

MINUTES

Public Safety Coordinating Council
John Serbu Center, Carmichael Room
2727 Martin Luther King Boulevard—Eugene, Oregon

May 19, 2011
5:30 p.m.

PRESENT: Tim Laue, Chair; Paul Solomon, Vice Chair; Douglas Bakke, MaryAnn Bearden, Jacque Betz, Joan Copperwheat, Stephen Davis, Tom English, Karen Gillette, Greg Hazarabedian, Lynn Schroeder for Roland Hoskins, Rob Rockstroh, Faye Stewart, Rich Stronach (for Pete Kerns), Doug Hooley (for Tom Turner), David Winett, members; Robert Edwards, *ex officio* member; Susan Sowards, staff.

Guests: Greg Fox, Janice Gotchall, Randy Smith, Lane County Sheriff's Office; Amy Cook, Sponsors; Debbi Martin, Oregon Youth Authority; Patty Perlow, Lane County District Attorney's Office; Ken Viegas, University of Oregon; Jerry Smith, Springfield Police Department; Ross Shepard, member of the public.

ABSENT: Alex Gardner, Andrea Ortiz, Hillary Wylie, members; Liane Richardson, *ex officio* member.

I. Call to Order/Introductions

Mr. Laue convened the meeting of the Public Safety Coordinating Council (PSCC) at 3:05 p.m.

II. Public Comment

There was on one who wished to offer public comment.

III. March 17, 2011 Minutes

Ms. Gillette offered the following correction:

Page 3, paragraph 8, sentence 1 should read: Ms. Gillette said radiation concerns had been raised **by the public** for Public Health staff **in relation to the events in Japan**.

Mr. Laue offered the following corrections:

Page 3, paragraph 2, should read: Mr. Laue said the focus of this year's work plan is to identify minimally adequate public safety and health service, what would happen in the event of a public safety emergency, and how **the process for the Commissioners to request a declaration of a Public Safety State of Emergency** would be communicated to the Board of County Commissioners and the Oregon State Legislature.

Page 4, paragraph 4, sentence 2, should read: The program had a record attendance of ~~15,095~~ **over 1,500** homeless people, an increase of 13 percent over 2010.

Page 5, paragraph 3, sentence 3 should read: Regardless of whether or not the bill was passed, Mr. Laue anticipated the county ~~could~~ **would** be facing an emergency July 1, 2011.

Mr. Hazarabedian offered the following correction:

Page 4, paragraph 2, sentence 1 should read: Mr. Hazarabedian said ~~he had attended his~~ **office had staffed** the Project Homeless Connect program held at the Lane County Fair Grounds.

Ms. Gillette, seconded by Mr. Stewart, moved that the minutes be accepted as amended. The motion passed unanimously.

IV. Senate Bill 416

Mr. Laue introduced Ross Shephard.

Mr. Shephard said he was a former Lane County Public Defender, serving between 1977 and 2004. He then worked in Washington, D.C. on public defense issues. He explained he was the author of Senate Bill (SB) 416, and was lobbying for the bill on a *pro bono* basis before the Oregon Legislature. He and Doug Harclerod, who represents the Oregon Anti-Crime Alliance, were collaborating on the legislation. The intent of the legislation was to reduce the number of people admitted to the Department of Corrections (DOC) by 500 people per year. There were two ways to achieve this goal, by eliminating the number of people judges were sentencing to the DOC or reducing the number of people who left prison but subsequently committed a new felony and returned to prison. SB 416 gave judges discretion to place defendants who were above the presumptive probation line and not Ballot Measure (BM) 11 defendants on a high level of supervision. There was a funding mechanism associated with the bill that would pay for provision of services including housing, clothing, education and employment referrals, and other needed services by counties. Counties would be reimbursed at a rate of \$35 per day for one year per defendant for the services. If Lane County did its fair share of the cases, it would receive approximately \$1.3 million by providing services to approximately 100 defendants during the biennium. Some of the money could be used for jail sanctioned days placed for those on probation. The bill had attracted attention from all players in the criminal justice community. The Oregon State Sheriffs' Association and the Community Corrections Directors supported the bill, and there had been no overt opposition to the bill. The bill had been unanimously endorsed by the Senate Judiciary Committee and was currently before the Senate Ways and Means Committee. He acknowledged every county was facing different financial and budget issues, with Lane County possibly the most financially strapped. However, this bill would provide an effective method of supervising defendants for whom resources had not been available in the past.

