

MINUTES

Public Safety Coordinating Council
Lane County Mental Health – Michael Rogers Room
2411 Centennial Boulevard, Eugene

April 8, 2003 – 3:00 P.M.

PRESENT: Gretchen Pierce, Chair; Thad Buchanan, Jan Clements, Bob De La Vergne, Bobby Green, Jan Gund, Doug Harclerod, Rich Harrison (for Jerry Smith), Alicia Hays, Tricia Hedin, Mike Kelly, Ken Larsen, Ted Lewis, Anna Morrison, Nancy Nathanson, Grant Nelson, John Radich, Rob Rockstroh, Ilisa Rooke-Ley, Lisa Smith, Ken Tollenaar, Jim Torrey, Ken Viegas, Dan White (for Mike Grover), John Woodrow, members; Jim Carlson, Bill Van Vactor, *Ex-Officio*; Jamon Kent, staff.

ABSENT: Russ Burger, Faye Fagel, Ivan Hernandez, Denis Hijmans, Kip Leonard, Bert McClintock, members.

GUESTS: Ron Chase, John Clague, Tim Laue, Susan Sowards, Linda Wagner.

1. Call to Order/Introductions

Ms. Pierce called the meeting of the Public Safety Coordinating Council (PSCC) to order at 3:05 p.m. She invited those who were present to introduce themselves.

2. Approval of Minutes

Ms. Rooke-Ley requested that remarks attributed to her in paragraphs 4, 5, and 6 on page 3 of the minutes of the February 13, 2003, PSCC meeting be assigned to Ms. Hedin.

Ms. Pierce determined there was no objection to the request and the minutes were amended.

Ms. Morrison moved, seconded by Mr. Torrey, to accept the minutes of the February 13, 2003, meeting, as amended. The motion was adopted unanimously, 24:0, Ms. Nathanson having not yet joined the meeting.

3. Comments from the Audience

None.

4. Juvenile Accountability Incentive Block Grant

Mr. Green referred to an Issue Brief regarding the Juvenile Accountability Incentive Block Grant (JAIBG) Plan for 2003-04 distributed with the agenda of the meeting. He reviewed background information it contained regarding pooling of JAIBG allocations received by eleven jurisdictions in Lane County.

Mr. Green noted that the Issue Brief reported the recommendations of the Prevention and Juvenile Justice Committee and Policy Committee that because of the state of flux of state funding and the imminence of the JAIBG application deadline, a placeholder budget be approved for submission with the Plan. He noted that the budget would be amended to reflect the realities of juvenile justice and prevention funding conditions when they were finalized at a later time.

Mr. Green said the recommended placeholder budget for the 2003-04 Plan application was a proportional reduction of the current budget, as follows:

Peer Courts in Mapleton/Florence, Bethel, West Eugene, Oakridge, Springfield, and Fern Ridge	\$61,327
Court School	\$19,783
Mentoring for High Risk Youth	\$39,566
Early Intervention for First-Time High Risk Offenders	\$28,123
Restorative Justice Program	\$21,121
Administration/Monitoring/Evaluation	<u>\$15,389</u>
Total	\$185,309

Mr. Green moved, seconded by Mr. Rockstroh, (1) to accept the recommendations of the Prevention and Juvenile Justice Committee and Policy Committee, (2) to encourage all jurisdictions to pool their resource allocations, and (3) to submit a 2003-04 Juvenile Accountability Block Grant application with the proposed “placeholder” budget, anticipating that recommendations for re-allocation of the funds would be received at a later date. The motion was adopted unanimously, 24:0.

5. Final Report on Review of PSCC

Mr. Kent referred to a document entitled “Final Report and Recommendations Regarding the Future of the Lane County Public Safety Coordinating Council” distributed with the agenda at the beginning of the meeting he had prepared. He summarized its sections entitled “History of Intergovernmental Coordination in Lane County,” “PSCC Management and Staff Support,” and “PSCC Accomplishments 1995-2003.”

