

**MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL**  
**MINUTES**

**October 10, 2017 4:00 PM**  
**Commissioners' Board Room**  
**555 Court St. NE, Salem, OR**

- MCPSCC:** Mark Caillier, Janet Carlson, Kim Doster, Jayne Downing, Jim Ferraris, Don Frederickson, Tamra Goettsch, Roland Herrera, Rick Lewis, Pete McCallum, Todd McCann, Ed McKenney, Cary Moller, Jerry Moore, Tracy Prall, Mike Runyon, John Teague, John Van Dreal, Jeff Wood (for Jason Myers), and Hitesh Parekh (recorder).
- GUESTS:** Ross Caldwell, Kevin Cameron, Robert Carney, Paige Clarkson, Alison Kelley, Jolene Kelley, Kim Larson, Jeanine Knight, Kelly Officer, Shaney Starr, and Jon Tucker.

**1. ADMINISTRATIVE (INFORMATION/ACTION)**

Welcome and Introductions

Council members made introductions around the table.

Announcements and Upcoming Events

- Woodburn Police Chief Jim Ferraris announced that he has been appointed to the Governor's Opioid Epidemic Task Force on behalf of the Oregon Association Chiefs of Police.
  - The [Police Executive Research Forum \(PERF\)](#) issued a comprehensive report on opioid crisis in America, and shared an article about a web-based tool, called the [Overdose Detection Mapping Application Program](#), or ODMAP, that charts suspected overdoses in real time and alerts public safety officials to spikes in opioid emergencies.
- Deputy District Attorney Paige Clarkson announced the Law Enforcement Assisted Diversion (LEAD) program just received a grant of approximately \$83,000 to fund a .75 FTE navigator position.
  - Grant is from Willamette Valley Community Health (WVCH).
- Cary Moller announced that the Marion County Health Department also received a grant from WVCH for the Children's Crisis System.
  - An open house for Youth and Family Crisis Services will be held in early November 2017.
- Center for Hope and Safety Director Jayne Downing announced that October is "Domestic Violence Awareness" month.
- Commissioner Carlson announced that a request for proposals for veteran services officers in Marion County closed on September 11. Five applications were received.
  - County will hire two veteran services officers and a supervisor.
  - Marion County is the last county in the state to have a county veteran services officer.

Approve September 12, 2017 Meeting Minutes

MOTION: Jerry Moore moved approval of the September 12, 2017 MCPSCC meeting minutes. Seconded by John Teague. Motion carried. A voice vote was unanimous.

Ratify Supplemental Justice Reinvestment Grant Application 2017-19 (Action)

- Marion County applied for funds from the Oregon Criminal Justice Commission's 2017-19 [Supplemental Justice Reinvestment grant](#). Funds will be used for the Senate Bill 416 program.
- The Oregon Criminal Justice Commission is expected to approve the grant when it meets on September 26.
- The Commission received requests that were approximately \$1 million in excess of the grant amount available.

- To balance the grant budget, the commission's review committee recommended cutting administrative overhead costs requested by applicants.

MOTION: Ed McKenney moved to ratify Marion County's supplemental justice reinvestment grant application. Seconded by Pete McCallum. Motion carried. A voice vote was unanimous.

## **2. COURT APPOINTED SPECIAL ADVOCATE (INFORMATION/DISCUSSION)**

Court Appointed Special Advocate (CASA) Executive Director Shaney Starr presented this item.

- [CASA](#) advocates for abused and neglected children who need safe and permanent homes.
- Community volunteers are recruited to advocate for these children.
- More than 500 children in Marion County are victims of child abuse or neglect. For their own protection, a judge has placed them in the custody of the state for placement in foster care.
- CASA volunteers follow these children through the legal and child welfare systems to ensure their needs are met.
- CASA in Marion County has had a challenging past, but it is now moving forward.
- CASA has:
  - Grown immensely in the past year and a half, from 36 volunteers in March 2016 to 80.
  - 174% increase in kids being served.
  - Received a national CASA grant award of \$89,000.
    - Grant requires recruiting an additional 59 volunteers and serving an additional 146 children in 2017.
    - Community members are welcome to sign up to be trained and volunteer.

