

# PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

TUESDAY,  
February 25, 2020

11:30

JUSTICE BUILDING -  
JURY ASSEMBLY ROOM

MEETING CALLED BY	Eric Guyer
ATTENDEES	Joshua Aldrich, Lee Ayers, Dave Carter, Travis Christian, Scott Clausen, Marie Curren, Rick Dyer, Doug Engle, Danny Jordan, Tyler Lee, Jennifer Lind, Judge Mejia, Robert Mountain, Mark Orndoff, Tina Qualls, Nate Sickler, John Stromberg, Rita Sullivan
	Visitors: Beth Heckert, Bill Maentz, Jazmin Ramirez, A. John Watson

- Eric Guyer opened the meeting at 11:30
- Opening Remarks: Eric Guyer welcomed everyone to the February PSCC meeting.

## Agenda Topics

### MINUTE ADOPTION –JANUARY

ERIC GUYER, CHAIR

DISCUSSION	
No suggested revisions were identified for the January minutes, Danny Jordan provided a motion to adopt, seconded by Rick Dyer. A vote was requested, all were in favor, and none were opposed. The January minutes were officially adopted with one revision.	

### LEGISLATIVE UPDATE 2019

DISCUSSION	
<p><b><i>Beth Heckert -- Jackson County's District Attorney</i></b></p> <p><u>SB 1013 Aggravated Murder</u> Aggravated Murder is only in 4 circumstances:</p> <ul style="list-style-type: none"> <li>• <u>Premeditated</u> intentional murder of two or more persons under terroristic circumstances</li> <li>• Murder while confined as an inmate IF defendant was already convicted of <u>Aggravated Murder</u></li> <li>• <u>Premeditated</u> intentional murder of a child under 14</li> <li>• <u>Premeditated</u> intentional murder of a police, correctional, P&amp;P officer</li> <li>• Effective 9/29/19</li> </ul> <p>Issues:</p> <ul style="list-style-type: none"> <li>• Premeditation is not defined in the Oregon code; the word had not been used since 1970's</li> <li>• Very limited on when it will apply</li> <li>• There will be years of appeals to have the term defined</li> <li>• Sentence: Death, life without parole or life with possibility of parole (after 30)</li> <li>• Applied to all pending cases</li> </ul> <p><u>Murder in the First Degree</u> Murder for hire, solicitation of murder, previous murder conviction, more than one victim in same episode, torture, intentional killing of minor (under 14), police, judge/juror/witness, murder while an inmate, murder by explosive, murder to conceal a crime, murder after escape</p> <ul style="list-style-type: none"> <li>• Sentence: If 15+ Life with 30</li> <li>• Sentence: If 18+ Life without parole if Judge states the <i>reasons on the record</i></li> <li>• For someone over 18, the legislative simply said, "The court may sentence the person to life imprisonment without the possibility of parole if the person was at least 18 years of age at the time of committing the murder. <i>The court shall state on the record the reasons for imposing the sentence.</i>"</li> <li>• This sentence will be reviewed by the appeal's court to determine what are appropriate reasons.</li> </ul> <p>Danny Jordan asked if on 15 and above with 30 years, would they be eligible for second look. Beth confirmed and said they get a parole hearing in 15 years.</p> <p><u>Murder in the Second Degree</u></p> <ul style="list-style-type: none"> <li>• Intentional murder</li> <li>• Felony murder</li> <li>• Sentence: If 15+ Life with 25 year minimum</li> </ul>	

Beth added that this was a big change in legislation, they are working through it and figuring out how it will apply to future cases.

