

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

**January 8, 2019 4:00 PM**  
**Courthouse Square**  
**Salem, OR**

**MCPSCC:** Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Kim Doster, Jayne Downing, Don Frederickson, Tamra Goettsch, Troy Gregg, Roland Herrera, Jessica Kampfe, Pete McCallum, Ed McKenney, Cary Moller, Diane Morse, Jason Myers, Tracy Prall, Mike Runyon, Cari Sessums, John Van Dreal, and Hitesh Parekh (recorder).

**GUESTS:** Jan Calvin, Cate Duke, Susana Escobedo, Dan Estes, Alison Kelley, Jolene Kelley, Rich Sebens, Colm Willis

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

Meeting called to order at 5:05 P.M. by Commissioner Kevin Cameron.

Welcome and Introductions

Attendees introduced themselves.

Approve December 11, 2018 minutes (Action)

MOTION: Ed McKenney moved to approve the December 11, 2018 meeting minutes after Troy Gregg's name was added to the list of attendees. Seconded by Jason Myers. A voice vote was unanimous.

Announcements and upcoming events:

- January 29, 2019 Legislative Briefing at State Capitol
- Justice Reinvestment Summit, February 13, 14, 15. Still time to register.
- Marion County Juvenile Department's lumber mill is fully operational.

**2. VICTIM SERVICES**

Susana Escobedo, Victim Assistance Director, Marion County District Attorney's Office; Jayne Downing, Executive Director, Center for Hope and Safety; and Alison Kelly, Chief Executive Officer, Liberty House presented this item. Summary of presentation:

- Marion County has implemented many of the changes from the Casey Gwinn Alliance for Hope International Report recommendations.
  - A majority of the law enforcement agencies are already using a domestic violence checklist.
  - Restraining orders are also being filed electronically.
  - There is now a victim services advocate who is always in court.
  - Courts have implemented video conferencing so victim does not have to be in the courtroom with perpetrator.
  - Liberty House has a multidisciplinary team which provides medical assessments, Karly's Law assessments, forensic interviews, and trauma-informed mental health services for children.
- New victim services legislation in effect as of January 1, 2019 includes:
  - House Bill 4145 which closes the "boyfriend loophole" and expands Oregon's existing gun ban for those convicted of domestic abuse to include an abuser who may not be married to or living with the victims.
  - Senate Bill 1562 which will increase the crime of strangulation during domestic violence to a felony. The crime of strangulation is currently a misdemeanor in Oregon and only a felony under limited circumstances.
  - House Bill 4055 which requires drivers to return to the scene of a hit-and-run crash as soon as they know, or have reason to believe they hit a person or pet. ('Anna and Abigail's Law'.)

- License suspensions on non-driving “Possession of a Controlled Substance” has been removed. Prior to January 1, 2019, those with a drug conviction would automatically have had their license suspended.

Summary of Discussion:

- State statute requires Marion County to put 10% of its biennial Justice Reinvestment Initiative grant funding into victim services programs.
- Stewards of Children prevention training is provided by Liberty House. This nationally recognized workshop teaches adults five practical steps to help prevent, recognize, and respond responsibly to sexual abuse. District Attorney’s office requiring all employees to be trained.

### **3. IMPAIRED DRIVING/MADD**

Cate Duke, Vice-Chair Governor’s Advisory Council on DUIIs, and Dan Estes, Impaired Driving Program Manager, Oregon Department of Transportation presented this item. Summary of Cate Duke’s presentation:

- Ms. Cate Duke is also the Volunteer Resources Specialist for Mothers Against Drunk Driving in the State of Oregon.
  - Hired in September 2017 to revitalize MADD in Oregon.
  - Prior to the 2007-8 recession MADD had a robust presence in Oregon:
    - 16 chapters throughout the state,
    - Youth education programs,
    - Victim impact panels, and
    - Legislative volunteers heavily involved in lobbying for better impaired driving laws.
- The recession saw MADD’s funding and donations erode, and donations being redirected to the national MADD office.
- The state office closed along with many of the local chapters.
- MADD in Oregon consisted of just ten volunteers.
- Since September 2017, Ms. Duke has been traveling around the state, recruiting volunteers and starting committees to rebuild MADD.
  - A task force was created and a strategic plan completed.
  - Volunteers are being recruited on Craigslist, United Way, and senior centers.
  - MADD Oregon is looking at partnering with driver education to add an impaired driving message to the curriculum.
  - Working on getting the message into schools, and recruiting volunteers to testify before the state legislature.
  - Other programs on the agenda include creating a court monitoring system and recruiting people to work actively as victim advocates.
  - Victim stories make a difference to state legislators.
  - Governor’s Advisory Committee has been very supportive.

Summary of Dan Estes’s presentation:

- Governor’s Advisory Committee on DUII is one of approximately 200 advisory committees, councils, and commissions to the governor. The DUII committee consists of representatives from the courts, victims, defendants, prosecutors, victim advocates, and legislators.

Oregon’s DUII Data

- DUII is the most commonly crime committed in Oregon.
  - Oregon’s DUII cases have trended at approximately 17,000 cases annually since 2016.
  - In 2017, impaired driving resulted in:
    - 21 fatalities;
    - 105 crashes; and
    - 146 injured persons.
- Trends are increasing compared to 2013 when Marion County only had 7 fatalities.
  - Arrests are decreasing but fatalities are increasing and law enforcement resources are shrinking. This is consistent with the national trend.
- 80-90% of individuals pulled over are sent to receive substance abuse treatment.
  - Data shows a person had driven impaired more than 80 times before being stopped.
  - Legalization of marijuana made things more complicated.

