

MINUTES

Public Safety Coordinating Council

John Serbu Youth Campus -- Juvenile Justice Center Training Room
2727 Centennial Boulevard, Eugene

September 12, 2002 – 3:00 P.M.

PRESENT: Anna Morrison, Chair; Faye Fagel, Mike Grover, Jan Gund, Doug Harclerod, Lyle Hatfield, Tricia Hedin, Denis Hijmans, Gino Grimaldi (for Mike Kelly), Jamon Kent, Ken Larson, Kip Leonard, Ted Lewis, Carolyn McDermott (for Thad Buchanan), Nancy Nathanson, Grant Nelson, John Radich, Ilisa Rooke-Ley, Jerry Smith, Lisa Smith, Ken Tollenaar, Jim Torrey, Ken Viegas, Warren Weathers, members; Jim Carlson, Chief Executive Officer; Myra Wall Downing, staff.

ABSENT: Russell Burger, Jan Clements, Bobby Green, Alicia Hays, Sid Leiken, Gretchen Pierce, Rob Rockstroh, Jan Wellman, members; Bill Van Vactor, Chief Executive Officers.

GUESTS: Tony Bieda, Bob De La Vergne, Dave Factor, Galen Howard, Sue LaMarche, Susan Sowards.

1. Call to Order/Introductions

Ms. Morrison called the meeting of the Public Safety Coordinating Council (PSCC) to order at 3:10 p.m. She invited those who were present to introduce themselves.

2. Approval of Minutes

Ms. Gund moved, seconded by Mr. Kent to accept the minutes of the July 11, 2002, meeting. The motion was adopted unanimously, 24:0.

3. Comments from the Audience

None.

4. Legislative Agenda

Mr. Torrey reported that the Policy Committee had reviewed the proposed legislative agenda and recommended that focus be placed on three of eight proposed issues. He referred to copies of a memorandum dated September 12 regarding the recommendations distributed at the beginning of

the meeting. He invited members to discuss issues recommended for including in the 2003 PSCC Legislative Agenda.

Issue #2: The ability to quickly and accurately establish the identity of individuals in custody would be enhanced if Parole and Probation officers could be authorized to collect and convey biometric information.

Mr. Nelson explained that the recommended issue would seek to include Parole and Probation Officers among those identified in existing statutes as authorized to collect and convey information. He said it would also be important to have the authority identified in conditions of probation/parole. He said the information collected was important because it enabled the use of new crime solving techniques.

Mr. Tollenaar asked if the information collected was authorized for a person not convicted of a felony. Mr. Nelson replied that it was also permitted for certain misdemeanor sex offenders.

Mr. Tollenaar said he was concerned that the use of DNA evidence was debatably close to constitutionally prohibited self-incrimination.

Mr. Factor stated that the basis for obtaining DNA samples was conviction of a crime, not being under suspicion.

Ms. Rooke-Ley said she believed police were “smart enough” to not abuse the use of DNA evidence in making arrests.

Mr. Nelson said Parole and Probation Officers were already authorized to take biometric information for persons they supervised, but that the issue was to have taking it included in conditions of probation/parole.

Ms. Hedin said the recommended issue appeared to seek additional responsibilities for already overburdened Parole and Probation Officers.

Ms. Gund asked if there were any “downsides” to the proposed issue. Mr. Harclerod replied that increasing the number of those able to gather biometric information would increase the need for fingerprinting equipment and increase the workload of the already overburdened Oregon State Police Laboratory for DNA analysis.

Mr. Bieda stated that he would research the language of chapter 137 of the Oregon Revised Statutes regarding specific legislative action needed by the proposed issue.

Issue #4: State statute mandates configuration of emergency dispatch and response systems without regard to considerations of geography, settlement patterns, response capabilities, or local logistics.

Mr. Bieda said the Policy Committee had recommended dividing Issue #4 into two items -- removing the requirement for a single Public Safety Answering Point (PSAP), and retaining the designation of 9-1-1 revenue for its stated purpose.

Mr. Kent suggested that since other PSCCs were likely to also be interested in the issues, it was an opportunity for collaboration to increase the effectiveness of the efforts.

Mr. Howard stated that the issues were of major concern statewide. He said the Oregon 9-1-1 Managers Group was developing educational material regarding it and that it could be provided to PSCC members. He also said the first of the two issues in Lane County was a level of services concern, not territorialism.

Mr. Torrey pointed out that the initiator and champion of the legislation adopted in the 2001 Legislative Session requiring consolidation of PSAPs would not be a member of the Legislature in 2003 and therefore repealing it would be easier. Mr. Howard replied that it was true, but that it was important that no chances be taken to allow it to continue in the form it currently existed.