#### Additional Mandatory Reporters for Child Abuse

- HB 2227 added animal control officers to the list of mandatory reporters
- SB 415 added school district board members and public charter school governing body members to the list of mandatory reporters
- Failure to report will result in a violation—similar to a traffic ticket
- Effective 1/1/2020

#### HB 2013 Unlawful possession of Firearm

- Made having ammunition illegal if the person is a felon, has a restraining order, convicted of certain crimes
- Create a complex system for the defendant to dispossess themselves of a firearm or ammunition within 24 hours of the court order

The way a person can dispossess themselves is turn firearms/ammunition in to law enforcement for safekeeping until court order no longer applies. There may be people who own a variety or a large number of guns, and Beth is not sure if this may pose an issue. She asked Sheriff Nate Sickler if he has seen very many people do this.

Sheriff Sickler replied that he has not, they encourage people to find a family member to turn their firearms/ammunition to. Police department does not want to be a de facto gun storage. It could be a liability if items are not in the same condition as when a person first brought it in. Sheriff concluded that they do not encourage clients to bring items in, but they do not turn them away if that is their only option.

Beth continued, firearm or ammunition can also be given to a 3<sup>rd</sup> party, someone who person does not reside with. That person must sign a declaration and pass a background check to ensure there are no disqualifiers. Gun dealer can also store firearms/ammunition although there may be charges.

District Attorney may file a contempt of charge against the person by failing to abide by the court order to dispossess themselves. If a person does not own any firearms, they must fill out a form to state they don't have a firearm. This form can be turned into the court and will satisfy this statutory requirement. Form must also be filled out to provide the court with information as to how they dispossessed of their firearm, with documentation attached.

There is also a box that says "I invoke my rights and will not answer these questions". If a person checks this box on the form this will satisfy the statutory requirement, but if the person is later found to be in possession of firearm or ammunition they are charged with unlawful possession of firearm.

#### SB 420 and SB 975 Marijuana set aside

Effective 1/1/20

##### SB 420

- 2 Person with qualifying marijuana convictions can file motion to set aside without paying a fee, having fingerprints taken or a background check. Only basis to object is that the conviction is not a qualifying marijuana conviction

##### SB 975

- Persons can file motion requesting a reduction of conviction on Marijuana cases
- You do have to have completed and fully complied with sentence of the court

Danny Jordan asked if something such as commercial quantity is considered a qualifying conviction.

Beth replied that commercial quantity is not a qualifying conviction. If it was a B felony, today it would be a C or an A misdemeanor. A person can change their felony to those, then go through the process of setting it aside during a normal core. It can be a two-step thing, or it can be set it aside if it's been long enough.

Danny asked if delivery within 1,000 feet of a school is a qualifying conviction.

Beth answered that would not be set aside as it is considered an A felony.

#### HB 3261 Juvenile interrogation

- Amends ORS 133.400 regarding interrogation of juveniles
- Must be recorded with person under 18 years of age inside LEA facility by an officer, school resource officer or special campus security officer
- Must record outside of LEA if officer is wearing a video camera.
- Exceptions: spontaneous statements or statements made in response to routine questions (processing), equipment failure
- If you don't comply, then jury instruction on the superior reliability of electronic recordings.
- Effective 1/1/20

#### SB 1002 Negotiation limitation

- Prohibits the prosecuting attorney from negotiating eligibility for transitional leave, eligibility for reduction in sentence (programs).
- Court can still take away those but cannot negotiate that.

John Stromberg asked if Beth meant in prison, or if it also applied in jail.

Beth answered that these are all prison reduction programs so it all applies to people in prison.

Danny Jordan added that these laws apply to prison, but there are time credits for people serving in jail.

