

# **MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL (MCPSCC)**

Full Council Meeting Minutes

August 08, 2023, 4:00 p.m.

Commissioners Boardroom, Courthouse Square, Salem, Oregon

MCPSCC: Colm Willis, Alvin Klausen, Jayne Downing, Robert Carney, Don Frederickson, Trevor Womack, Courtland Geyer, Brendan Murphy, Bruce Anderson, Mike Runyon, Troy Gregg, Tim Murphy, Jeff Wood, Jay Bergmann, Anna Jefferson, Nick Hunter, Rick Lewis, Gary White, Jessica Stanton, Pete McCallum, Todd McCann, Shaney Starr, Ryan Matthews, Tracy Prall, Chris Baldrige and Shannon Wilson

Guests: Scott Smith Neighbor to Neighbor and Restorative Justice Director.

Other: Kat Fox on behalf of Christina McCollum, Kameron Wolfer on behalf of Alison Kelley, Courtland Geyer on behalf of Tracy Prall

Commissioner Willis called the meeting to order at 4:00 p.m.

## **1. ADMINISTRATIVE (ACTION)**

-Colm Willis

### Welcome and Introductions

- Introduce the new Sheriff, Nick Hunter;
- The Sheriff has been in the position for a month;
- Sheriff Hunter came from Clackamas County and attended Willamette University;
- Decided to go into law enforcement and worked for the city of Independence:
  - This taught him how to produce the best police officers for the community.
- Sheriff Hunter was the Special Weapons and Tactics (SWAT) Commander and trained police officers around the state.

### Announcements and Upcoming Events

- The Marion County Reentry Initiative (MCRI) breakfast is scheduled on October 12, 2023:
  - The focus is on families and the positive effects of the work done on families.

### Membership

- The MCPSCC membership applications were open, and the following applications are being moved forward with:
  - Chris Baldrige, John Bauer, Bishop Garland King, Pete McCallum, Tim Murphy, and Shaney Starr have been reappointed; and
  - Douglas Cox, an Aumsville City Councilor, Julie Hoy, a Salem City Councilor, and Sheriff Hunter are new appointments.

### Approve the April 11, 2023, MCPSCC Meeting Minutes

**MOTION:** Jayne Downing made a motion to approve the April 11, 2023, MCPSCC meeting minutes. Seconded by Don Frederickson. Motion passed unanimously.

## **2. MOSMAN MULTI-JURISDICTIONAL LETTER (INFORMATIONAL)**

-Commissioner Colm Willis

### ***Summary of presentation:***

- This letter was written by Commissioner Willis to Governor Tina Kotek and Dave Baden;
- It was personally delivered to Governor Kotek a month ago at a meeting in Woodburn;
- There was a conversation about what the county is facing;
- Jurisdictions not signed on to the letter may do so if they would like.

### ***Summary of discussion:***

- None

## **3. MOBILE CRISIS LETTER (INFORMATIONAL)**

-Commissioner Colm Willis

### ***Summary of presentation:***

- The letter was shared with the Executive Council and feedback was given:
  - Edits have been made to the letter.
- This is a letter to Senator Ron Wyden;
- The commissioners met with Senator Wyden in Washington D.C.:
  - Senator Wyden advocated allocating Medicaid dollars for mobile crisis funding;
  - The bill does not fund the county's mobile crisis team which consists of:
    - An officer; and
    - Mental health professional.
  - Senator Wyden stated the bill is intended to fund the county's crisis team; and
  - The letter is being sent to reiterate concerns and what was previously discussed.
- Asking for support from the council and to sign the letter;
- The concern is the Oregon Health Authority (OHA) will stop funding of the crisis team:
  - As they will rely on funds from Medicaid; and
  - Local crisis teams not qualifying for Medicaid funding will have no funds.

### ***Summary of discussion:***

- None

## **4. JUSTICE REINVESTMENT INITIATIVE (JRI) GRANT**

-Commander Jay Bergmann

### ***Summary of presentation:***

- In April the preliminary application for the JRI grant was presented to the council;
- This year's JRI application process has the following steps:
  - A preliminary application sent May 25, 2023, to the Criminal Justice Center (CJC);
  - The CJC provided feedback; and
  - The final application is due September 13, 2023, including:

