

MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

April 12, 2022, 4:00 PM
Courthouse Square
Salem, OR

MCPSCC: John Bauer, Joe Budge, Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Jayne Downing, Don Frederickson, Courtland Geyer, Tamra Goettsch, Troy Gregg, Judge Geyer, Roland Herrera, Chris Hoy, Linda Hukari, Alison Kelley, Ed McKenney, Pete McCallum, Todd McCann, Ed McKenney, Tim Murphy, Tracy Prall, Mike Runyon, Cari Sessums, Shaney Starr, Colm Willis, Shannon Wilson, Jeff Wood, and Hitesh Parekh (recorder).

GUESTS: Bruce Anderson, Chad Ball, Anne-Marie Bandfield, Ed Diehl, Dan Farrington, Christine Herrman, Christine McCollum, Scott McLean, and Representative Raquel Moore-Green.

1. ADMINISTRATIVE (INFORMATION/ACTION)

Meeting called to order at 4:05 P.M. by Commissioner Kevin Cameron. Introductions were made.

Announcements & Events

- The Marion County Reentry Council will be holding its 12th annual breakfast meeting on April 28 at the Keizer Civic Center. All are welcome to attend.
- Shaney Starr, Executive Director of CASA, announced a benefit event titled Light of HOPE- at the Salem Convention Center on May 14. All are welcome to attend.
- Jayne Downing, Executive Director, Center for Hope and Safety said groundbreaking for the new Hope Plaza will take place on Thursday 21st. All are welcome to attend.
- Bridgeway Recovery Services is opening a 18,000 SF facility on Bridgeway Plaza in Salem on May 19. Outpatient campus moved downtown and will make mental health treatment, chemical dependency, and problem gambling treatment more available to all.

Proposed Casino in Salem Letter

- Commissioner Cameron asked the council to ratify a letter sent to the Bureau of Indian Affairs requesting an Environmental Impact Statement for a proposed casino to be built in Salem.
 - Letter was approved by the Executive Committee of the MCPSCC at their March 22 meeting.
- MOTION: Don Frederickson made a motion to ratify letter. Rob Carney seconded motion. Motion passes. Judges Geyer and Prall abstained.

Memberships

MOTION: Jayne Downing made a motion to ratify the appointment of Commissioner Colm Willis and Christina McCollum, Behavioral Health Strategist, PacificSource to the council. Don Frederickson seconded the motion. Motion passes. (Commissioner Willis and Ms. McCollum were appointed by the Board of Commissioners to the council on April 6, 2022.)

Commissioner Cameron announced that the following member terms will expire at the end of July 2022: Alison Kelley, Jayne Downing, Levi-Herrera Lopez, and Representative Rick Lewis.

Proposed Changes to MCPSCC Bylaws

Commissioner Cameron said the board of commissioners would like to see those at large on voluntary advisory boards (such as the MCPSCC) attend meetings on a regular basis. As such, the council bylaws have been amended to reflect that in the future, meeting attendance is expected. (An additional proposed amendment to the by-laws was that the presiding judge can remove a member under his or her appointing authority.)

MOTION: Pete McCallum made a motion to approve the amended bylaws. Seconded by Ed McKenney. Motion passes.

January 18, 2022, MCPSCC Meeting Minutes

MOTION: Shaney Starr made a motion to approve the January 18, 2022, council meeting minutes. Seconded by Don Frederickson. Motion passes.

2. SHORT LEGISLATIVE SESSION 2022 HIGHLIGHTS

Marion County District Attorney Paige Clarkson introduced this item.

HB 4075 Restitution for Crime Victims.

If the court finds that a victim suffered economic damages, in addition to any other sanction it may impose, the court shall enter a judgment or supplemental judgment requiring that the defendant pay the victim restitution in a specific amount that equals the full amount of the victim's economic damages as determined by the court. For example, when a victim is hit by a "DUI" driver and victim must be life flighted, a large bill is sent to the victim. Under old model- victim had to take the prerogative to be reimbursed, which was a large burden on them. This bill shifts the burden back to the convicted criminal.