#### SB 1008 Juvenile Law Measure 11

- No more automatic waiver to adult court for Measure 11 cases committed by 15, 16 and 17-year old's.
- If we want to waive, we will have to do a remand hearing
- If waived and sentenced, eligible for parole after 15 years (applies to all crimes, no mandatory minimum, no consecutive sentences or multiple victims)
- On all cases, youth is entitled to a second look hearing after serving half the sentence or turning 24.6 years old and still in OYA custody
- If the youth committed the crime before turning 18 but not yet 20 when convicted, youth will serve sentence at OYA until 25
- Effective 9/29/19 – Applied to all pending cases

#### SB 24 Mental Health

- Limits the circumstances when a court may commit a defendant to the Oregon State hospital. Requires Court to find defendant needs a hospital level of care due to defendant's dangerousness, in addition to danger to self or to others and no local resources are available.
- If defendant is charged with a misdemeanor, cannot send to the State hospital unless a certified evaluator or community mental health director recommends.
- If the Court does not make the findings and release is not appropriate, defendant can be held in jail. Court must hold a review hearing every 7 days.
- Effective 7/15/19

#### HB 3224 Posting policies

- Each DA must develop and formally adopt written policies regarding specific areas of prosecution and post online by 12/1/20
- Must review and revise every 5 years
- Topics include: discovery, Brady, ethics training, data retention, confidentiality, certified law students, charging decisions on specific types of crimes, Death Penalty decisions, plea offers, civil compromise, diversion programs and eligibility, recommendations on fines and fees, sentencing, affidaviting Judges, victim engagement and pretrial release
- Effective 1/1/20

Travis Christian asked for clarification as to why legislature would be unhappy with the DA.

Beth explained that it is for a variety of reasons; there are some personality conflicts among district attorneys around the state who have been critical of the legislature so the legislature would like to be critical of district attorneys. District attorneys' methods of vocalizing issues has conflicted with legislature.

John Stromberg added that he is impressed with the collaboration that he sees, and doesn't believe the community "gets it". He has worked with Pam Marsh for years and she is one of the seven women in the house. He says Pam can be a really good advocate. Beth replied that she has worked with her, and currently has a good rapport with legislature which has led to a good open door for discussion.

Doug Engle asked who is in charge of compliance, and if the DA was an independent entity.

Beth answered that there is not a penalty written into the statute.

Danny Jordan added that there is a potential civil case and the county has no legal authority to regulate it.

Beth added that this could be an issue in the next election.

Doug commented that generic seems like the only way to write that policy.

Beth added that there is usually an "out" of some sort when policies are written.

Danny made a comment about using the word "discretion". Sherriff Sickler said it could be something short, for example 'prosecutors' discretion.' Beth stated that they have been in 100+ hours of trying to get policies gathered in one place, before this even became an issue.

Judge Mejia asked if there have been court of appeals cases on the DA not following their negotiation policies.

Beth answered that there have been a couple. When joining thefts together, they had to add an aggregation policy.

#### SB 576 Kaylie's Law

In honor of Kaylie Sawyer who was murdered by a community college security officer

- They do not have stop and frisk authority\
- Nationwide criminal record check for private security professionals or special campus security guards
- Psych testing to determine fitness
- Vehicles have to have GPS, MAV, Uniform has to be clear not LEA, cannot have cages in vehicle, cannot have red and blue light bars, promptly notify law enforcement if an arrest is made, no retention of evidence
- Effective 5/24/19

Danny Jordan commented that during his time running Parole and Probation, a Parole/Probation officer could be armed but they were required to take a psych test, but there was no law that required police to go through psych testing.

Sheriff Sickler added that police are now required by law to psych test.

Danny commented, that it is amazing how they independently apply this rule of psych testing.

#### HB 2328 UUMV Statutory Fix

- Amends ORS 164.135
- Added a person knowingly takes, operates, exercises control over or otherwise uses another's vehicle, boat or aircraft....
- A person is aware of and consciously disregards a substantial and unjustifiable risk that the owner of the vehicle, does not consent to the taking.... And the owner did not consent to the taking.
- This should fix, "A guy I don't know gave me the keys and said I could have the truck."
- Effective 1/1/20

Judge Mejia asked Beth whether it was a problem that the wording says "knowingly" when it actually means "recklessly".

Beth replied that it could be a problem and there are always more things that can be adjusted, a lot of it is compromise.

