

## MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL MINUTES

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

**MCPSCC:** Joe Budge, Christina McCollum, Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Jayne Downing, Tamra Goettsch, Chris Hoy, Linda Hukari, Levi Herrera-Lopez; Joe Kast, Rick Lewis, Pete McCallum, Todd McCann, Ed McKenney, Ryan Matthews, Tim Murphy, Tracy Prall, Dave Rash, Mike Runyon, Shaney Starr, Colm Willis, Shannon Wilson, Trevor Womack, Chris Zohner, Hitesh Parekh (recorder).

**GUESTS:** Chad Ball, Mark Daniel, Allan Edinger, Raquel Moore-Green, Tera Hurst, Evan Source, Dori Sumstad, Olcott Thompson, Steve Webster, Ron Williams, Kameron Wolfer

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

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

#### Welcome and introductions

- Introductions

#### Announcements and upcoming events

- Liberty House *Champions for Children Lunch Event* Scheduled for September 28, 2022. All welcome to attend.

#### Memberships

- Board of Commissioners want county to be consistent in advisory groups recruiting process and will publicly recruit for any vacant/expired positions.
- Four MCPSCC positions will expire July 31, 2022. Of these, two are at-large, one is a legislator, and the fourth, a victim services position. The victim services position is mandated by the ORS.

#### Prior meeting minutes

MOTION to approve the April 12, 2022 meeting minutes made by Jayne Downing. Seconded by Ed McKenney. Motion passes.

#### Reentry breakfast meeting April 28 debrief

- Commissioner Cameron and Community Services Director Tamra Goettsch provided an update on the Marion County Reentry Initiative Breakfast held on April 28.
  - Great turnout and sponsorship- County received nearly \$30,000 in donations which will be used to support victim services.
  - Another breakfast is scheduled for October 27, 2022 which will focus on service providers.
- Also planning a MCPSCC/legislative delegation breakfast in winter.

### **2. STOP DATA PRESENTATION ANNUAL REPORT**

Steve Webster, STOP Program Coordinator, Department of Public Safety Standards and Testing (DPSST) presented this item. ([See PowerPoint presentation.](#)) Summary of presentation:

- House Bill 2355 passed in 2017 and required all Oregon law enforcement agencies to submit data regarding officer-initiated traffic and pedestrian stops to the Oregon Criminal Justice Commission, (CJC) by 2021.

- Commission would then analyze the submitted data for evidence of racial or ethnic disparities on an annual basis and report this data back to local public safety coordinating councils.
- To accomplish this, the CJC, along with the Oregon State Police and the DPSST, created the Oregon Statistical Transparency of Policing (STOP) Program.
- As of December 2021, the STOP Program has received at least one full year of data from 143 law enforcement agencies in the state.
- Agency can also provide advice or technical assistance to any law enforcement agency mentioned in the report.
- The STOP Program identified one agency that had statistically significant results across two of the tests performed on the data: Oregon State Police. Specifically, results indicated that Oregon State Police had disparities regarding citation patterns involving Asian/PI, Black, Latinx, Middle Eastern, and Native American individuals, with search patterns for Latinx and Native individuals, and with arrest patterns for Native American individuals.
- It recommended that the Oregon State Police be examined in greater detail by STOP Program researchers and receive technical assistance from DPSST.

### **3. MARION COUNTY JAIL CAPACITY INCREASE**

Commissioner Cameron and Sheriff Kast presented this item. Summary of presentation:

- Commissioners have been discussing increasing the capacity of the jail for some time:
  - For FY 22-23 “G-Pod” will be funded for an additional 55 beds.
  - Prior to 2020, jail capacity was 415 for several years and G- Pod used by the DPSST for training purposes.
  - Adding 55 beds will increase the jail population to 470 although it will take a while to hire and train individuals to run the pod.
  - Anticipating pod will open in June or July 2023.
  - When COVID-19 first struck in March 2020, jail was down to 270-280 adults in custody, but now it is at a little over 400.
  - With new beds, annual operating cost to county General Fund will be approximately \$2 M.

Summary of Discussion

District Attorney Paige Clarkson said courts struggle with high failure to appear (FTAs) rates.

When people are in custody, county is under obligation to move them through the justice process.

Allowing more jail capacity will decrease the FTA rates, which means less staff needed to arrest those on warrants. Also, if county holds people to their arraignments – these individuals are more willing to return to court. Ultimately, the hope is that this may also alleviate the burden on defense attorneys.