Mr. Kent reviewed recommendations for the future of the PSCC included in the document, as follows:

1. Local jurisdictions continue partnership agreements, within the PSCC, to ensure that available resources are invested in cost-effective programs.

2. The PSCC continue to be the forum for the coordination of local criminal justice policy among affected criminal justice entities.
3. The PSCC reduce its membership to the statutory requirements, in addition to the members listed on the current Policy Committee, and either disband the current PSCC, or use it as a PSCC Advisory Committee that meets quarterly.
4. The PSCC continue to include representatives from the Cities of Eugene and Springfield.
5. The work of the PSCC be managed closely by the staff and chair to assure that all work remains focused on assigned projects.
6. The PSCC have at least two, but no more than three, standing committees, including an adult corrections/police services committee, a juvenile justice/prevention committee, and, if approved, a PSCC Advisory Committee.
7. PSCC staff be selected from an organization that is not directly affiliated only with Lane County, Eugene, or Springfield governments.
8. Funding for 1.7 full-time-equivalency (FTE) staff be provided to coordinate the continuation of the work of the PSCC.
9. A means should be provided for jurisdictions to formally meet, with staff support, if the current PSCC configuration changes.

Mr. Kent summarized his report by saying that the PSCC had accomplished many good and important things; changes in the structure and operating procedures of the PSCC were needed; and the recommendations of the independent Task Force were remarkably similar to his own.

Ms. Morrison moved, seconded by Ms. Gund, to accept, with appreciation, the Final Report and Recommendations Regarding the Future of the Lane County Public Safety Coordinating Council prepared by Jamon Kent. The motion was adopted unanimously, 24:0.

6. Task Force Report

Ms. Pierce referred to a document entitled “PSCC Task Force - Recommendations” distributed with the agenda of the meeting. She explained that the Task Force had been appointed to reevaluate the mission of the PSCC, the scope of its advisory responsibilities, and associated staffing and resource needs. She said the Task Force had taken Oregon Revised Statutes sections 423.560 and 423.565 as guiding protocol and sought to recommend an efficient and effective structure to fulfill their mandates.

Ms. Pierce said the report of the Task Force had been reviewed and amended by the Policy Committee, which had also agreed to recommend its approval by the PSCC. She pointed out that changes in the PSCC structure would need to be approved by the Lane Board of County Commissioners and would also require alteration of existing contracts and Intergovernmental Agreements.

Ms. Pierce reviewed recommendations of the Task Force, as follows:

1. Reorganize PSCC composition to reflect membership as required in statutes, including:
 - a. Police Chief selected by the Police Chiefs of the county
 - b. Sheriff
 - c. District Attorney
 - d. State Court Judge appointed by Presiding Judge of Lane County judicial district
 - e. Public Defender or defense attorney appointed by Presiding Judge
 - f. Director of Community Corrections
 - g. County Commissioner appointed by the Board of County Commissioners
 - h. Juvenile Department Director
 - i. Health or Mental Health Director
 - j. Up to Three Lay Citizens appointed by the Board of County Commissioners
 - k. City Councilor or Mayor from Eugene appointed by Eugene
 - l. City Councilor or Mayor from Springfield appointed by Eugene
 - m. City Manager or other city representative appointed by cities in the county
 - n. Representative of the Oregon State Police (nonvoting)
 - o. Oregon Youth Authority Representative (nonvoting)

The restructured PSCC will include up to 17 members and can absorb the work of the current Policy Committee.

Only grants specifically requiring PSCC implementation and approval will be written in its name. All others will be written by sponsoring agencies.

2. Disband existing subcommittees. Form two functional standing committees, including:
 - a. Community Safety Committee/Corrections (Adult Issues)

Addresses mandates in statute, develops specific projects for them.