#### HB 2393 Amends intimate image statute

- Amends ORS 163.472— unlawful dissemination of an intimate image to remove the requirement that the identifiable image be disclosed through an Internet website.
- Now applies to an image disclosed in any manner.
- Defines "Identifiable" to mean that a reasonable person would be able to recognize the individual depicted in the image as the other person.
- Eliminates Harassment by distributing a sexually explicit visual recording to someone under 18 as redundant
- Effective 1/1/20

#### SB 577 Intimidation Now Bias Crime

- Intimidation will now be known as Bias Crime.
- Bias crime in the First Degree and Second Degree
- 2<sup>nd</sup> degree: tampers or interferes with property, intentionally subjects another person to offensive physical contact, makes a threat due to the persons perception of the other persons race, color, religion, gender identity, sexual orientation, disability or national origin. A misdemeanor
- 1<sup>st</sup> degree: Intentionally, knowingly or recklessly causes physical injury, with criminal negligence causes physical injury by means of a deadly weapon, intentionally places another person in fear of imminent serious physical injury, due to the persons perception of the other persons race, color, religion, gender..... C Felony
- Includes a requirement to collect data from DA's
- 3 pilot counties begin collection of data on 7/1/20
- All other counties collect data 7/1/22
- Effective July 15, 2019

#### SB 596 Prostitution

- If a person reports commission of a person felony to 911 or LEA, evidence of prostitution obtained as a result of making report may not be used against the person in prosecution for prostitution or attempted prostitution
- Effective 1/1/20

Travis Christian asked who drives some of these house bills

Beth explained that when a problem is identified a constituent can go to their legislature, or a prosecutor can go to their legislature.

#### Unanimous Juries

- Legislature did not refer this out to the voters
- Cannot be changed by Legislature since it is a Constitutional Amendment
- Louisiana case pending before US Supreme Court (Ramos v. Louisiana)
- Depending on how the Court rules, could have a huge impact on convictions
- Unless the Court rules Oregon non-unanimous unconstitutional it still won't change our non-unanimous practice

Beth added that there are 15 cases in Jackson County where someone has preserved that appeal issue. The way whether the DA knows if someone is a unanimous verdict or not is they have to poll the jury. Ever since it came up on their radar that is what has been done, if they did not poll the jury they may not know if it was a unanimous verdict or not a unanimous verdict.

Danny Jordan asked if every other state has unanimous jury for all felonies.

Beth confirmed that every other state has unanimous and Louisiana and Oregon were the only others who had non-unanimous.

Danny replied that if they rule broadly that any felony requires a unanimous jury, then that could entail thousands of cases.

Beth replied yes, attorney general will file that. There was an old case where the supreme court looked at Oregon's non-unanimous cases and said it was okay. Courts change a lot throughout the years and it is unknown how they will decide.

Dave Carter wanted to know if there was a voter legislative change to go unanimous, could that remove grandfathering and nullify the possibility for all of these appeals.

Beth said not if the supreme court will say it is unconstitutional because they can't legislate something that is going to be unconstitutional.

Dave Carter wondered if it would be possible if the legislation were to be passed before the supreme court ruling.

Beth stated no, because that is the position Louisiana is in, Louisiana fixed it but they still have old cases that are appealing it, so no it would not work. Another issue that will be addressed next year in 2021 in the long session, is if the supreme court says, "only applies to unanimous for murder" this doesn't affect Oregon at all and Oregon will continue to use a non-unanimous jury system because there is no referendum out to voters to change that constitution. That was the bill that was before legislature in 2019 that they killed in the end because they think the Louisiana case will answer it for everyone, but if it doesn't Oregon is still in the same boat and someone needs to do a referendum to get it out to the voters to change that, if that's what Oregon wants to have happen so that we are then in compliance with the rest of the United States. It would be from then forward and it would not affect old cases if amendments were made to Oregon's constitution.