### **4. STATUS OF DEFENSE ATTORNEY AVAILABILITY IN MARION COUNTY**

Shannon Wilson, Executive Director, Public Defender Marion County Inc. provided a history of Oregon public defenders, current local practices, how public defense works, the current crisis, and proposals to remedy the crisis. She said the presentation was a conversation starter. She was not trying to make political comments, just wanted to present the facts. ([See PowerPoint presentation.](#))

- The Supreme Court recognized public defense as a constitutional right under the 6<sup>th</sup> amendment 60 years ago.
- In 1994, the Oregon State Bar Indigent Task Force indicated concern of increasing caseloads and decreasing quality of representation in the state. The Task Force came up with numbers based on national best practice standards.
  - Oregon still working under these same numbers since 1994.

- In 2001, SB 145 passed and created the Public Defense Services Commission (PDSC) replacing State Public Defenders.
- In 2007, the Public Defender of Marion County (PDMC) was established to meet the need for more attorneys in Marion County.
- In 2018, the Oregon Legislature ordered a study be done on the entire system, called the 6<sup>th</sup> Amendment Study.
  - The study showed that the way people were being paid to represent low-income clients was unconstitutional.
    - Paying on a per-case basis (which incentivized attorneys to take on as many cases as possible to make more money).
- In 2020, the funding model was changed based on the 6<sup>th</sup> Amendment Study.
  - Full-time equivalent attorneys will get paid a certain amount of money but expected to handle a certain number of cases.
- In 2022, Chief Justice Walters ordered the Office of Public Defense Services (OPDS) to address the public defender crises.
- There are more people who qualify for public counsel in Marion County compared to Washington or Clackamas.
  - Per capita, Marion County needs more defense attorneys than other counties in the state.
- There is a huge disparity in the yearly salary range of PDMC attorneys compared to other government funded attorneys in the state.
  - This has prevented PDMC from staying competitive in hiring and retaining attorneys.
- PDMC is currently dealing with excessive caseloads.
  - The American Bar Association (ABA), Oregon Project study showed that overwhelming caseloads forced even excellent public defenders to cut corners and spend less time than they should on every client's case.
- The shortage of public defenders in a national crisis.
- According to the ABA, Oregon is deficient 1,296 public defenders.
- Presiding Judge Prall has made strong efforts toward settling cases prior to trial.
- PDMC is working on creating a work group to explore a holistic defense model.
  - Holistic defense model would resolve cases more effectively and reduce recidivism by also addressing underlying challenges and needs that may lead to criminal activity.
- PDMC is looking for people to participate in the work group.

### Summary of Discussion

Marion County's numbers may look high: During COVID-19, while most counties shut down the adjudication process involving the courts, Marion County continued serving justice sending individuals to the state's penitentiaries. Also, the per capita income levels for the three comparative counties is higher- and there has been a proven direct correlation between crime and poverty. Over the years both the District Attorneys' Office and defense attorneys have lost lawyers and staff after working for a few years. New attorneys cannot handle Measure II cases. Very hard to recruit attorneys, defense bar pays \$55 reimbursement rate per hour- compared to the state. There is mass disparity between pay scales.

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

For this item, the MCPSCC temporarily took on the role of the Criminal Justice Advisory Council, chaired by Marion County Circuit Court Presiding Judge Tracy Prall. Summary of presentation:

- Judge Prall said that due to underfunding, the county has been dealing with a shortage of defense attorneys since last August.
  - This has a profound impact on public safety, and the shortage needs to be addressed.
  - Circuit courts are dealing with this daily, trying to ensure the right people are in custody and have lawyers.
  - Very troubling, currently there are 19 adults in custody without lawyers, although this number has been as high as 35.
    - Multnomah County has more than 600.
  - So mostly a large county problem.
- Legislature is going to have to deal with this.
- By mid-August, county is going to see a lack of attorneys for in-custody adults.

## **7. MEASURE 110-HEALTH JUSTICE RECOVERY ALLIANCE**

Mr Ron Williams, chair of the Measure 110 Oversight and Accountability Council and Outreach Director, introduced his co-presenters Tera Hurst, Executive Director of the Health Justice Recovery Alliance and Dori Sumstad, Behavioral Health Resource Network Outreach Director, Health Justice Recovery Alliance. Summary of presentation:

- On November 3, 2020, Oregon voters passed Measure 110, approving two changes in how the state deals with the use of illegal drugs.
- First, the measure reduced penalties for drug possession, making Oregon the first state to decriminalize the personal possession of illegal drugs.
- Secondly, the anticipated savings achieved from the current cost of enforcing criminal drug possession penalties were to be combined with marijuana sales revenue to fund a new drug addiction treatment and recovery grant program.