Goals: (a) determine levels of collaboration needed among jurisdictions to maintain and improve community safety, (b) design and review program and system evaluations, (c) develop plans based on best practices to meet local needs and available resources, and (d) make recommendations to the PSCC which makes final recommendations to the Board of County Commissioners.

The Supervisory Authority Team will produce the Community Corrections Plan, including the state resource plan to serve the local offender population for review by the PSCC.

The Decision Point and Population Analysis (DPPA) Subcommittee will continue as a Task Force to work with a specific work plan and time-bound items.

*Members: Supervisory Authority Team (Jail Commander, Judge, Director of Community Corrections)
Lane County Courts Representative
Public Defender (or designee)
District Attorney (or designee)*

*Lay member
Service Provider (non-voting on budget matters)*

b. Juvenile Committee

Addresses state mandates to coordinate plans to serve the needs of juvenile offender population – including prevention, treatment, education, employment resources, and intervention strategies.

Goal: (a) design a coordinated system for juvenile offenders based on best practices, (b) develop plans for state resources as described by their respective application processes, (c) review program and system evaluation, and (d) make recommendations to the PSCC which makes final recommendations to the Board of County Commissioners.

Department of Youth Services will administer, monitor, and provide evaluation for state juvenile grants (Juvenile Corrections Plan, Juvenile Accountability Block Grant, Diversion, Basic Services).

*Members: County Commissioner
Department of Youth Services Director
Health/Mental Health representative
Law Enforcement representative
Commission on Children and Families representative
County Prevention Coordinator
United Way Youth on Track representative
Superintendent of Schools
Lane Education Services District representative
Private Provider (non-voting) (Selected by providers and rotated)
Oregon Youth Authority representative
City representative from Eugene and/or Springfield
Juvenile Justice Researcher from Department of Youth Services
Representative from Domestic Violence Council*

c. Task Forces

Time-limited task forces may be appointed to address specific community safety problems and expand participation in both adult and juvenile work.

Task force membership can be broader than PSCC membership to augment expertise as required.

Recommendation: Assign a task force to address Failure to Appear (FTA) issue. Within six months, the group should (1) develop a measurable statement of the problem, including costs; (2) make prioritized recommendations for fact-based solutions, including costs and benefits; and (3) reach broad consensus for solutions and priorities.

Members: Police Chiefs of Eugene and Springfield

*Jail Commander
Director of Community Corrections
District Attorney (or representative)
Judge
Sheriff
Lay Member (Tim Laue recommended to chair group)*

3. It is recommended that the PSCC, adult and juvenile committees meet quarterly and in the same month.
4. It is recommended that staffing for the mechanics of committee meetings, minutes, and other details be provided by the county.
5. It is recommended that the Department of Youth Services absorb costs associated with juvenile grant administration, monitoring, and evaluation
6. It is anticipated that a full-time systems analyst will be needed to do research and evaluation in support of the committees and task forces. Specific staff and resource support will be decided by the restructured PSCC.
7. It is recommended that transition to the new structure begin immediately and be completed by June 30, 2003.

In response to a question from Mr. Rockstroh, Mr. Kent explained that transition to the new PSCC structure would begin with approval by the Board of County Commissioners scheduled for April 29. He said the approval would also initiate processes for submission of applications for membership appointment. He said changes to Intergovernmental Agreements, service contracts, and to committee structure would be completed and become effective July 1.

Ms. Nathanson joined the meeting at 3:35 p.m.

Mr. Radich expressed concern that the Oregon Department of Human Services was not represented in the proposed membership of the PSCC, its committees, or task forces. He said he believed having such representation would provide valuable knowledge and experience in all areas of concern.

Mr. Green said he appreciated that the proposed PSCC membership included representatives from the cities of Springfield and Eugene. He also said some special representative categories representatives previously appointed to PSCC committees had not fully participated in their meetings and work.

