

MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

February 13, 2018 4:00 PM
Commissioners' Board Room
555 Court St. NE, Salem, OR

MCPSCC: Walt Beglau, Mark Caillier, Kevin Cameron, Janet Carlson, Kim Doster, Jayne Downing, Don Frederickson, Tamra Goettsch, Troy Gregg, Roland Herrera, Jessica Kampfe, Garland King, Greg Leo, Pete McCallum, Todd McCann, Ed McKenney, Cary Moller, Jerry Moore, Jason Myers, Tracy Prall, Mike Runyon, John Teague, John Van Dreal, Kim Wallis, and Hitesh Parekh (recorder).

GUESTS: Jan Calvin, Robert Carney, Paige Clarkson, Chan Hellman, Alison Kelley, Jolene Kelley, Tad Larson, Amy Queen, Rich Sebens, Jeff Stutrud, Jon Tucker, and Jeff Wood.

1. ADMINISTRATIVE (INFORMATION/ACTION)

Meeting called to order at 4:05 P.M. by Commissioner Janet Carlson.

Welcome and Introductions

Council members made introductions around the table.

Approve January 9, 2018 Meeting Minutes

MOTION: Tamra Goettsch moved approval of the January 9, 2018 MCPSCC meeting minutes. Seconded by Jason Myers. Motion carried. A voice vote was unanimous.

Announcements and Upcoming Events

- Dr. Chan Hellman is visiting Salem to talk about hope theory.
 - Dr. Hellman is an adjunct professor in the Departments of Internal Medicine and Pediatrics for the University of Oklahoma College of Medicine and Department of Health Promotion Sciences for the College of Public Health. He is currently researching the implementation of hope theory.
 - Hope is:
 - The single best predictor of academic achievement in elementary, middle, and high school.
 - It is also the single best predictor of outcomes of domestic violence and child abuse for children and survivors.
 - Challenge is how to bring hope theory and practice into communities and organizations.
 - Hope theory will be included in a future council agenda.
- February 15 – The 100 Day Challenge on Youth Homelessness event take place at the Kroc Center.
- April 10 - Oregon Second Chance Tour event at the Salem Convention Center.

2018 Short Legislative Session

House Bill (HB) 4116 is a cell phone bill codifying that a swipe or a tap is permissible while driving.

HB 4143 requires director of Department of Consumer and Business Services to study barriers to medication-assisted treatment for substance use disorders, including addictions to opioids and opiates, and to report and make recommendations to the Legislative Assembly. The bill had a hearing and is moving ahead, but consensus is that it is weak in substance.

HB 4145 modifies definitions relating to relationship status that pertain to types of court orders and

misdeemeanor convictions that cause person to be prohibited from possessing firearms. The bill also provides that conviction for stalking causes person to be prohibited from possessing firearm unless person obtains relief from prohibition.

HB 4149 prohibits the prosecuting attorney from conditioning a plea offer (or release on defendant's waiver of specified rights, eligibilities, and legal challenges) on the requirement that defendant or defense attorney stipulate to unconstitutionality of existing law. This is a highly contested bill that could have a large impact on the Justice Reinvestment Initiative funds.

HB 4055 modifies laws related to vehicular hit and run.

HB 4082 permits disclosure of certain juvenile records in the Juvenile Justice Information System (JJIS) to researchers, evaluators, and data analysts.

HB 5006 directs the Department of Human Services, Oregon Department of Justice, and Public Defense Services Commission to convene and implement strategies to improve the effectiveness and efficiency of Oregon's juvenile dependency systems to determine the appropriate level of legal services. The bill will shift dependency petitions from the local level to the state level. The Marion County District Attorney does not support this bill.

Senate Bill (SB) 1531 requires law enforcement officers to meet with a mental health professional every two years. Law enforcement agencies already have internal systems in place to monitor and refer people as needed and appropriate. They do not need a mandate to do so.

SB 1540 modifies the definition of child abuse for purpose of mandatory reporting. The bill has been amended with the age decreasing from 14 to 12. As the bill currently stands, a 12, 13 and 14 year-old having sexual activity with someone within this age range would not be reportable. The Marion County District Attorney does not support this bill as it is currently written.

SB 1543 is an omnibus bill dealing with Psychiatric Security Review Board (PSRB) and transports by law enforcement to local police departments. The bill needs to be studied closely for unfunded mandates.

SB 1562 expands the strangulation/domestic violence law. It adds chest compression and inability to breathe as strangulation. There is a push to not upgrade this to a felony charge, which concerns some victim advocates. Also moves the crime classification from a "6" to a "4.". Sheriff's Office supports this bill, but only if the bill provides reimbursement for supervision costs.

Workgroup on Civil Commitments

- No legislation on civil commitments being discussed at this legislative session.
 - A team of stakeholders from the last legislative session is discussing how courts and mental health professionals can assess if someone needs to be civilly committed.

2. PUBLIC SAFETY CAPITAL PROJECTS

Marion County Sheriff Jason Myers and Salem Police Chief Jerry Moore presented this item.

