more funds for victim services besides the mandatory 10% set aside.
- 3% of the grant funds to be used for a Randomized Controlled Trial (RCT) program evaluation locally or statewide.
- ORS mandates that local public safety councils approve the plan before it is submitted.

##### Developing the 2015-17 Plan:

- The council learned every aspect of the community corrections and justice reinvestment system over a thirteen month period beginning in 2014.
  - Assessed programs in the Sheriff's and District Attorney's Offices.
  - Invited other agencies to explain their needs.
  - Compiled a list of community corrections services including:
    - Supervision, prison diversion, reentry initiatives, and contracted services.
- Steering Committee went through each of the funding proposals and ranked them.
  - Council then discussed the proposals and adopted the plan.
  - Process was very thorough.

##### Developing the 2017-19 Plan:

- Approximately \$ 4 million in new funds will be available to Marion County.
  - Goal is to have the council adopt the JRI plan at its July 11 meeting.
  - Steering committee will hold an extended meeting in June to review and discuss proposed projects to fund and then bring their recommendations to the full council to consider.
    - To evaluate the effectiveness of the 2015-17 funded program, Jan Calvin will be developing a performance report to review outcomes and number of clients served.
    - Sheriff's Office is developing budgets for the proposed 2017-19 projects.
    - Steering Committee will review these documents at its June meeting.

#### Summary of discussion.

- Even if Marion County receives JRI funding at the “current service level”:
  - Services are costing more in 2017-19 than they cost in 2015-17.
    - Increasing PERS and health care costs for people who are government employees.
    - A different federal grant funded a significant portion of the Link Up program in 2015-17, but this grant is now over.
    - Not likely that funding will be available for new projects.
- Commissioner Carlson distributed copies of an [issue brief](#) that explained the prioritization considerations for the council and recommended process the council should adopt for approving the FY 2017-19 application.
- For the 2015-17 biennium, due to the budget timeframe, the council did not review the actual application, only the funding proposals. Final application was brought back for the full council to ratify. The same process is proposed to be followed for the 2017-19 JRI application.

**MOTION:** Ed McKenny moved the council readopt the criteria adopted by the council on July 14, 2015 for prioritizing programs and services to be included in the 2017-19 grant application. Seconded by Tami Goettsch. Motion carried. A voice vote was unanimous.

**MOTION:** Jayne Downing moved the council approve the timeline for the 2017-19 grant application process. Seconded by Faye Fagel. Motion carried. A voice vote was unanimous.

#### **5. EMERGING ISSUES/OTHER BUSINESS**

- One of the Alt Right speakers at a rally in Portland identified as being from Salem.
  - Since then, Mano a Mano has started receiving threats and harassing e-mails.
  - Concern is that there may be White nationalists in Marion County.
  - If appropriate, law enforcement could provide education on how to balance individual freedom of speech with protecting someone from harassment.
- Marion County courts are implementing video conferencing for contested retraining orders.
  - Center for Hope and Safety advocate will attend the video hearings.
  - Video conferencing recommendation came out of the Alliance for Hope International Community Assessment Report done in October 2015 by Mr. Casey Gwinn.

**ADJOURNED 6:02 PM**