Mr. Woodrow moved, seconded by Mr. Green, to change the recommended membership of the PSCC to include a representative of the work the Oregon Department of Health and Human Services. The motion was adopted unanimously, 25:0.

Ms. Smith stated that designation of two representatives of the Department of Youth Services as members of the Juvenile Committee might be considered extraneous, but that the Executive Director and Researcher should both regularly participate. She said including a representative from the Youth on Track program of the United Way was a helpful outreach to community interests.

Mr. Larsen said he was concerned that the State Police had not been proposed as a member of the Failure to Appear Task Force.

Ms. Gund said she objected to having the Chairperson of the Failure to Appear Task Force designated in the recommendations of the Task Force.

Ms. Gund moved, seconded by Ms. Hedin, to eliminate identifying the chairperson of the Failure to Appear Task Force in the recommendations.

In response to a question from Mr. Kelly, Ms. Pierce said the reconstituted PSCC would be responsible for Task Force appointments and designating chairpersons.

Mr. Tollenaar said he agreed that it did not appear consistent to name an individual as chairperson of a task force in the recommendations, but that he respected the experience and ability of the person recommended and was concerned that the motion would give an inappropriate affront that should be avoided.

Mr. Clements said he believed work on the Failure to Appear issue would continue under the aegis of the Police Services Committee until July 1. He pointed out that the current work was spearheaded by the proposed Task Force chairperson.

Mr. Buchanan said much of the work of the proposed Task Force was already completed. He suggested that the proposed chairperson had been a positive facilitator of the work so far and that it would be natural to seek to continue his involvement.

Mr. Woodrow suggested that designating the chairperson of the proposed Task Force would be more appropriate when funding for its operation was identified at a later time.

The motion to eliminate identifying the chairperson of the Failure to Appear Task Force was defeated 5:20, with Ms. Gund, Ms. Hedin, Mr. Lewis, Ms. Rooke-Ley, and Mr. Viegas voting yes.

Ms. Rooke-Ley asked why no representative of the Public Defender's Office was included in the proposed membership of the Juvenile Committee and Failure to Appear Task Force. Mr. Buchanan replied that it was an unintentional oversight. He said the work of the Police Services Committee had not included such representatives. Ms. Pierce added that there was nothing to prevent a task force from realizing the need for additional members and seeking their appointment.

Ms. Rooke-Ley moved, seconded by Ms. Gund, to add representatives of the Public Defender to the membership of the proposed Juvenile Committee and Failure to Appear Task Force. The motion was adopted 24:1, with Ms. Morrison voting no.

Mr. Viegas said he was concerned that the recommendations of the PSCC Reorganization Task Force appeared to provide for the entrenchment of persons and offices already involved in providing public safety services. He said it was troublesome that most of the recommendations were excluded the participation of outside and public interests. He said he did not believe there would be any attempt to include non-professional expertise in public safety work policy development as proposed by the recommendations.

Mr. Clague recommended that the description of participants in a reconstituted PSCC and its committees and task forces be re-designated from “members” to “membership.”

Ms. Pierce determined there was consensus to accept the recommendation of Mr. Clague.

Ms. Morrison asked if a county would continue to be required to have a PSCC if it returned responsibilities contained in Senate Bill 1145 to the State. Mr. Rockstroh replied that Oregon Revised Statutes that had resulted from the legislation stipulated that all counties needed to have a PSCC, with some variations allowed.

Ms. Hedin said she agreed with the concerns expressed by Mr. Viegas and that she had anticipated for some time that the involvement of citizens interested in determining policy in public safety services would be reduced. She suggested that “those with the money and power” were encouraging the reduction.

Ms. Hedin said she was sympathetic to the difficulty of making the efforts of a large group be productive, but that proposing only “up to three lay citizens” as members of the PSCC was ludicrous. She said she believed voters had rejected public safety levies in the past because interests such as the PSCC that supported them were not in touch with the citizenry.