## **3. ALLIANCE FOR HOPE, SEMIANNUAL UPDATE**

Commissioner Carlson introduced this item:

- Marion County invited Alliance for Hope International to assess victim services in Marion County in the fall of 2015.
- Alliance toured multiple public safety and victim service facilities and met with many groups in Marion County before issuing an assessment report with immediate, short, and long-term recommendations.
- Marion County's victim services team consists of Center for Hope and Safety Director Jayne Downing; Liberty House Director Alison Kelly; Marion County Victim Assistance Director Kim Larson; Marion County Sheriff's Office Victims Services Coordinator Annette Chrisemer; and City of Salem Police Department Domestic Violence Advocate Emily Collins.

Jayne Downing, Alison Kelly, and Kim Larson provided an update on implementing recommendations from the Alliance for Hope assessment.

Summary of Jayne Downing's presentation:

- The Center for Hope and Safety has received excellent feedback on implementing video conferencing in the courthouse.
  - Allows victims to stay away from their perpetrators and feel safer about the process.
  - Courts are committed to making process as easy as possible for victims.
- Center for Hope and Safety victim advocate saw more than 620 victims this year.
  - Advocate is in the courtroom and able to advise victims about their court protection order and/or talk about a safety assessment plan.

Summary of Kim Larson's presentation:

- Marion County Circuit Courts have seen a large influx of people seeking restraining orders.
- Victim Assistance Division very busy issuing orders in the mornings with help from the Center for Hope and Safety.

- Division doing strangulation protocol trainings with law enforcement and looking to expand training for other first responders, such as emergency medical technicians and firefighters.
- Mothers attending court for restraining orders are now using CourtCare (a free child care service for children aged 6 weeks to 12 years).

Summary of Alison Kelly's presentation:

- By law, child abuse multidisciplinary teams are required for every Oregon County, (**see ORS**).
  - Oregon Department of Human Services (DHS) has responsibility for investigating child abuse, but the statute provides that it is up to the district attorney to convene a multidisciplinary child abuse team responsible for a protocol for immediate investigation of and notification procedures for child abuse cases.
  - Law enforcement, child abuse prosecutors, Marion County DHS case workers, and specialized child abuse medical personnel work together to streamline and coordinate the county's most high-risk child abuse investigations.
  - The team reviews daily the most at-risk cases known in Marion County and uses the Liberty House Child Abuse Assessment Center as its home base.
  - This allows investigators to collaborate with specialized medical personnel and quickly connect families and children to services.
  - From the Marion County District Attorney's perspective, co-locating at Liberty House is working very well.
  - Liberty House is seeing an uptick in children who have been choked/strangled by their teenage siblings and/or parents.
    - A multi-disciplinary child abuse team in Marion County will conduct a strangulation and child abuse assessment protocol training for more than 150 law enforcement personnel including detectives, front-line officers, and hospitals in the county this year.

#### **4. CRIMINAL JUSTICE ADVISORY COUNCIL (CJAC) UPDATE**

Judge Tracy Prall presented this item. Summary of presentation:

- CJAC reviews policies and procedures affecting the Marion County Circuit Court.
- Whenever a criminal case is initiated in Marion County, it is first heard at the court annex on Aumsville Highway.
  - About 3,000 monthly hearings at the annex.
  - Hearings involve Marion County Sheriff's Office Parole and Probation Division, sheriff's deputies, representatives from the District Attorney's Office, defense attorneys, treatment providers, and victim assistance.
- One recent issue was a national directive issued by the United States Court of Appeals for the Ninth Circuit prohibiting adults from appearing in court with shackles.
- CJAC convened and quickly put a procedure into place for Marion County. Without CJAC, the county would not have been able to do this.
- CJAC is currently working on:
  - In-custody defendants and their right to trial within 60 days of arrest.
    - Sometimes defendants don't want a trial within 60 days, (especially if they are facing a major felony such as a Measure 11 offense) or their attorney may want more time to prepare the case.
    - CJAC has to coordinate these cases with defense attorneys to ensure the court doesn't waste time scheduling unnecessary and/or premature trials.
  - Providing defense attorneys enough information about the defendant at arraignment to advocate for early release.
- CJAC will try and meet regularly and will need certain members from the MCPSCC to attend these meetings.