- Alcohol is a very physical impairment.
  - Marijuana is a cognitive impairment, time and distance perception.
  - Oregon has been able to learn from Washington and Colorado since they legalized marijuana before Oregon.
  - Oregon was able to double the number of drug recognition experts, and increase advanced roadside impaired driving enforcement that recognized drug impairment in drivers.
  - Oregon wants to train as many troopers as possible on this. In preparation for the legalization of recreational marijuana in Oregon, the state doubled the traffic safety resource prosecution team at the Oregon Department of Justice and added resources to the Oregon State Police Forensic Services Division.
- Some things were not done very well.
  - State did not capture traffic data before or after marijuana was legalized.
  - Oregon had a record marijuana harvest of 1.3 million pounds of marijuana in 2018.
  - Overproduction has caused some marijuana to be shipped out to other states and the price of marijuana to decrease.
  - Black market has not disappeared.
  - Marijuana appears as the most commonly detected substance after alcohol in a drug test.
  - It appears in 60 % of the toxicology reports.
- Every biennium, the Governor’s Advisory Committee focuses on legislation.
  - In 2019 there is a legislative concept for an ignition interlock rule device fix.
    - Current law requires those convicted of driving under the influence of intoxicants to get an ignition device. Only 34% of those convicted complied.
    - Has been no oversight, control or coordination between courts and prosecutors.
    - Washington state has a 63% compliance rate so Oregon has mirrored their law in the legislative concept.
  - There is also new legislation dealing with sobriety checkpoints.
    - Oregon does not have checkpoints which is a key tool to fight impaired driving.
    - Asking voters through a referral from the legislature to allow this.
    - Checkpoints can reduce driving fatalities by about 12 percent.
  - Also a bill replacing the word “accident” from the motor vehicle code with the work “crash”.
  - “Accidents” are behavior driven.
- ODOT is always looking for partnerships with local leaders.

Q: There is a move to decrease Oregon’s blood alcohol content limit readings from .08% to .05%. Are there any other states that have done this?

A: Utah has a .05 % blood alcohol concentration. Oregon commercial drivers have a .04 % limit.

Q: Will moving to .05 % limit increase the traffic to the courts?

A: Will add approximately 700 cases per year statewide. This is from reviewing breathalyzer results. The most common breathalyzer test is a .015 %. Even if the limit is .05 %, deputies are looking at signs of impairment, so irrelevant if individual is on alcohol or drugs.

Q: How do you determine levels of impairment for marijuana?

A: The science is not there yet. We have 50 years of research on alcohol impairment. It is processed differently by each body type. Colorado law specifies that drivers with five nanograms of active tetrahydrocannabinol (THC) in their whole blood can be prosecuted for driving under the influence (DUI). However, no matter the level of THC, law enforcement officers base arrests on observed impairment.

#### **4. FEDERAL AND STATE LEGISLATIVE CONCEPTS 2019**

##### **Federal Agenda**

- Commissioner Cameron distributed a rough draft of the public safety items on Marion County’s federal agenda.
  - Barbra Young, Government Relations Officer, Marion County, will work on this list and return to the board to present it at the council’s February 12 meeting.
- Court Plaza project for the Center for Hope and Safety needs to be put on the federal agenda.

## State Agenda

Proposed additions:

### Funding for Oregon Network of Child Abuse Intervention Centers

- Oregon Network of Child Abuse Intervention Centers is seeking an allocation of \$6 million from the state general fund to support the services provided by child abuse intervention centers in Oregon.

#### DISCUSSION

This funding request will compete with other programs seeking state general funding.

MOTION: Pete McCallum moved to add a request for state general funds to support sustaining the Oregon Network of Child Abuse Intervention Centers to the 2019 Legislative Agenda. Seconded by Mark Callier. Judge Tracy Prall abstained. A voice vote was unanimous.

### CourtCare

- CourtCare is free child care offered by the Marion and Polk County District Courts for children aged six weeks to twelve years.
  - Children are spared from witnessing adult conflict, hearing harsh words, and seeing potentially disturbing scenes which could traumatize or even re-traumatize them.
  - Since program started in September 2017, courts have served 837 children.
  - Funding came from a one-time legislative grant of \$100,000 each for Marion and Polk counties and will be depleted by June 30, 2019.
  - Courts are required to go back to the legislature to report back on the status of this project.
  - Will make another request for funding then.
- LC 2086 will fund *statewide* CourtCare through a surcharge on court filings. Funds would be administered by the Department of Education. This is a surcharge on filings for divorce.
- Multnomah County is funded exclusively through donations from big law firms.
- Marion County received \$20,000 from private donors, and has already spent this.

#### DISCUSSION

Two issues here. The first is that Marion and Polk Counties need to continue the grant that will expire in June 31, 2019. The second is for ongoing *statewide* sustainable funding for this program. Program will be funded from court filings This will make it difficult for victims to dissolve the marriage because of the court filing fee cost. Council could “watch” LC 2086 and not “support” it.

MOTION: Jayne Downing moved to support another biennium of grant funding for CourtCare through the extension of HB 3067 (2017). Seconded by Rob Carney. A voice vote was unanimous.

MOTION: Jason Myers moved to “watch” LC 2086 which would create statewide CourtCare and fund CourtCare based on a surcharge for domestic relations filings. Seconded by Don Frederickson. A voice vote was unanimous.

## **4. EMERGING ISSUES/OTHER BUSINESS**

- Reception for newly elected Judge Dan Wren at the courthouse January 11, 2019.
- “Request For Applications” for the coordinated care organizations for 2020 have been released.

**ADJOURNED 5:50 pm**