- The final application;
  - The supplemental funding application;
  - The formal budget proposal; and
  - The victim’s services application.
- The feedback from CJC stated the following three items need to be addressed:
  - Clarify the Transition from Jail to Community (TJC) program:
    - Ensuring that risk levels are not mixed:
      - In programing medium and high-risk offenders are in together; and
      - Low risk offenders are on their own.
  - Clarify if risk levels are mixed in adult specialty courts:
    - Services are individually provided based on risk levels.
  - Clarify if programs address culturally specific services:
    - Programs do not address culturally specific services but include:
      - The Community Advisory Committee;
      - The Justice Reinvestment Council; and
      - PMJ Consulting is evaluating from a Diversity, Equity, and Inclusion (DEI) perspective.
- The budget comes from a formula grant allocating a percentage to counties based on a corrections population forecast:
  - This is 10.81 percent, of total funds, for Marion County.
- The supplemental grant is unallocated funding to be used by anyone:
  - Applications are reviewed; and
  - Funding is provided accordingly.
- The total formula grant is between \$4.8 million and \$4.9 million with the following:
  - For programming there is \$4,284,483 available;
  - The state may receive three percent for evaluation of funding:
    - This can be done internally but \$147,000 is not sufficient to do so.
  - Victim’s service funding gets 10 percent of the grant funding:
    - This is \$492,469.
- An additional \$788,356 will be asked through the supplemental grant:
  - This will be used for the prison diversion programs.
- Downward Departure program funding was asked for in the preliminary application;
- SB416 Prison Diversion program cannot be funded by the supplemental grant:
  - This grant can only fund personnel services.
- The community-based victim services programs selected are the following:
  - Center for Hope and Safety; and
  - Liberty House:
- Each program needs to submit their portion of the application.

***Summary of discussion:***

- Programs addressing culturally specific services is a legislative requirement;
- The SB416 Prison Diversion program is for repeat property offenders:
  - Person to person crimes can’t be in the program;
  - The Downward Departure program helps those who don’t qualify for SB416; and
  - Offenders are placed in units that specialize in the crime committed.

**MOTION:** Trevor Womack made a motion to approve the revised application. Seconded and passed unanimously.

## **5. CRIMINAL JUSTICE ADVISORY COUNCIL (CJAC) (ACTION)**

### Specialty Court Support Letter

-Judge Courtland Geyer

#### ***Summary of presentation:***

- None.

## **6. LEGISLATIVE ROUND TABLE – 2023 LEGISLATIVE SESSION OVERVIEW**

### Legislative Session Bills

Alvin Klausen

- HB 2645 – Increases penalties for possession of certain amount of fentanyl;
- SB 615 – Modifies crime of organizing speed racing event; and
- HB 2005 – Defines “undetectable firearm.” Punishes manufacturing, importing, offering for sale of transferring undetectable firearm by maximum of 10 years’ imprisonment, \$250,000 fine, or both; and
- SB 326 – required owner of real property where site of unlawful manufacture of marijuana or unlawful production of marijuana is located to clean up waste from site upon receipt of notification from law enforcement agency.

### Council

- HB 2645 criminalizes allowing more accountability and is a step in the right direction.
- HB 2645 has the potential to be relevant but without citations numbers may be skewed.
- It is difficult to prosecute high level delivery cases with no criminal repercussions for low level cases; and
- A unit of measurement being pills was clarified.

### SB 337

Todd McCann:

- SB 337 establishes Oregon Public Defense Commission with judicial branch;
  - There are no significant changes to the juvenile portion;
  - It removes the current entity type;
  - There will be a switch to the Parent Child Representation Project (PCRP);
  - There will be changes coming in future years; and
  - More funding was allocated.

Shannon Wilson:

- The chief justice to write orders directing presiding judges to create public defense unrepresented crisis guidance teams;
- There are four items to consider:

- Reduce case filing to address the unrepresented crisis;
- Increase dispositions within the court system;
- Increase the number of attorneys; and
- Increase existing internal capacity.
- A plan needs to be done by September 1, 2023, and sent to the Criminal Justice Commission and then:
  - It is approved or denied; and
  - Then sent to legislature.

Judge Courtland Geyer:

- Case dismissal has been avoided in Marion County;
- Other jurisdictions with cases being unrepresented were dismissed.
- Extra cases are taken on, but this is not sustainable;
- A few portions of the bill speak on the current crisis:
  - It requires the presiding judge to go through a process with agency partners:
    - Then there is authorization to issue standing orders addressing the public defense crisis.
- This empowers local jurisdictions to meet demands through standing orders by:
  - Being consistent with the developed plan; and
  - Not conflicting with the chief justice's plan.
- The process can begin before the September 1<sup>st</sup> deadline:
  - Standing orders can be issued as soon as they are developed.

