MARION COUNTY PUBLIC SAFETY COORDINATING COUNCIL
MINUTES

December 11, 2018 4:00 PM
Courthouse Square
Salem, OR

MCPSCC: Mark Caillier, Kevin Cameron, Rob Carney, Paige Clarkson, Jim Ferraris, Don Frederickson, Courtland Geyer, Tamra Goettsch, Troy Gregg, Levi- Herrera Lopez, Mike Iwai, Jessica Kampfe, Garland King, Greg Leo, Pete McCallum, Ed McKenney, Jerry Moore, Cari Sessums, John Van Dreal, Kim Wallis, Jeff Wood, and Hitesh Parekh (recorder).

GUESTS: Jan Calvin, Ed Flick, Julie Huckestein, Alison Kelley, Jolene Kelley, Cydney Nestor, Tiffany Quintero, Ken Sanchagrin, Rich Sebens, Daniel Sifuentez.

1. ADMINISTRATIVE (INFORMATION/ACTION)

Meeting called to order at 5:07 P.M. by Commissioner Kevin Cameron.

Welcome and Introductions
Attendees introduced themselves.

Approve November 6, 2018 minutes (Action)
MOTION: Greg Leo moved to approve the November 6, 2018 meeting minutes. Seconded by Ed McKenney. A voice vote was unanimous.

Announcements & upcoming events
- Marion County Juvenile Department has artifacts for sale as holiday gifts.
- Ground has been broken on the new Juvenile Services Building that is scheduled to be completed next year October.

2. LEGISLATIVE CONCEPTS 2019

Commissioner Cameron introduced this item.
- A meeting between the MCPSCC and Marion County's state legislative delegation has been set up for January 29, 2019.
- Several legislators have already RSVP'd.
- Steering Committee approved the legislative briefing document at its November 20 meeting.
- Asking that the full council approve it today, with caveat that this is a working draft which will change several times before January 29, 2019.

LAW ENFORCEMENT SECTION
Woodburn Police Chief Jim Ferraris presented this item. Summary of presentation:
- Oregon Sheriff's Association and Oregon Chiefs of Police met on November 29 and approved new legislation to add to the 2019 Legislative Agenda, see handout.

MOTION: Jerry Moore moved to add following items to the 2019 Legislative Agenda: Legislative Concept 749 mental health hold; community commitment/alternative outpatient treatment; minimum LC 413 Oregon State Police patrol trooper staffing level by 2030; LC 644 campus public safety reform, and threatening a mass casualty event. Seconded by Ed McKenney.

DISCUSSION:

- The council has already approved supporting LC 2121 search and rescue funding. Rural counties in Oregon have challenges funding search and rescue missions.
- A workgroup of sheriffs and outdoor recreation folk want to create a voluntary fund which the Oregon Office of Emergency Management will distribute to sheriffs' offices for search and rescue reimbursements.
- Rural counties are keen to move forward on this legislation, and Sheriff Myers is very supportive.

Q: Does the package include some type of a procedure where people can be charged for a search and rescue that is considered inappropriate?

A: No. The sheriffs were opposed to charging citizens for search and rescue services. Thought it would be detrimental to people calling for help when they needed it. Idea is to eventually move from a voluntary system to a mandatory one.

Motion passed with two abstentions: Judge Courtland Geyer and Jessica Kampfe.

JUVENILE JUSTICE SECTION

MOTION: Jerry Moore moved to support the Governor's Recommended Budget 2019-21 to maintain and add a cost of living adjustment to the Juvenile Crime Prevention diversion funds. Greg Leo seconded.

DISCUSSION

None.

Motion passed.

MOTION: Pete McCallum moved to approve the Juvenile Justice section of the 2019 Legislative Agenda. Tamra Goettsch seconded.

DISCUSSION

None.

Motion passed.