Health resource networks are now being established in every county.

- Organization is not connected to government but is an advocacy organization for 75 organizations and meets with 20-30 providers across the state to ensure state is implementing what voters intended.
- \$302 M invested in harm reduction and recovery for this biennium, which is five times more than what Oregon spends on non-Medicaid funding for these services.
- Expanding access to a variety of services, including low-barrier treatment, harm reduction, and overdose treatment as well as housing. Want to move substance abuse from being a criminal justice issue to a health care issue-which is what the voters wanted.
- First \$30 M was invested at the end of the 2021 legislative session and now 16,000 individuals have been served in 26 different counties in the state.
- Majority of services were harm reduction and overdose prevention services, but also housing, peer support services, and low barrier treatment access.
- Very important from someone in recovery to connect with a peer.
- Having this connection is the start to a relationship that could be life and death for a client.
- The intent of the oversight and accountability council is to oversee and approve grants and funding to implement behavioral health resource networks in every county.

- Network consists of a set of providers working together to create a comprehensive set of services that are evidence based and trauma informed, with peer support, recovery services, housing, and harm reduction services.
- There is a real time dash-board on the council's web site to see where counties are in the process, who has received the funds, and the types of services that have been provided. Marion County is receiving \$20 M in funding
- Will have referral agreements for those in crisis. Just need to sign in once. Even though people may not like the law, still need to provide the services to people. Grant is 18 months long. Things are moving along. Withing 20 days of the contracts being signed, money will flow.

## **8. SALEM NAVIGATION CENTER UPDATE**

Representative Chris Hoy and Marion County Health and Human Services Director Ryan Matthews presented this item. Summary of presentation:

- The Salem Navigation Center is a new low-barrier proposed center in Salem to assist those individuals seeking to end homelessness.
- Goal is that the center will provide 50 low barrier shelter beds with case management and access to basic needs.
- City is going out to bid on a general contractor.
- Bids will be opened in a week after which, contractor will be selected and construction is anticipated to take 4.5 months.
- City and county working together: City has approved \$5M for the project; Marion County \$3M.
- Still working out operational details.
- The next meeting with all stakeholders is on August 30.

Q: Who is going to staff this facility?

A: Has not been discussed yet. The meeting on August 30 will be to discuss this.

Q: There are many providers in the county that are neither county or state employees who can provide comparable staffing services to the Marion County Health and Human Services Department. Advocate that the county look more broadly for service providers.

## **6. FOLLOW UP ON VICTIMS OF SEX TRAFFICKING SERVICES**

Commissioner Cameron said that this item is a follow up to the District Attorney's presentation on sex trafficking at the April council meeting.

### Center for Hope and Safety

Ms. Jayne Downing, executive director, Center for Hope and Safety gave a very broad overview of how the Center worked with the victims of human trafficking.

- Research showed that Oregon is on the top 5 for human trafficking.
- The Center has served victims of human trafficking since it opened and offers some extensive programs for them.
- Center didn't always recognize them as victims- often presented as being in a bad relationship.
- Today the Center can recognize them much better and offer improved services.
- Center staff and volunteers are trained to recognize these dynamics to be able to understand what is going on.
- A core team also receives additional intensive training to recognize and respond.
- Case management for victims of human trafficking involves much more intensive case management on a day to day basis.
- Must train the individual on the most basic kinds of things such as how to wash clothes.

- Some may even have children they are trying to raise while they are being trafficked.
- Some must get away from gangs, so supporting them in this way too.
- They can call Center through a crisis line, or when the FBI goes in on an operation.
- Our services are confidential.
- Victims of human trafficking have huge issues with trust.

#### Liberty House

Kevin Wolfer, Multi-Disciplinary Team (MDT) Leader, Liberty House Child Advocacy Center for Marion and Polk counties said the Center has staff specially trained to provide specialized child abuse pediatric medical assessments to look for signs of non-accidental trauma.

- Staff trained in best practices for conducting in depth child forensic interviews and responding to human trafficking.
- Part of services involves family support- reaching out to care givers to deal with run-away youth- have those risk factors there to be part of the assessment services we provide.
- Also have a “hope and wellness” department which provides trauma informed therapy to help child heal from the things they went through.
- Liberty House collaborates with other agencies such as the FBI to ensure services are provided for victims.
- Also allow FBI into child clinic which is child focused so they can interview the child there.
- Also participate on the Marion County Human Trafficking Task Force.
- Liberty House is facilitating a community led project called “I respect and protect”.
- Project helps kids and adults manage social media issues.

**ADJOURNED**