## **5. PRISON SENTENCES QUARTERLY UPDATE/RECIDIVISM RATES-NEW DEFINITIONS**

At the last MCPSCC meeting, the council had questions about the new and old statutory definitions of recidivism. Council invited Ross Caldwell and Kelly Officer from the Oregon Criminal Justice Commission to discuss and clarify these definitions and provide an update on the state prison admission forecast. Summary of Mr. Caldwell and Ms. Officer's [presentation](#):

- The old definition of a recidivism was “a felony conviction within 3 years”.
  - In 2013, House Bill 3194 changed this definition to “an arrest, conviction or incarceration for a new crime within three years”.
- Today, there are three measures of recidivism, and a conviction for a new crime can include both felonies and misdemeanors.
- Oregon Criminal Justice Commission (CJC) is trying to capture arrests and convictions or incarcerations within three years, but there are some limitations based upon software compatibility and arrest procedures:
  - Cannot compare state recidivism data to federal or out-of-state data
  - Limited to what is available in the statewide data system
  - No misdemeanor jail sentence data available as a statewide jail data system does not exist
  - No misdemeanor conviction data is available from a municipal or justice court, only the circuit court
- Starting point to measure recidivism is at the felony level. If someone starts felony probation, CJC measures backward for any recidivating events from this start date. Also looks at release from a felony jail sentence or felony prison sentence as a milestone from which to measure recidivism.
- Current recidivism definition is saying you have to be “perfect” in this three year window period to be counted as “not recidivating.”
- CJC is starting to look at additional ways to measure the nuances in recidivism data: ten arrests are worse than one arrest, and an assault conviction is worse than a drug possession conviction.
- Prison intake trend lines show Marion County’s property, drug, and driving crimes prison usage is continuing to decline or remain flat.
- [Female prison forecast](#) is expected to decrease by 11% in the next decade due to House Bill 3078 which:
  - Expanded the eligibility criteria for the Family Sentencing Alternative Program
  - Increases early-release, short-term transitional leave from 90 to 120 days
  - Reduced sentence for first-degree theft and identity theft from 18 to 13 months

Summary of discussion:

Q: Marion County started working intensively on evidence-based practices in 2009-10 and the results of this should be included in the trend line data. So shouldn't the “new conviction” trend line have decreased anyway, or how would you interpret this?

A: The impacts of certain programs on the overall recidivism rate are hard to determine, but with the new definition of recidivism, we can track outcomes for those that are in specific programs or treatment protocols. The CJC can now also find a control group and measure the effectiveness of a specific program.

Q: If those that are released from prison have a lower recidivism rate, shouldn't more people be incarcerated?

A: Those that started probation got on probation for very specific reasons; and those that received a prison sentence received the sentence for very specific reasons. The type of sanctions imposed on individuals, criminal histories, crimes of convictions, and age and gender of people are all different. Don't have information on the severity of the crime; if a weapon was involved; and number of victims. But these do impact the individual's involvement in the criminal justice system and the likelihood of not recidivating in the future.

Q: Why was “arrest” separated from “convictions” and “incarcerations” in the new definition of recidivism?

A: This was required by statute.

Q: How will you track the changes made by the legislature when they made drug possession a misdemeanor and not a felony?

A: House Bill 2355 requires the CJC to track any felony or misdemeanor drug offenses. Since convicted offenders will be booked and supervised by county community corrections departments, they will be in the state data system.

Q: Can you tell from the data if the Senate Bill 416 program in Marion County is making a difference in outcomes? Positive data will reassure Marion County judges that they're making the right decision by agreeing to these sentences if they see the recidivism rate decrease.

A: The Senate Bill 416 program started in 2014 and there is usually a three to four year delay in assessing if a particular type of program is working or not. So we will know in 2018 if it has affected the recidivism numbers. Marion County is in a randomized controlled trial study with the University of Oregon, Lane, and Klamath counties. It will be another year before we can get some definitive data on the program effectiveness, but it is possible to share some preliminary data for Marion County.

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

None

**ADJOURNED:** 6:03 P.M.