Mr. Bieda said he believed there were two fronts on which the concerns could be addressed legislatively – (1) the first appears to fall into the category of home-rule/local-control issues about which a significant portion of legislators have a concern, and (2) the second contains a misunderstanding that the revenue generation had outlived its usefulness.

Ms. Morrison suggested that success in the issues could be enhanced by cooperation with the legislative activities of the Association of Oregon Counties.

Mr. Hijmans said he believed there was an advantage to the fact that no General Fund revenue was involved in the issues. He said the issues were an ideal example of the monitoring and advising responsibilities of PSCCs identified in their creation.

Ms. Nathanson said she supported the recommendation of the Policy Committee to separate the issues of consolidation of PSAPs and preserving designated funding. She suggested that reduction of commitments by utilities to support the 9-1-1 system could be a valuable argument for continuing designation of the funding.

Mr. Bieda said it was possible that support for each element of the separated issues would have different contingencies.

Mr. Hatfield said he believed it was important to separate the issues to avoid having the funding concern involve the consolidation concern in other telecommunication issues.

Issue #6: Court Custody Referees play an important role in protecting public safety during the pre-trial release process, but funding is an on-going issue.

Ms. Rook-Lay said she was concerned that funding for Court Custody Referees was not currently at an adequate level.

Mr. Factor said the goal of the Custody Referee program was to have all persons arrested receive a pre-trial evaluation by trained persons.

Mr. Bieda said the cost of adequate funding for the program was unknown.

Mr. Radich said seeking increases in allocations for State General Fund supported programs would likely be unproductive.

Mr. Hatfield said he believed including the issue on the PSCC Legislative Agenda should be determined by its priority, not whether it was possible.

Mr. Leonard said increasing support for the Custody Referee program would have a positive effect on the remainder of the justice system – matrix releases would be reduced, court expenses reduced, approval for referral to the Public Defender accomplished, and there would be a lower Failure to Appear rate for court appearances.

Mr. Viegas said he believed the work of the Custody Referee program was the most critical in the criminal justice system. He said it reduced pressure on incarceration capacity, increased the value of prevention and treatment programs by better analysis of individual situations, and increased safety in the community. He said he agreed that lack of funding should not prevent advocacy for a higher level of support for the program that research showed was effective.

Mr. Torrey asked why local funding was not made available for the work of the Custody Referee. Mr. Harclerod replied that the program was a function of the State Courts System and should be funded there. He said that Lane County had provided Community Correction funding for the program in the past.

Ms. Rooke-Ley said high turnover in Custody Referee officers suggested that better pay for those during the important work was needed.

Ms. Nathanson said she believed it was premature to discuss higher salaries for Custody Referee officers until it was determined there were not other reasons for the high turnover of those in the position. She said she also believed it was important to emphasize the element of community safety in raising the concern. She asked if there was any relationship of the program to treatment and prevention.

Ms. Rooke-Ley said the work of Custody Referee officers was related to treatment in that those having release agreements through the program were more likely to have it be assigned in court appearances.

Mr. Hijmans asked if there were differences between persons released through the jail matrix and through the Custody Referee. Mr. Leonard replied that it was not possible to determine that those in one group were a greater threat to society than those in the other.

Mr. Torrey moved, seconded by Ms. Gund, that the four issues recommended by the Policy Committee, including the separation of Issue #4 into two, be considered the PSCC Legislative Agenda for 2003.

Mr. Bieda referred to the September 12 memorandum and reviewed information it contained regarding issues not recommended to be included in the Legislative Agenda.

Issue #1: Many individuals who are incarcerated locally have significant medical and mental health issues that require treatment during and immediately after their incarceration ends.

Mr. Bieda said an administrative solution to the issue was being developed.

Ms. Fagel said she agreed that a legislative approach to the issue would not likely be most effective. She said mental health issues were very significant for incarcerated juveniles and adults and that lack of available resources was the only factor limiting increased treatment.

Mr. Bieda said it appeared to be best to wait to see how anticipated budget reductions affected the services before establishing the issue as a legislative priority.

Ms. Morrison said mental health would be the focus of the October PSCC meeting.

Issue #3: Regional Training Facility could provide better access to professional development opportunities by police personnel, including new recruits, in the Willamette Valley and southern Oregon.

Mr. Bieda explained how the Policy Committee had determined that legislative effort on the issue would likely be unproductive.

Mr. Torrey said that it would be important to know who the new governor and members of the legislature were before attempts were made to deal with the issue.

Mr. Tollenaar said he believed it would be important to utilize community college resources appropriate for concerns of the issue.

Issue #5: Under-utilized youth detention facilities in Lane County are not available to house youth in other circumstances even though the health and welfare of those individuals would be best served by having short-term access to supervised residential settings.