COMMUNITY CORRECTIONS SECTION

Marion County Sheriff's Office Parole and Probation Division Commander Jeff Wood presented this item. Summary of presentation:

- Community corrections is funded at $273.5 million for the 2017-19 biennium.
  - Governor's Recommended Budget lowers this amount to $269 million.
  - Possible the Oregon Department of Corrections will reduce this by an additional $10 million for a total of $259 million.
  - Two-year "time-action" study, found the state reimbursing counties at $11.69 per person for community corrections when the actual time cost study rate should be $14.25 per person.
  - Counties want baseline funding to be at a "true cost" of $322 million.
  - Need the council to support the current service level increase of $14.25 per person.
- Request that Legislative Concept 2126 be added to the legislative agenda.
  - Oregon Association of Community Corrections Directors supports this.
  - Marion County community corrections manages approximately 400 domestic violence offenders.
  - The overwhelming number of these are misdemeanor convictions.
  - The state pays for felony level offenders only, with the exception of misdemeanor "possession of a controlled substance" crimes.
  - County supervises a large number of domestic violence criminals who, in turn, use a significant amount of supervision resources.
  - County is not reimbursed for this supervision and, as per an intergovernmental agreement between counties and the Department of Corrections, the department should be reimbursing counties.
  - This misdemeanor population should be included in the total client calculation cost.

MOTION: Tamra Goettsch moved to include LC 2126 in the 2019 Legislative Agenda. Seconded by Mark Caillier.

DISCUSSION
None.
Motion passed.

MOTION: Greg Leo moved to approve the Community Corrections section of the 2019 legislative agenda. Seconded by Tamra Goettsch.
DISCUSSION
None
Motion passed.

MENTAL HEALTH
MOTION: Greg Leo moved to include the Mental Health section in the 2019 Legislative Agenda. Cari Sessums seconded.
DISCUSSION
None.
Motion passed.

VICTIM SERVICES
Commissioner Cameron presented this item. Summary of presentation:
- Council member Jayne Downing is unable to attend the meeting today, but has reviewed this section and approves the Steering Committee's recommendations.
- Legislation supporting $8.3 million in funding for Court Appointed Special Advocates (CASA) has been added to the legislative agenda.
- Marion County District Attorney Paige Clarkson said there is legislation included in the Victim Assistance section to clarify the endangering welfare of minor language.
  - The way the statute reads now, it is difficult for prosecutors to charge and prove these crimes. New language will change this.
  - This is just a misdemeanor offense with no prison time, but adults who keep drug paraphernalia where children reside need intervention for treatment.
- Public Defender of Marion County Inc. Executive Director Jessica Kampfe mentioned that from the defense perspective, this language it is not a clarification, but a significant change in the law.
  - Conduct that is a now a non-person to person drug crime, that could be prosecuted as a drug crime, will be changed to make it a person to person crime.
  - While it is a misdemeanor, it would be a misdemeanor for every child in the home.
  - This could add up to a lot of person to person misdemeanors, and quickly elevate someone's criminal history score.
  - This would have a significant impact on the prison population and create a fiscal impact.
  - Defense bar is in opposition to this.

MOTION: Ed McKenney moved to approve Victim Services section in the 2019 Legislative Agenda. Seconded by Rob Carney.

DISCUSSION
- Liberty House Chief Executive Officer Alison Kelley, who chairs the Oregon Network of Child Abuse Intervention Centers, said the network will be requesting an additional $6 million in funding from the state to run centers.
  - Currently there are a number of state mandates requiring centers provide assessments for children, while the state currently funds 17% of the cost to run these centers.
  - Network wants this funding to increase to 30%.
- Commissioner Cameron said the council will consider adding this request at its January 8, 2019 meeting.

Jessica Kampfe supported legislation in the Victim Services section, with the exception of the legislation clarifying endangering welfare of minor language.

Motion passed, with Ms. Kampfe's exception noted.

HOUSING AND HOMELESSNESS
- Governor has increased her recommended budget to the Oregon Housing and Community Services agency by 43%.
    o County staff is still reviewing the specifics to determine how this will impact the 2019 legislative agenda.