[Marion County Sheriff's Office Public Safety Building](#)

- Marion County Sheriff's Office has outgrown the space it has been using at the Marion County Transition Center built at the Aumsville Highway campus.
- The new public safety building will house community corrections, patrol, and detectives.
- Currently, approximately 80 FTE staff work out of 3,500 sq. ft. from the transition center, portable buildings, and rented space at the Wolverine complex on Lancaster Drive.
- Public safety building will be approximately 31,000 sq. ft. and cost \$11.6 million.
- The building will have two conference rooms, earthquake and security enhancements, and secured parking for deputies and patrol cars.
- New building construction began in August 2017 and is scheduled to be completed in July 2018.
- Vacated transition center space will be used client support services.

Salem Police Station

- Salem Police Department has been in the Salem Civic Center building since early 1970.
- Space issue with 225 officers and civilians working out of 29,000 sq. ft.
- In 2016, City of Salem went out for a \$82 million bond measure for a 148,000 sq. ft. facility, but lost by a narrow margin.
- A revised bond measure was approved in 2017 at \$62 million and 115,000 sq. ft.
- Future growth and room for a 911 call center were excluded from the bond measure.
- New police quarters will be located at the intersection of Commercial and Division Streets.
- The facility will be the largest law enforcement building in Oregon.
- Salem Police Department staff visited three states and saw four departments to get some design plans for the new Salem facility.
- First floor will have an evidence and community room, along with a personnel training section.
- Second floor is for patrol with locker rooms and state of the art interview rooms for suspects and domestic violence victims.
- Demolition will occur at the end of January 2018 and the building is scheduled to be completed in September 2020.

3. PRE-TRIAL RELEASE ASSESSMENT REPORT

Sheriff Jason Myers, Commander Tad Larson, Commander Jeff Wood, and Lt. Jeff Stutrud from the Marion County Sheriff's Office [presented this item](#).

Summary of presentation:

- Marion County received a grant from the National Institute of Corrections for two consultants to study the county's pre-trial release system.
- Consultants have prepared a report to guide the county in looking at the system and implementing more efficient measures (see report).
- Currently 415 beds in the county jail.
- County has to make release decisions every day that take place on the "back end" of the system.
 - If jail is at capacity and 20 new bookings take place, 20 inmates have to be released based upon their risk scores.
 - Pre-trial releases will move this "release" system to the front end.
 - Jail population at any given time is 70% pre-trial with the remainder sanctioned or sentenced.
- Consultants said county should be able to cut the pre-trial population in half.
- In 2017, there were 16,417 bookings in jail and 1,739 force-outs to make room for incoming arrests.
- County uses the Public Safety Checklist as a validated tool to determine risk of recidivism to hold or release an inmate.
- Report recommends:
 1. Interviewing and conducting risk assessments on all defendants arrested, including those on new charges and bench warrants for failure to appear.
 2. Reducing reliance on financial conditions of release by moving from a financial bail schedule to a risk-based schedule.
 3. Create a pre-trial services division within probation or a stand-alone pre-trial program to conduct pre-trial risk assessments on all defendants booked into the jail.
 4. Use pre-trial supervision and conditions of release based on risk.
 5. Develop a policy for handling technical and new arrest violations of pre-trial supervision.
 6. Assess information technology capabilities in pulling existing data collection points together.
 7. Develop performance and outcome measures.

Summary of discussion:

- Sheriff's Office is still trying to determine bail criteria with stakeholders.
 - Bail is about determining who poses the greatest risk to the community upon release, and is currently set by statute and the local courts.
 - A very small number of individuals actually post bail in Marion County.
 - Even if someone is released out on bail does not mean that this person is at low risk to reoffend.
 - There are individuals who are very low risk who cannot afford to make bail.
- One reason why bail system was put into place was to ensure that domestic violence suspects are detained. These are "low-risk" individuals, but experience has shown that some (upon release) have re-victimized their partners. Very significant issue that needs to be considered.
 - Sheriff's Office does not release pre-trial Measure 11 offenders and domestic violence suspects.
- Detaining someone in jail can also cause an individual to lose his or her job (and sometimes housing) which then becomes harder to repair.
- Some consideration needs to be made on the type of language used for those that are pre-trial status. Placing an individual into "supervision" implies the person is already an offender.
- Another important population for discussion is those with mental illnesses and the "aid and assist" population. There are alternatives to charging someone who is mentally ill with a crime.
 - Someone with an aid and assist who goes to the state hospital spends seven times longer in jail than someone who does not have an aid and assist. Need to address this inequity.
- The longer the jail holds a low-risk individual, the more likely he or she will become a better criminal if housed with medium to high-risk offenders.
- Jayne Downing asked who will represent victims on the pre-trial stakeholder group and was invited to join the group in that capacity.

4. EMERGING ISSUES/PROBLEM SOLVING

- Funding for search and rescue missions:
 - Search and rescue operations in the wilderness are very costly and can involve multiple law enforcement agencies.
 - Need to work with legislature to look at alternative revenue sources to offset these costs since taxpayers usually end up with the bill.
 - There are Secure Rural Schools Title III dollars available for counties, but these can only be spent after a search and rescue operation ends.
 - Oregon legislature just created the Office of Outdoor Recreation within the Oregon Parks and Recreation Department to coordinate the state's outdoor recreation policy across agencies and between public and private sectors.
 - Could work with them on developing legislation.
- Discussion about immigration issues. Proposal to invite U.S. Immigration and Customs Enforcement to meet with the MCPSCC at a future date.

Adjourned: 5:45 PM