Ms. Hedin said she was concerned that the proposed service provider representative on the Community Safety Committee was designated as having no vote on budget matters. She pointed out that the Sheriff’s Office and Community Corrections were the largest recipients of Community Corrections resources which the committee would have oversight were proposed as full voting members.

Ms. Hedin said she did not believe the Supervisory Authority Team should be responsible for preparation of the Community Corrections Plan, as described in the recommendations.

Ms. Hedin recommended that the Failure to Appear Task Force be renamed “The Police Task Force to Build an Expanded Jail.” She said the issue of adding jail beds to deal with issues such as failure to appear was regularly rejected by research and voters.

Mr. Green said he disagreed with the comments of Ms. Hedin and that he could attest that it was a misrepresentation to say that elected officials had the influence of money or power.

Mr. Clements said he disagreed with the suggestion of Ms. Hedin that the Sheriff’s Office and area police departments did not involve community interests in developing practices and policies. He pointed out that voters in both Eugene and Springfield had recently approved public safety related revenue measures. He said he also disagreed with the implication that non-professional interests were more in-tune with views of the public than government and public safety officials.

Mr. Larsen said he agreed with the comments of Mr. Viegas and believed lay appointments to the PSCC should be carefully considered.

Mr. De La Vergne said he was concerned about the lack of representation from small communities in the membership recommendations of the task force.

Ms. Nathanson said she agreed with the conclusions of Mr. Viegas and Ms. Hedin, but for different reasons. She said she was disturbed that fiscal restraints required downsizing of PSCC operations, but that she would oppose accepting the recommendations of the task force because she did not believe the PSCC had realized the potential of its purpose.

Ms. Nathanson said she believed the most significant coordination of public safety concerns had taken place outside PSCC structures and that there was “foot dragging” to protect territorial interests by those who participated. She said she did not believe the PSCC had broken down any barriers in public safety coordination and had only achieved successes because of the commitment of individuals.

Mr. Kelly said he supported the proposed redesign of the PSCC. He said he agreed with Ms. Nathanson that the council had never reached its full potential and he feared that responsible bodies of the jurisdiction participants were beginning to question the validity of their financial contributions. He said that without resources the PSCC could never achieve its purpose and that redesigning it would enable it to survive fiscally difficult times that were anticipated, and would make future cooperation possible.

Mr. Tollenaar said he had begun attending PSCC meetings as an interested citizen – before he became a member of the Eugene City Council when was appointed its representative in 1997. He said he was fascinated by the ideology of the PSCC, but that his hopes for it had faltered when proposals for improving police support services failed to gain acceptance. He said he realized that innovation in public safety work would not likely come from a large or small PSCC but from groups like the Eugene City Club, other concerned citizen organizations, and from implementation of best practices developed throughout the nation.

Mr. Tollenaar said he would vote for the motion, admitting that the PSCC had not achieved goals, but continuing to hope that it might be able to make positive contributions.

Mr. Torrey said he hoped all three lay citizens permitted would be appointed to the PSCC. He said he believed someone would seek public office in the near future with a campaign based on a pledge to change public safety operating practices. He said he would support the recommendations of the Task Force.

Mr. Green moved, seconded by Mr. Torrey, to recommend that the Board of County Commissioners approve implementation of the recommendations of the Task Force to restructure the Public Safety Coordinating Council, as changed by decisions made at the current meeting.

Ms. Hedin moved to amend the motion to delete the non-voting status of the Service Provider member of the Community Safety Committee in the recommendations of the Task Force.

Mr. Rockstroh stated that Oregon Revised Statutes and Oregon Contract Law prohibited non-governmental agency representatives from participating in decisions regarding allocation of public funds.

Ms. Pierce said the recommendation of the Task Force to have a Service Provider representative as a nonvoting member of the Community Safety Committee had been made to enable participation in its work, but avoid potential conflict of interest in the allocation of resources.

Ms. Hedin withdrew her motion to amend.