MOTION: Troy Gregg moved to approve the Housing and Homelessness section in the 2019 Legislative Agenda. Seconded by Greg Leo.

DISCUSSION
None.
Motion passed.

"STOP" PROFILING DATA
Oregon Criminal Justice Commission Statistical Transparency of Policing (STOP) Program Co-Directors Ken Sanchagrin and Tiffany Quintero presented this item. Summary of presentation:
- House Bill 2355 (2017) requires collection of traffic and pedestrian stop data from all Oregon law enforcement by 2021.
- The STOP program was created to implement requirements of HB 2355 data collection.
- It is a collaborative effort between the Oregon Criminal Justice Commission (CJC), Oregon State Police (OSP), and Department of Public Safety Standards and Training, (DPSST).
- OSP is the lead on this project.
    o Every stop that is made by a law enforcement agent resulting in an arrest or citation, or warning, search will be documented.
    o Program has a tiered approach, which will add more and more officers with STOP authority annually, until all policing agencies have this authority by 2021.
    o The Salem Police Department has already been involved in this program for approximately six months.
    o OSP provides the technology through which agencies could report their STOP data.
    o OSP has given the Oregon Criminal Justice Commission authority to operate the program.
- In December 2019, CJC will provide an annual report to the Oregon legislature describing findings from the first wave of law enforcement officers involved in the program.
- Data elements that need to be collected include STOP variables, demographic variables, and geographic variables.
    o After the data is collected, it will be analyzed.
- Things get complicated when looking at data analysis. Various types of traffic data have been collected and analyzed for 30 years.
    o No statistical method can prove discrimination, but only indicate the possible presence of discrimination.
    o Historically, what has been used to determine whether there is possibility of discrimination is the use of what are known as benchmarks.
        ▪ These look to racial distribution of stops made and then census data from this area. But there are drawbacks to this too.
        ▪ One explanation is that there is racial bias occurring.
        ▪ But before concluding this, need to account for differences in offending rates, driving behaviors by race, and how police services are distributed throughout the city.
            • Some minorities may also rely on public, not private transportation.
            • Also if a population is not in an area where stops occur, this will skew the result. For example, in Portland 60% of drivers during the day are from elsewhere.
            • So CJC intends to overcome this by breaking up traffic stops into their component parts.

- Traffic stops are not just a single event.
  - Many factors are involved, such as the decision to pull someone over, decision to search, and decision cite and arrest, or decision to just give a warning.
- Will soon have six people on the research team and have collected 100,000 data points to date.

Summary of Discussion
Q: Was drivers' citation history a part of your investigation? If not, wouldn't you be able to achieve a good statistical view of the situation if you graphed the people that were stopped, and note their previous citations?
A: Under the statute, not allowed to collect data that will identify either the officer involved, or the individual being stopped. So we have no way to reconnect this back to the driver's history.
Q: How do you report STOP data that has been collected? Are officers recording their *initial perceptions* of the driver?
A: Officers have to record what they perceive as gender and age, but officers can also go off the actual driver's licenses, so it will be a mixture of both. Complicated how we collect the data. May see someone drive by at 75 miles per hour and not know who the individual was. The legislature indicated that after the stop is made, the officer must report what the officer thought. Issue is if officer should record what he or she saw before the stop. Trying to determine if an officer holds a negative view of a specific type of driver (perceived) compared to the actual.
Q: Why are you collecting information on ZIP codes?
A: In high tourism areas if data we receive is different from residential census data, this could skew the data. For example: If a festival is taking place in a city and STOP data is collected, it will skew the results since there are likely to be visitors from other areas.
Q: How will policing be better as a result of this?
A: Right now a lot of the focus has been on getting the data. We want to provide automatic analysis tools for our law enforcement so we don't just rely on a yearly report from the CJC. If a department wants to monitor its trends over time they will be able to track this information internally.
Q: Most of these stops are based on behavior. Is it the behavior that's causing the stops and no other biases?
A: This bill came forward through concern of police bias in traffic stops. For years there has been an over-representation of minorities in the juvenile and criminal justice system. So this was an effort to ensure police were not being biased. City of Salem has discussed race relations and biased policing for a long time. This gives professionals an opportunity to study these stops, after which we will receive the information. Police officers do not like to be accused of dishonesty and bias.
- Concerned that procedures are more important than the police doing their job.
- In 1991, legislature had Hillsboro and Salem collect this data for a year. After the data was collected, the results were never released. Issue became very complicated and contentious, so look forward to seeing the results this time.
- One benefit of this study is that we will have solid evidence to review, rather than hearing what people might think. May even find a way to better allocate police resources. Need facts to show decision makers, not subjective perception.
- Study will be good for the community and also police agencies in that if something is found, it can be addressed.
- Easy to blame law enforcement, but need to support law enforcement officers and help them do their job.