## MODERN AND LARGER CORRECTIONAL FACILITY NEED ASSESSMENT - JACKSON COUNTY

### DISCUSSION

#### *Sheriff Nathan Sickler -- Jackson County Sheriff's Office*

##### History of Correctional Facility

- Jail Opened in 1981
  - Population was about 135k and 156 beds
  - Building was designed to have additions with a maximum capacity of 283
- Sued for Overcrowding in 1985
  - Agreed to limit capacity
- Double Bunked Facility
  - Capacity increase to 190
- National Institute of Corrections Facility Assessment 1999
  - The County Should plan for a new facility
- National Institute of Corrections Criminal Justice System Assessment 2006
  - Staff Intensive Design and NOT cost efficient
  - Should plan to construct a new jail
- Grand Jury Report 2008
  - Increase staffing
- Grand Jury Report 2009
  - Jail is too small and new construction consideration is without question
- Grand Jury Report 2010
  - Jail is Understaffed and too small, but economy will not allow a new building
- Grand Jury Report 2011
  - Jail is understaffed
  - Add medical/Infirmary to the jail
- Grand Jury Report 2012
  - Jail is Understaffed
  - More Mental Health
- Grand Jury Report 2013
  - Expand Staffing
  - Seek additional revenue
  - More Mental Health
  - Structural and Infrastructural analysis of the existing jail
- The Basement of the jail was renovated and opened in April of 2014
- Grand Jury Report 2014
  - More Mental Health
  - Linear Design is outdated and costly to operate
- The Basement of the Jail was closed due to lack of staffing Nov of 2015
- Grand Jury Report 2015

- Re-Open the Basement
- Transition/Discharge Planner
- Grand Jury Report 2016
  - Bigger, better designed facility is needed to serve the county
- Basement of the Jail was re-opened in April of 2017
- National Institute of Corrections Criminal Justice System Assessment 2017
  - No longer provide a recommendation a new jail is needed (policy driven)
  - All Criminal Justice Professionals indicated lack of bed space has a negative impact, nearly all stating a bigger jail was needed.
  - Jail is not meeting the needs of the community – NIC
- Chronic FTA program introduced in March of 2018
  - 10 beds dedicated
    - Holding on to Chronic FTA has significantly reduced FTA
    - DLR consultants said the fact you have an FTA program is evident the CJS is broken
- Bumped evening Capacity to 315 and stopped releasing at night in October of 2018
- The county purchased 49 Acres of land as the site of new Jail in October of 2018
- DLR completed a Needs and Conceptual Design Analysis in March of 2019
  - 750 Bed facility needed
  - Many issues with current building
  - PSCC, Criminal Justice and Social Service provided input
- In early 2019 eleven municipalities were asked to adopt a resolution to allow voters to decide if a service district should be created to fund the construction and operation of a new correctional facility
  - 9 of 11 city councils adopted the resolution
- A community group was created to discuss issues and provide education regarding the need of a new facility
- Late 2019 all municipalities were again asked to adopt resolutions to allow voters to decide if a service district will be created
  - 10 of 11 cities adopted two resolutions to move the matter to the Board of Commissioners

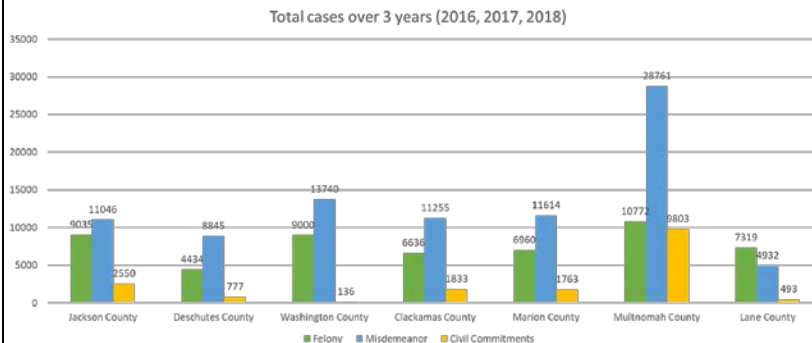
Community Meetings – Correctional Facility Priorities