SB 1510 Right to Refuse Consent to Search

Senate Bill 1510 requires police officers to inform a stopped person of their right to refuse consent to search. The bill also prohibits police officers from initiating traffic stops based solely on certain traffic violations such as a broken taillight.

SB 1584 -Innocence Payments

Allows a person to recover compensation if convicted of a felony and imprisoned, and later the conviction is reversed or vacated, or on retrial the person was found not guilty, or the person receives a grant of pardon on the grounds of innocence if the person did not commit the crime, was not an accessory or accomplice to the crime, and did not commit perjury (a false guilty plea or admission does not constitute perjury).

HB 4008 B

Bill authorizes the Commission on Statewide Law Enforcement Standards of Conduct and Discipline to hire an executive director and support staff and modifies provisions regulating law enforcement's use of certain devices for crowd management. Trainings will need to take place statewide for sheriff's deputies. Previous language made officers feel like they couldn't respond effectively in a riot situation. Language in this bill aimed to fix this.

Ms. Clarkson said she could foresee a few public safety issues in the next few months:

- RAMOS V. LOUISIANA. Requires that criminal cases on jury verdicts be unanimous. Supreme court still must rule on whether this ruling must be applied retroactively to every jury trial since 1937. In next few months will see some arguments at the supreme court level.
- Healthcare worker bill-a felony assault on nurse's bill. Made it past the House but still needed to go further to pass. Will come up again in the future. Currently it is a felony to assault a protected class such as taxi drivers, paramedics, roadside flaggers- even if the injury is at a misdemeanor level.
- Representative Chris Hoy said one bill that did not pass was HB 4036 which requested annual payments from the state for state property within the Salem City boundaries on which no taxes

are assessed. State owns \$2.1 B worth of real market property in Salem that translates to \$5.1 M in GF dollars annually that it does not pay taxes on.

- Field Supervisor Mike Runyon, Oregon Youth Authority (OYA) said some language was added to HB 4004 which was a technical fix allowing the OYA to provide supportive payments to community program providers. In the past the OYA could only pay community providers on a fee for service basis for filled beds. However, since capacity is unpredictable, this makes managing a community program challenging.
- Behavioral Health Update- Aid and Assist- focused on length of stay in a county jail, was 5 days for in custody and 15 days for out of custody. Now 5 days for both, great if being charged, but hard on us if we cannot find individual. State also wants to expand crisis services in the community, for youth and families and partner with law enforcement service providers. Will be coming back in future to talk about this.
- Jane Downing, Executive Director, Center for Hope and Safety said several bills had victim related pieces to them. A lot of minor adjustments to make prior bills better.
- Shaney Starr, Executive Director, CASA, said a large portion of the *Victim of Crime Act* federal funds were repurposed and made unavailable locally. Will need to keep watching this in the future.

Summary of Discussion

Many marijuana bills passed in the session. There are a number of illegal grows in southern Oregon and Clackamas County which are related to human trafficking and water theft.

Q: Why have we been able to dodge here what Clackamas County has been going through in terms of grows?

A: Clackamas County is a large county with more national forestland. Lack of law enforcement presence in the wilderness areas. Remote, not many individuals monitoring these areas.

3. Criminal Justice Advisory Council (CJAC)

Commissioner Cameron said the council was now the Criminal Justice Advisory Council being chaired by Marion County Circuit Judge Tracy Prall. Summary of presentation by Judge Prall:

- Marion County's Criminal Justice Advisory Council was active during the COVID-19 period and moved criminal cases through the court.
- There is a statewide shortage of public defenders making this a challenging time for the courts.
 - The state Office of Public Defense Services (OPDS) is in regular contact with the court over this issue.
 - Currently 15 "out of custody" defendants are without counsel in Marion County- although county doing much better than other larger counties such as Multnomah- which has more than 300 defendants without lawyers.
 - Since most defendants are right up against their 60-day period, judges will have to make tough decisions about their release or dismissal. These are serious cases and put the court in a difficult position.
 - Chief Justice of the Oregon Supreme Court is working on a solution.
 - Legislature gave \$12.8 m to OPDS in emergency assistance.
 - Executive Director of Public Defender of Marion County Inc. Shannon Wilson came up with a great idea about designating some of her attorneys to just do BM 11 "in-custody" cases.
 - County can get lawyers from all over the state to take our lower-level felonies- but since defense attorneys (under the state contract structure) are paid the same for low- level

crime cases as they are for a felony or BM 11 case, they all prefer taking low level crime cases.

- All in all, Marion County not in a bad position.
- Legislature has established what pre-trial release should look like and is doing away with security bail.
 - Chief Justice is working on a pre-trial order which will go into effect July 1.
 - Marion County has had a pre-trial release work group working together actively for a few years which helped develop the jail capacity management plan.
 - Looked at release not as a money bail system but through risk factors.
 - Counties will be developing overriding circumstances and special conditions to give to the Chief Justice. The MCPSCC Executive Council should get to see a draft of these conditions at their June 21 meeting.
- Appreciate Commander Larson for moving people in jail through the justice process.
- Finally, courts are not socially distancing anymore.

4. VICTIMS OF SEX TRAFFICKING PRESENTATION

Deputy district attorney Christine Herrman provided a presentation on victims of sex trafficking and the law enforcement response to sex trafficking in Marion County. Summary of presentation:

- Prior to the pandemic, sex workers caught in sting operations were often placed in a difficult situation facing charges of prostitution and a criminal record, while their pimps escaped prosecution.
- After some trial and error, today the county was doing something unique in a trauma informed way for sex trafficking survivors.
- Today if an individual cooperates with the District Attorney's Office (DA), he/she will not have any record but a legally binding contract with the DA's Office that requires maintaining contact with their confidential advocates. Salem Police Chief Trevor Womack supports this along with Judge Prall. All people cited before this plan now can ask for an expungement of their criminal history.
- District attorney partnered with law enforcement agencies and victim services advocates to bring this change about. Would be great to see as a model going forward at the state level. Important to have law enforcement as part of the team.

Q: During 6 month pause period, what available life screen trainings are available to these individuals?

A: DA's Office has no requirements for them. Trainings are individualized.

Q: Do you keep data on age, ethnicity, and city of origin?

A: Not yet. But have capabilities to do this. None of this would be possible without law enforcement involvement. Suggestions have been to decriminalize prostitution, but if that were done, this intervention would not be possible. This model allows us to intervene at the trafficker level.

5: 988 National Crisis/Suicide Number

Health& Human Services Program Manager Anne Marie Bandfield said COVID-19 showed how difficult it was to access behavioral health services. The national 988 suicide and prevention hotline is a system in progress, but will go live on July 1, 2022, with 911 calls being diverted to local health departments so people can get the services they need.

Contract with Marion and Polk counties is with NorthWest Human Services (NWHS) crisis hotline which manages the county's psychiatric crisis center calls. County in close contact with the Oregon Health Authority which wants to learn how county builds the system. Still a lot of work that needs to be done to get system functioning smoothly.

6. Emerging Issues/Other Business

His Place

Marion County just brought a house outside the Woodburn city limits to house six dads who will engage in substance abuse recovery. Services are anticipated to start September 2022. PacificSource provided \$500,000 to assist with this.

Ambulance Service Agreements

Woodburn Fire Chief Budge said every five years the county reviews ambulance service agreements. This time there is a long list of service improvement suggestions, but providers are having difficulties getting some of these changes into the ambulance services plan. Commissioner Cameron suggested that better communication needed to occur between the service providers and the Marion County Health and Human Services Department.

Future public safety council items

- Cybersecurity and public safety
- Shortage of public defenders
- Victim services- follow up on sex trafficking survivors.

Commissioner Cameron thanked all the current legislators and those running for office for attending the council meeting.

ADJOURNED