Mr. Shepherd explained people being released from prison with risk score evaluations that indicated they were at a high risk of reoffending and returning to prison were the type of people the bill was intended to serve. Many of these people were currently served by Sponsors, Inc. The Sponsors, Inc. resource center would coordinate all of the services required in the bill. He

asserted the academic literature would show the outline of SB 416 was the best practices and evidence based. He hoped the PSCC would view SB 416 as an opportunity. He understood some District Attorneys were opposed to the legislation, but he felt there was sufficient funding in the bill to cover costs in Lane County and he thought the County could partner with Sponsors, Inc. to provide evaluation services for Lane County.

Mr. Shepherd said the bill originally included BM 57, but the legislature had suspended BM 57, and it would be removed from SB 416.

In response to Mr. Solomon, Mr. Shepherd said the money would be appropriated by the Legislature to the Criminal Justice Commission which would award the money through a Request for Proposals (RFPs) process to counties. The bill specifically stated County Commissioners were the recipients of the grants and they would decide how the money would be disbursed within the county, under criteria provided in the legislation. The intent of the bill was that the bulk of the money would be spent on services to the defendants, but there was some flexibility in the bill to allow counties to determine what services would be funded. Some of the money could be used to fund jail space.

Ms. Copperwheat had discussed SB 416 with the District Attorney Alex Gardner, Assistant District Attorney Patty Perlow, Captain Greg Fox and Judge Debra Vogt. Unless the information had changed, the list of defendants from Lane County consisted of very prolific clients who had been in the system repeatedly and committed lots of crimes. She understood they should be intensively supervised which meant funding was needed for parole and probation officers, as well as jail beds. The County was looking at reducing services with the reduced funding for community services including treatment programs and Sponsors, Inc. The County needed more jail beds to supervise this population. She noted the funding was for one year only. She inquired about the intent of the bill, asking if it was to allow the DOC to close a prison.

Mr. Shephard said no prisons would be closed this legislative session for several reasons. The counties would have responsibility for defendants and be paid for providing that service. He noted it was cheaper to provide parole services than send someone to prison.

Mr. Hazarabedian observed Senator Floyd Prozanski supported SB 416. He asked what members of the Lane County legislative delegation needed to hear from local officials who supported the bill.

Mr. Shepherd suggested Representative Nancy Nathanson, who had been assigned to the criminal justice matters, was the key local legislator on this issue and fully supported SB 416.

Mr. Hooley asked if SB 416 was intended to serve the same population already in Sponsors, Inc. beds, or if it would serve additional people.

Mr. Solomon said the bulk of Sponsors, Inc. clients were BM 11 offenders, while he thought SB 416 would serve primarily property crime offenders.

Mr. Shepherd said there was a pre-prison component and post-prison component that would be referred to the SB 416 resources with the same funding.

Mr. Shepherd recently attended a statewide meeting where a District Attorney said SB 416 was soft on crime. Lane County said it was financially constrained in its ability to provide services. He hoped PSCC members could see a benefit in investing in this criminal justice philosophy.

Ms. Gotchall asked if there were provisions to remove people from the program if they reoffended and what happened to the State funding if people were sent back to prison.

Mr. Shepherd confirmed there were provisions to remove people from the program if they reoffended, but the details on what happened to the funding had not been clarified.

V. County Budget Report

Mr. Stewart directed PSCC members to and reviewed a handout entitled *FY 11-12 Proposed Service Reductions to the General Fund*. The proposals showed a \$4 million reduction in services and \$3.5 million in concessions from employees in the form of furloughs. Problems resulting from furloughs included provision of 24 hour service operations, increased overtime, and loss of revenue from clinics that generated revenue when open. Problems resulting from additional service cuts included reductions in the Human Services Commission budget, reductions in jail beds, patrol cuts, detox, and elimination of two district attorney positions. The Board of County Commissioners (BCC) had decided it would not balance the budget by raising fees or taxes.

Ms. Betz asked if the transfer of road funds to traffic patrol would allow vacant positions to be filled, or if it would sustain currently filled positions.

Mr. Stewart said the transfer of road funds would only sustain the current level of staffing. He added four unfilled deputy patrol positions in the Lane County Sheriff's Office (LCSO) had been cut. The current proposal of two less patrol officers would provide 20 hours of patrol rather than 24 hours.

Mr. Stewart said Community Correction funds were currently in committee for discussion. The BCC would receive an updated budget from staff on June 15, 2011. The BCC would conduct a public hearing on the proposed budget on June 22, 2011. A budget needed to be adopted by June 30, 2011.