Ms. Smith said there was strong interest in using up to one-half of the available Juvenile Justice Center housing units for a purpose other than detention. She said doing so was complicated by federal and state restrictions but she was having some success in these negotiations.

Ms. Rooke-Ley asked how a decision about alternative use of the available space would be made. Ms. Morrison replied that the PSCC would be asked to make a recommendation regarding such use to the Board of County Commissioners.

Mr. Torrey asked to be invited to join meetings held with State officials regarding the issue.

Issue #7: Expanding the allowable uses of system development charges would enable another source of capital for public safety construction projects.

Mr. Bieda explained that the Policy Committee had determined to postpone recommending including the issue in the Legislative Agenda until positions on it were taken by the Eugene Police Commission and City Council.

Mr. Hijmans requested that language describing PSCC involvement in the issue be changed, as follows:

The PSCC would play a ~~supportive~~ **cooperative** role for this item with the Police Commission being in the lead role.

Issue #8: Funding is at risk for the Community Emergency Notification System.

Mr. Bieda explained that the Policy Committee had recommended that Federal Homeland Security resources were most appropriate for the need.

Mr. Torrey said he believed it was most important to be proactive regarding access of Homeland Security for the Community Emergency Notification System.

Ms. Hedin moved, seconded by Mr. Tollenaar, to amend the motion to replace Issue #2 with Issue #1 on the PSCC Legislative Agenda for 2003.

Mr. Nelson said the Oregon Community Corrections Officers Association was including Issue #2 in its Legislative Agenda for 2003.

Mr. Hijmans said work was in process to resolve issues related to Issue #1 and that he believed it was premature to add it to the PSCC Legislative Agenda.

Mr. Bieda said the Policy Committee had agreed it was premature to remove Issue #1 from the PSCC Legislative Agenda.

Ms. Rooke-Ley said she believed the PSCC Legislative Agenda should be limited to two or three issues and that judges should be approached individually to add taking biometric samples by Parole and Probation Officers to probation/parole release orders.

Ms. Nathanson asked what resources were involved in Issues #1 and #6. Mr. Bieda replied that resources used were from the State General Fund through the Oregon Department of Corrections. He said more than half of what had been promised in the 2002-03 Budget had been eliminated in cuts made by Special Legislative Sessions.

Mr. Torrey moved, seconded by Mr. Hatfield, to amend the amendment by eliminating removal of Issue #2 and adding that it would be supported with other organizations taking the lead.

Mr. Hatfield said he believed the support of Issue #2 by the PSCC should be limited to providing a letter of support regarding the issue. He said he believed it would be important to prioritize the funding needs in the issues and to collaborate in their support with other counties. He said Issue #4 would likely take a major effort.

Mr. Tollenaar said he supported the proposed amendment of the amendment because Issue #1 was a Federal concern of how to best use Medicaid resources.

Ms. Hedin said she objected to including Issue #2 in the Legislative Agenda because she did not believe Parole and Probation Officers should be given authority to collect the information, or that having it done should be included as a condition of probation/parole.

The motion to amend the amendment was adopted, 21:3, with Ms. Hedin, Mr. Lewis and Ms. Rooke-Ley voting opposed.

The amended motion to amend the motion was adopted, 21:3, with Ms. Hedin, Mr. Lewis and Ms. Rooke-Ley voting opposed.

The motion setting the PSCC Legislative Agenda for 2003, as amended, was adopted 22:2, with Ms. Hedin, Ms. Rooke-Ley, and Mr. Lewis voting opposed.

5. Special Legislative Session Report

Mr. Bieda reported on the latest machinations in the fifth Special Session of the State Legislature called to resolve issues created by recent budget shortfall. He described how no final resolution of the issues involved was currently likely.

6. Changes in Membership

Ms. Morrison reported that Bob De La Vergne, Superintendent of the Triangle Lake School District, is being recommended to the Board of County Commissioners to replace Wayne Laut on the PSCC, representing rural school districts.

Mr. Hijmans moved, seconded by Mr. Torrey, that it be recommended to the Board of County Commissioners that Jamon Kent be appointed to the PSCC to a position to be determined. The motion was adopted unanimously, 24:0.

7. Other

Mr. Nelson requested that copies of a document entitled “The Effectiveness of Community-Based Sanctions in Reducing Recidivism” dated September 3, 2002, be provided to PSCC members.

Ms. Wall Downing announced that there would be a special meeting on October 23, featuring Ed Latessa regarding basic concepts for best practices in Community Corrections. She invited members to plan to attend.

8. Next Meeting

Ms. Morrison announced that the next meeting of the PSCC was scheduled for October 10

The meeting adjourned at 4:40 p.m.

Recorded by Dan Lindstrom

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