4. EMERGENCY MANAGEMENT/NATURAL DISASTERS
Marion County Emergency Manager Ed Flick presented this item. Summary of presentation:
- FEMA was challenged to respond to multiple disasters last year.
  - These problems start locally and then become national.
  - Imperative to have the local capacity to solve these problems.
- In June 2018, we found that Salem residents were unprepared for disasters.
  - Community had to come together to solve this problem.
- Marion County does have a process to deal with threats and hazards in the community.
  - Emergency managers meet annually in February to review these and use these to set agendas for the following year as a community.
    - Earthquakes have been the most significant threat followed by hazmat incidents.

- The Oregon Office of Emergency Management has been working with Marion County and other emergency managers to publish the Cascadia Playbook.
  - Playbook helps communities get ready for the Cascadia earthquake and tsunami, along with other events.
  - The Cascadia Playbook helped emergency management partners work efficiently and collaboratively in response to the Mosier train derailment in 2016;
  - Was instructive during the massive planning effort for the historic 2017 solar eclipse; and
  - Improved the multi-agency response to Oregon wildfires.
- Structured emergency response is based on the following topics: transportation, communications, health and medical, finance, hazardous materials, food and water, energy, and mass care.
- In 2017, Marion County Emergency Management and partners studied the road system in the event of a disaster.
  - All major transportation planners were convened, including those from private industry.
    - When an event occurs, have to think about getting people home from wherever they are.
    - County has data showing that on any given work day, approximately 60,000 people are in Salem that don't live in the county.
    - Conversely 50,000 of the county's residents are elsewhere.
- Studied airports to facilitate response to an emergency event as part of a regional resilience assessment.
- County is:
  - Working with health and medical practitioners to build a network of responders.
  - Much more prepared for a hazardous material event after having developed a regional response plan for derailments.
  - Working on food, water, and medical care delivery with Marion-Polk Food Share and Corban University.
  - Continuing to work on public safety communications.
    - Struggled in June to get the word out about the water contamination.
    - Working with City of Salem to look at how the federal notification system works.
- Problem with Cascadia earthquake will be getting fuel to generators for medical communities.
  - Working with medical community to locate their generators and identify fuel needed to keep hospitals open.
- State has given counties the authority to have an energy assurance plan.
  - County is studying this as a policy option.
- Providing housing and shelter for people after an event is also critical.
  - Working with partners to identify locations for mass shelters.
- County continues to get better at working together with all of its partners.
- County has a growing number of Community Emergency Response Teams (CERTs) located in several county cities, including the Santiam Canyon.

Summary of Discussion
- Aurora Airport is critical in the event of a Cascadia strike. Extending the runway is important in the event of a disaster.
- Mayor Wallis thanked Mr. Flick for his assistance during a water emergency at the City of St. Paul this summer.
- Mr. Flick will provide more information to Mano A Mano about training CERT volunteers who speak Spanish.

5. EMERGING ISSUES/OTHER BUSINESS
None.

ADJOURNED 6:04 PM