Mr. Laue directed Ms. Sowards to survey PSCC and Adult Corrections Committee members for dates for their June meetings. June 20, 2011, 3:30 p.m. to 5:00 p.m. was tentatively identified as the meeting day/time for a special PSCC meeting.

Mr. Stewart explained Lane County reserves were at 10.2 percent which provided a cushion of approximately \$120,000. This was required by County budget guidelines and necessary to keep the current bond rating.

In response to Mr. Hazarabedian, Mr. Stewart said Ms. Richardson was doing a great job as County Administrator.

VI. Committee/Task Force Reports

- a. Juvenile Committee—Ms. Schroeder reported the committee met April 29, 2011 at which time it developed spending recommendations related to Juvenile Crime Prevention funds from the State of Oregon. She noted \$1.4 million had been available to Lane County in 2005, which funded the assessment shelter and other services. Lane County currently received less than \$400,000 annually. The committee recommended funding the following services: Martin Luther King Education Center, therapeutic treatment foster care, and minority youth mentoring for at risk kids. The committee was interested in exploring what other best practices could be used with the changing climate for services in Lane County. It was interested in exploring best practices that were more cost effective and would reach more youth at risk for moving in to the juvenile system. The committee recommended the following to the PSCC for a recommendation to the BCC:
 - b.
 - Entering into one year contracts with Centro Latino Americano and Committed Partners for Youth—Big Brothers/Big Sisters (CPY-BBSS).
 - Fund programs at the same proportion as this year:
 - 18 percent—to the education center.
 - 61 percent—to therapeutic treatment foster care.
 - 21 percent—minority youth mentoring.
 - 10 percent—reserves.

Mr. Laue stated the PSCC would consider the request at its June 20, 2011 meeting. He asked if there was information on State beds.

Ms. Schroeder said the Oregon Youth Authority (OYA) recently presented a proposal to the Juvenile Department Directors' Association meeting. Governor Kitzhaber's proposal cut 475 beds, leaving 425 beds. The youth offenders incarcerated as adult offenders for BM 11 crimes would take up all of the beds, which would leave less than half the number of available beds currently available to counties for juvenile offenders, which for Lane County was 32 beds. The co-chairs recommendation added 200 beds back, and the OYA was reviewing the recommendation. There currently was no funding in the budget to counties from the OYA for basic services consisting of detention and shelter, which was approximately \$350,000 annually for Lane County Youth Services.

- c. Reentry Task Force—Ms. Sowards reported the task force focused on ex-offenders reentering Lane County from state and federal incarceration. The discussion at the April 26th Task Force meeting centered on the SAT recommended Community Corrections Act budget. The group had requested that the adult committee be reconvened, which was done.
- d. Adult Committee—Mr. Laue reported the Adult Committee met May 3, 2011 to review the Supervisory Authority Team (SAT) recommendation. Mr. Stewart had attended the meeting, and indicated this was the most difficult time in a long series of difficult times over the last two decades for Lane County. The Adult Committee usually reached consensus on the SAT proposals and recommended approval to PSCC and subsequent review by the BCC. He did not anticipate that for this year. He did anticipate there would be a split on the committee regarding the recommendation. If

that occurred, Mr. Laue suggested majority and minority reports be forwarded to the PSCC for consideration of all perspectives. He noted the Adult Committee members had worked together for decades to address community service/community corrections/human service problems. He feared the committee would go back to a place where people bunkered and they would not work together in the current fiscal climate, which would do more damage than had already been incurred. He said the extent that people could work together would offer what little chance for success there was. He said the committee would meet in early June to review the budget and make a recommendation to the PSCC regarding SAT recommendation for community corrections funds for consideration at the June 20, 2011 PSCC meeting. Mr. Stewart asked that the Committee also develop a priority add back list in case more funds are available than is currently projected. Following a brief discussion on committee membership, Mr. Laue said he would review the committee makeup and emphasized he would do everything he could to make committee representation as fair and equitable as possible.

VII. Work Plan Report

- a. 2011 Work Plan Workgroup
 - Justice Reinvestment Initiative Solicitation—Ms. Sowards said Lane County had submitted a letter of intent. She had subsequently been notified the deadline had been extended to allow applicants to solicit additional signatures on their applications. Mr. Stewart as BCC chair, Liane Richardson as County Administrator, and Mr. Laue as PSCC chair had signed the original application. She would ask for additional signatures if the new deadline provided sufficient time to do so.
 - Presentation to Board of County Commissioners (5/24)—Mr. Laue provided a PowerPoint presentation and directed PSCC members to the following handouts:
 - Lane County Public Safety Services—Building Blocks of Community Health Safety.
 - Public Safety Analysis—Youth Services.
 - Public Safety Analysis—District Attorney Police Services.
 - Public Safety Analysis—Courts Corrections Services.
 - Public Safety Analysis—Human Services Facilities.