Representative Rick Lewis:

- There are a few things to look at for such as:
  - There are four budget notes;
  - Timelines will be firm;
  - Counties and jurisdictions are expected to have innovative ideas:
    - A plan alone, in two years, is not enough.
  - There is high expectation from legislature for significant movement.

Judge Tracy Prall:

- The air conditioning at the annex has failed and died;
- The Sheriff's Office has allowed their space to be used for various courtroom activities.

Bruce Anderson:

- HB 2732 appropriates moneys from General Fund to Department of Justice for Crime Victim and Survivor Services Division, for distribution to eligible children's advocacy center:
  - This will provide funding to Children Advocacy Centers (CAC) across the state:
    - Liberty House and about 20 other CAC's can continue their work.
- The Department of Justice's (DOJ) budget passed:
  - Mr. Anderson was able to testify in a sub-committee;

Jayne Downing:

- Oregon domestic and sexual violence services and additional survivor housing funds:
  - The funding came through keeping the same levels of the last biennium.

Tim Murphy

- Invited by the Governor to attend the signing of six bills;
- HB 2513 requires local planning committees for alcohol and drug prevention and treatment services to coordinate with local Behavioral Health Resource Networks:
  - This is the bill to fix Measure 110.
- Bills regarding opioid overdose, Naloxone use in schools and the community were passed;
- The funding amount to support service expansion was the biggest impact;
- Measure 110 allowed those not covered under Medicaid to be covered:
  - They're not covered because of financial, personal, and correctional reasons; and
  - Non-Medicaid funded services are funded.

***Summary of discussion:***

- Per measure 110 the individual must volunteer to participate in a program;
- Per Oregon Health Authority (OHA) thousands have qualified for services;
- Measure 110 has two elements:
  - Should there be penalties for possession of certain controlled substances; and
  - Should marijuana revenue be used to fund behavioral health and treatment services.
- There is lack of support from law enforcement with Measure 110 passing:
  - Law enforcement was part of many getting treatment; and
  - Now individuals need to be willing to receive treatment.
- Funding comes from taxing recreational marijuana not medicinal:
  - Some local governments are upset as they received this funding.
- Substances do not need to be decriminalized to fund treatment services.

Ryan Matthews:

- Substance use and addiction treatment is the most underfunded area in health;
- Law enforcement helped individuals get treatment but there weren't many resources;
- The funding gives resources allowing communities to have services that work for them;
- Funding allows agencies to engage individuals to try for treatment:
  - Services are advertised and continually brought to individuals who need it.
- Previously funding happened when an individual consented and enrolled in treatment;
- The infrastructure created from the funding is positive and needs to be maintained;
- The issues created on the public safety are a negative aspect; and
- Agencies are working together that has not been done previously.

Judge Tracy Prall:

- The jail has a Medication Assisted Treatment (MAT) program;

- Funding allows providers to give treatments in a facility;
- The community needs a sobering service to help law enforcement;
- The current options when handling a unsober individual are the following:
  - Driving the individual in a car;
  - Taking them to jail; and
  - Taking them to the Emergency Room (ER).
- Trying to get this started in Salem and will need the council's support for this:
  - Portland and Eugene are the only cities with sobering services.

***Summary of discussion:***

- Law enforcement may also do nothing:
  - There are individuals who do not realize their surroundings and hurt others.
- This is a violation, and it will not get an individual into custody; and
  - A sobering facility can help alleviate this problem.
- Addiction treatment capacity is beginning to be built around the state:
  - This is a process that will take several years.

Representative Rick Lewis

- Funding for the Driving Under the Influence of Intoxicants (DUII) beds did not get passed:
  - There are unpaid bills (\$700,000.00) with no budget to pay.

***Summary of discussion:***

- There is about \$200,000 budgeted for DUII reimbursement in Marion County;
- State Department of Corrections notified sheriffs that money will run out before the last payment quarter:
  - There was no reimbursement and per allocations of the current biennium it will be short again; and
  - This is a small portion of a \$90 million budget, but the dollars need to be found.
- Medical examiner positions were added under the forensics division;

Representative Rick Lewis

- The success of measure 110 is not seen:
  - Oregon is number one in the nation for methamphetamine; and
  - Fentanyl found in the last year and a half can kill every Oregonian, twice.
- Funding to add seven to 10 investigators for internet crimes against children did not pass:
  - There are four to five investigators investigating about 7,000 calls a year.
- Parrott Creek Ranch (Oregon Youth Authority) received funding;
- Many public safety items were passed:
  - Public testimony allowed this to happen.
- Fire Marshall's office is a standalone agency as of July 1, 2023:
  - They are underfunded and funds are not in the budget;
  - It is on the record that the emergency board will handle the issue regarding conflagration funding;
  - Resources are sent to help, and reimbursement is a year and a half wait.

