

**MEETING MINUTES**  
**Marion County Public Safety Coordinating Council**  
at the Pringle Hall Community Center  
606 Church St SE  
Salem, Oregon  
**May 14, 2013**

**Attendees:** Commissioner Patti Milne, Walt Beglau, Ray Byrd, Mark Caillier, Angie Denning, Tom Ewing, Faye Fagel, Don Frederickson, Courtland Geyer, Alison Kelley, Pete McCallum, Jason Meyers, Jerry Moore, Tracy Prall, Bob Royer, Scott Russell, Tom Sermak

**Guests:** Jodie Bureta, Marion County District Attorney's Office, Lt. Steve DuVall, Oregon State Police, Capt. Doug Garrett, Woodburn Police Department  
(also attending were nine guests interested in hearing the SB 111 Protocol topic)

**Staff:** Don Russo

**Chair - action items**

At 4:00 pm, Commissioner Patti Milne called to order a meeting of the Public Safety Coordinating Council. Minutes of the April PSCC meeting were approved unanimously as presented.

**Review of Use of Deadly Force Protocol**

District Attorney Walt Beglau initiated a presentation from the Marion County SB 111 Planning Authority on revised protocol regarding the investigation of officer-involved use of deadly force events. A key objective, he said, is to conduct a transparent investigative process that is fair to all. His goal with PSCC is to provide an amplified view of the procedures followed when a public safety officer has to use deadly physical force. SB 111 was passed by the Oregon Legislature in 2007, procedures were developed for Marion County in 2008, and now a revised version of the protocol is presented. He gave highlights of fundamental investigative expectations. Responsibilities held by the District Attorney are the same for deaths by law enforcement or any private citizen. Adopting a citizen-based approach, a grand jury is used to hear the facts and reach conclusions of law.

Sheriff Jason Myers said he serves as co-chair of the SB 111 Planning Authority with Mr. Beglau. He introduced fellow members who include Chief Jerry Moore of Salem Police Department, Lt. Steve DuVall of Oregon State Police, Officer Jeff Staples of Salem Police Department, local citizen Don Frederickson, Capt. Doug Garrett of Woodburn Police Department, and Lt. Josh Brooks, Oregon State Police.

Lt. DuVall explained the role of HART, the Homicide Assault Response Team, as a multi-agency task force that shares resources through a mutual aid agreement to investigate cases of officer-involved shootings which occur in Marion County. The pooling of resources offers expertise, supports SB 111 objectives, and provides impartiality in an investigation since the parent (involved) agency does not conduct the investigation. He said there is no exchange of funds between agencies, as each covers their own expenses.

Deputy District Attorney Jody Bureta illustrated the plan in action by describing an actual case that occurred last year. A Deputy Sheriff who used lethal force was asked to give a statement of what happened, which was the first step in the investigation. Oregon State Police then processed the investigation with photographs, medical assistance, counseling for the officer, and other steps. HART then conducted the balance of the investigation. At least 39 officers were involved in the investigation and wrote reports, she said. A final report was then presented to the District Attorney's office, and a grand jury was convened to hear the facts. Twenty-seven people testified to the grand jury, which found that the case was a reasonable use of force.

Mr. Beglau summarized that in all cases where an officer uses deadly physical force, a community review will follow. This is the policy and practice in Marion County. Chief Jerry Moore added that a criminal and civil investigation, as well as an internal investigation, will occur for cases involving the Salem Police Department. The process also involves critiques and training after the investigations are completed to improve the capabilities of officers and staff. Sheriff Myers described the process of supporting officers involved in traumatic incidents because of the seriousness of the event. Officers only return to work after a determination has been made in the investigation, and not until the officer is judged to be ready to return to work, he said.

Mr. Beglau concluded by stating that use of deadly force events are extremely difficult situations for all concerned, and he considers the protocol to be a very high priority in taking care of Marion County. The next step in the process is to send the protocol to all law enforcement agencies and cities in Marion County for their review and approval, then to the office of the Oregon Attorney General. He cited a website for further information: <http://www.co.marion.or.us/SO/SB111.htm>

### **Update on legislation**

Mr. Beglau commented that three bills intended to alter SB 111 protocol have not moved forward, so no changes will be made to SB 111 this session.

Sheriff Myers reported that HB 3194 involving potential changes to sentencing guidelines is still in discussion. He continues to consult with members of the legislature on a workable solution.

Alison Kelley said she is following a bill regarding transition to Early Learning Councils from the current Commissions on Children and Families.

Chief Moore said he is following a bill that would add a tax for 911 services on prepaid cell phones. Chief Scott Russell is following a bill on gang activity prevention.

### **Gang activity – prevention and intervention**

The Marion County Juvenile Department has earned a \$15,000 grant to map programs and services available for juvenile prevention and intervention on gang activity, said Faye Fagel. The research will help develop community agreement about the most appropriate response to current gang activity prevention and intervention. She anticipates the research will be helpful in the next biennium, which may include new funding for gang activity response at the community level.

### **Update on Joining Community Forces**

Commissioner Milne announced the first meeting of the Steering Committee was held April 24. The effort is to involve cities, organizations and volunteers in better supporting veterans returning to community life after military deployment, and veterans' families. A proclamation and covenant signing event is planned for July 11 at the Marion County Fair to express community support for the new effort.

### **DrxugSafe Community Summits**

Commissioner Milne and Alison Kelley attended a Salem City Council meeting last week to express appreciation to Mayor Peterson and councilors for the support of Salem Police Department in the DrxugSafe project. Ms. Kelley added that because of the willingness to share resources, community understanding has been increased. Two summits in Keizer and Woodburn were received favorably and resulted in tons of medications turned in for disposal and prevented from abuse. Additional resources in brochures, public information messages, and a website will be shared across communities in Marion County in the effort to prevent illicit abuse of prescription drugs.

### **Recognition of Bob Royer for Marion County Volunteer Award**

Commissioner Milne described a county volunteer appreciation ceremony in April at the Board of Commissioners' board session. Bob Royer was out of town and unable to receive an award naming him as Judge Rex Hartley Volunteer of the Year. Named for a judge and commissioner who served from 1951 to 1966, the award is the highest recognition for the many volunteers who assist in county services. Mr. Royer has served in various volunteer roles for over 21 years, and currently is vice chair of the PSCC.

She also recognized Chief Jerry Moore, who was profiled in the April issue of *Salem Business Journal* for his long years of community service with the Salem Police Department. Copies of the journal were circulated for those who had not seen the May issue and article.

**Next meeting**

The Public Safety Coordinating Council will meet Tuesday, June 11 at Family Building Blocks.

**Adjourned**

The meeting adjourned at 5:45 pm.

Minutes by Don Russo