Mr. Laue said the proposed workplan sent to the BCC suggested review of SB 77 process for the Governor's declaration of a public safety state of emergency which was a result of the anticipated loss of Secure Rural Schools (SRS) funding. There were six crisis counties, including Lane County, in the state that had relied heavily on SRS funding for general fund purposes. In 2008, Lane County closed 84 jail beds and took other actions in anticipation of the SRS loss. Subsequently the federal stimulus package provided a rider for SRS ratcheting down. Mr. Laue demonstrated the *Building Blocks of Public Safety* using a Jenga tower. He demonstrated how the Jenga tower was a metaphor for how unstable public safety was in the County and asked at what point it would collapse in the current budget environment. He asked if it had to fall over to be in a state of emergency or if it was sometime in advance of the collapse that the community would

realize it had to do something to shore it up. This was not a question for the PSCC to answer but rather for the BCC to answer.

Mr. Laue explained that under SB 77 if the BCC asked for a declaration of a public safety state of emergency, the Governor would appoint a fiscal board. The Criminal Justice Commission would review data laid out in the Oregon Administrative Rules (OAR) and report to the fiscal board. The fiscal board would make a determination within two weeks about whether or not a declaration should be recommended to the Governor. The Governor would then make a decision within two weeks on whether or not to make a declaration. Mr. Laue understood such a declaration had never been made in Oregon. There were provisions in State law that would provide bridge funding to the County from the State to finance services until the next election. He added consideration of bankruptcy by all southwestern Oregon counties would have to get the Legislature and Governor's attention. He was scheduled to update the BCC on the PSCC work plan on May 24, 2011.

Ms. Bearden stated the Lane County juvenile justice system had more cases and fewer resources now that it had in the in 1980's. She opined the number of beds available today was at the emergency level. Detention beds in Lane County had evolved into beds that were used for kids who were in danger to themselves.

Ms. Schroeder agreed with Ms. Bearden. She said the County had a responsibility to protect them and the community. The youth who entered detention had allegedly committed some serious offenses and put themselves at tremendous risk in the community. Sixteen beds were totally inadequate to keep kids safe.

Ms. Bearden stated there were approximately 50 beds available in 1980 and now there were 16 beds.

Mr. Laue said a spreadsheet would be emailed to PSCC members. They would be asked to rank services and return the information for the June 20, 2011 meeting. He hoped to go back to the BCC with a work product this fall.

VIII. Intra-System Communication

Mr. Hooley said he was attending today's PSCC meeting for Tom Turner who was attending a charter review committee meeting where one issue was whether the Sheriff should be elected or appointed. He iterated the LCSO was going to 20 hour patrols.

Mr. Laue noted there were 96 LCSO rural patrol officers in 1996 and there soon would be 14.

Ms. Betz said she would attend a budget meeting in Florence this evening. The City of Florence recently filled a police officer position and detective and code enforcement positions were

waiting completion of the budget process. She invited everyone to the Rhododendron Festival this weekend.

Mr. Stronach reported the recent loss of an officer had been hard for the department, but the support from law enforcement and criminal justice partners as well as an outpouring from the community had been amazing and humbling. It was unfortunate it took such an incident before the community could show support for law enforcement.

Mr. Laue said the only time he had met Officer Chris Kilkullen was when Officer Kilkullen ticketed Mr. Laue. Mr. Laue noted Officer Kilkullen had made a positive statement in an unpleasant situation.

Mr. Solomon said Sponsors, Inc. had received grant funding for a Reentry Service Center for a jobs program that provided resources for anybody with a criminal history in Lane County. Last month 42 people were assisted in securing full time jobs in a county with one of the highest unemployment rates in the state. Jobs made a big difference for people with criminal histories in their ability to turn their lives around. He introduced Amy Cook, who was the director of the program.

Amy Cook said mill and warehouse jobs were picking up. She was developing good relationships with several businesses and had an exclusive agreement with a local company to hire Sponsors, Inc. clients.

Mr. Hazarabedian added his agency had called upon Sponsors, Inc. for casual labor for large office furniture moves. The people were always hard workers with a good attitude.

IX. Adjourn

The meeting adjourned at 4:40 p.m.

(Recorded by Linda Henry)