- There were two victim advocate positions added; and
- The positions will be hired in the fall.

Troy Gregg

- Expansion of expunctions has funding to support the process;
- Working with Salem to see if juvenile violent crimes have increased:
  - There are four kids on waivers for murder or attempted murder charges;
  - More 12- to 14-year-olds with guns on the streets; and
  - There is gang violence.
- Hispanic youth account for 68 percent of those that are charged this year.

***Summary of discussion:***

- Woodburn, over the last three years, had 700 suspensions for criminal activity:
  - This resulted in a Youth Coordinator position.
- This position gathers resources needed to work with the families and kids:
  - Middle school is the prime age for gang recruitment; and
  - The position will work to get the kids out of gang environments.
- The family support programs work with Marion County Health and Human Services:
  - An extra position was added to work with youth and families:
    - An early intervention program working with 9-to-13-year-olds; and
    - A program expanding the age and focusing on drug and alcohol treatment.
  - The position will be Certified Alcohol Drug Counselor (CDAC);
  - These come through as referrals from various places;
  - There are two advocates working with 50 families a year:
    - There are 30 families on a waiting list.
- School resource officers in Woodburn are aware of the program; and
- Drug use is normalized if kids see family members abuse substances.

Chief Trevor Womack:

- The issue is being investigated with researchers looking into the last five years of gun violence incidents:
  - This will be broken down demographically;
  - The data will be used to develop strategies; and
  - To focus resources in more impactful ways.
- There is a large population of Hispanic population youth crime:
  - This can be seen how it translates in the data.
- Community partners are needed to help intervention take place earlier;

***Summary of discussion:***

- The grooming of youth into gangs exists and is camouflaged;
- There is violent conduct in youth under 12 years old and petitions help connect to services:
  - There was legislation to remove delinquency petitions for any youth under 12.
- In 2019, a bill stated youth behavior must begin in juvenile court and previously a measure 11 offense automatically went to adult court:
  - With the bill passing three youth have been waived in the last four years.



- Systems needs to be in place to help youth and law enforcement is not the right entity to connect youth to services;
- The ability to charge youth under 12 will result in recruitment of younger children;
- Damages are mitigated when resources and partners come to work together:
  - The Mossman decision being an example of this.
- A conversation is needed on why minority numbers are up and where certain communities are disadvantaged;
- The council needs to leverage the knowledge and resources it has to help the youth;
- Previously, officers made connections with families and kids to help get to resources;
- Many kids have not done well because of the pandemic and policies surrounding it; and
- The data is needed to show where the intervention and work is needed.

Sheriff Nick Hunter

- HB 2405 requires that court dismissing charges involving order of commitment due to defendant lacking fitness to proceed also order transport of defendant back to jurisdiction in which charges were initiated; and
- This is an important bill as things get stabilized and resources are used in the community.
- The realities of what is happening need to be recognized

***Summary of discussion:***

- The importance of law enforcement helping individuals find resources needs to be stated;
- The programs, resources, and roles need to be shared with the community:
  - This allows the public to see the work officers do.
- The study will be made public when complete.

**7. EMERGING ISSUES/OTHER BUSINESS**

- The council agrees to support the mobile crisis letter;

Kameron Wolfer

- A lease was signed to open a clinic;
- This will serve smaller rural and Latino communities of the area; and
- This will open in the next few months.

Trevor Womack

- There have been leadership changes within the police department;
- Brandon Ditto was promoted to Deputy Chief over Support Division;
- Treven Upkes was promoted to Patrol Division Commander; and
- Jacob Burke was promoted to Investigations Deputy Chief.

Rick Lewis

- August 31, 2023, is National Opioid Awareness Day;
- The six organizations funded through Measure 110 will host an event discussing the work done with the funding received:
  - The event will be held at Bridgeway Recovery Services.

- Community Services or Jessica Stanton can provide information on the MCRI breakfast:
  - Ms. Stanton will send out information to the council.

Commissioner Willis adjourned the meeting at 5:52 p.m.