Ms. Rooke-Ley asked if the statement of Mr. Rockstroh had the force of a legal opinion. Mr. Rockstroh replied that he was not an attorney, but that his lengthy professional experience managing government contracts made him familiar with related regulations and statutes. In addition, he said, the Lane Code prohibited the participation of representatives of outside agencies in decisions about the allocation of government resources.

Ms. Hedin moved, seconded by Mr. Torrey, to add the words “and recommendation (by PSCC)” to the recommendation of the Task Force regarding production of the Community Corrections Plan by the Supervisory Authority Team.

Mr. Green observed that the Board of County Commissioners was able to act at its own discretion after receiving any recommendation.

Mr. Kent pointed out that previously established Intergovernmental Agreements had assigned review and recommendation to the Board of County Commissioners regarding the Community Corrections Plan to the Policy Committee.

The motion to add “and recommendation” to the responsibilities of the PSCC regarding the Community Corrections Plan was adopted unanimously, 25:0.

Ms. Hedin moved that the Task Force recommendation regarding membership on the Juvenile Committee be changed to include a representative of the Public Defender, District Attorney, and the Juvenile Court Judge.

Ms. Pierce determined there was no member willing to second the motion of Ms. Hedin and it was not considered for adoption.

Ms. Hedin moved, seconded by Ms. Rooke-Ley, that the Task Force recommendation regarding membership on the Juvenile Committee be changed to include a representative of the Public Defender. The motion was defeated by voice vote.

Ms. Rooke-Ley moved, seconded by Ms. Hedin, that the Task Force recommendation regarding membership on the Juvenile Committee be changed to include the Juvenile Court Judge. The motion was adopted, 14:4, with Mr. Clements, Mr. Harclerod, Mr. Rockstroh, and one other person voting no; and Mr. Buchanan, Mr. Lewis, Ms. Morrison, and four other persons having left the meeting.

Mr. Tollenaar noted that the recommendations of the Task Force did not describe the System Analyst recommended to provide research and evaluation in support of the PSCC. He said he continued to be convinced that such work should be provided by one not representing Lane County, Eugene, or Springfield. He suggested that the Lane Council of Governments was the appropriate home base for such a staff worker.

The motion to recommend that the Board of County Commissioners approve implementation of the recommendations of the Task Force to restructure the Public Safety Coordinating Council, as changed by decisions made at the current meeting, and as amended was adopted 14:5, with Mr. Van Vactor voting yes with the proxy of Ms. Morrison; and Ms. Gund, Ms. Hedin, Ms. Nathanson, Ms. Rooke-Ley, and Mr. Viegas voting no.

7. Next Meeting

Mr. Clague reported that the Sheriff's Office had received a grant to provide assistance in efforts to improve the interface of the Jail with other agencies in the County. He said risk assessment procedures were being considered as part of a program to enhance work previously done by the Office of the Custody Referee, Parole and Probation, and others – evaluating pre-trial jail releases and post-conviction program placements. He said a committee made up of representatives of the Sheriff's Office, Parole and Probation, and State Courts had been formed to work on the task.

Mr. Clague said the grant would be partially used to enable technical assistance from a nationally recognized authority in the use of risk assessment. He said he hoped there would be an opportunity to present the work of the committee and of the consultant to the PSCC.

Ms. Pierce said it would be unfortunate to miss an opportunity to learn of the development listen to the authority. She said there might be additional matters that could be placed on a PSCC special meeting agenda.

Ms. Pierce determined there was consensus to schedule the next PSCC meeting at 3:00 p.m. on April 24 at a location to be determined.

Ms. Pierce said the need for the regularly scheduled PSCC meeting on May 8 could become questionable and proposed that it be identified as tentative. She said whether it would be held would be confirmed to all members as soon as possible.

The meeting adjourned at 4:50 p.m.

(Recorded by Dan Lindstrom)

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