- Keeping the Community Safe
  - Forced Releases contribute to criminal justice system strain and increased crime rates in Jackson County
- Keeping the Offender Safe
  - Offenders released without planning or resources continue committing additional crimes, reducing chances for positive outcomes
- Offer the Opportunity for Justice
  - The criminal justice system in Jackson County is compensating for lack of bed space
- Rehabilitation for the Offender
  - Doesn't happen due to time and space constraints

Proposed Facility Size

- Best practice is to operate a facility 15% to 20% under maximum capacity
  - Classification
  - Supervision
  - Safety
- Current Facility – 346 Beds (276 = 80%)
  - 300 Day time
  - 315 Night time
    - Workload due to crowding substantially increased and most likely difficult to sustain over time
- New Facility – 796 Beds
  - 650 Operating Capacity

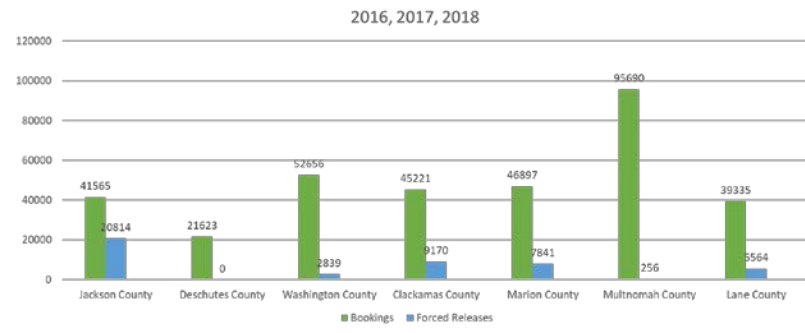
Criminal Cases, Civil Commitments filed by County



Sheriff Sickler stated that Jackson County had more felony cases filed through the courts and through the DA's office, than any other county except Multnomah County. Misdemeanors are disproportionate for Jackson County population size, Jackson County has more than Lane County. Judge Mejia added Lane has the Springfield jail.

Sheriff Sickler said that municipal court uses 30 jail beds in Springfield because they don't have room in the jail.

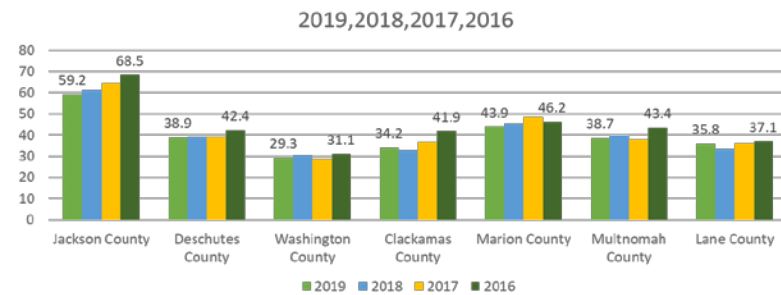
Bookings and Forced Releases



Danny Jordan added that Jackson County's number of forced releases is deceptive because it would be higher if they didn't also release people to alternative custodies to serve their sentences. Jackson County has a Transition Center, while Marion County does not, so instead of force releasing someone Jackson County releases them to alternate custody which doesn't get counted as a force release. The truth is these people should be in jail in most cases. The last time Danny checked, one day is the average length of stay in jail. Those force release numbers are actually really low even though they're 50 of Jackson County's total bookings, because people don't stay in jail and they are being moved out to all these alternate custodies. It is good that they have all of those things but Jackson County is being compared to counties that don't have them and is still doing worse than them.

Sheriff Sickler talked about a situation that occurred where someone came in on a probation violation and was going to serve 14 total days, and who was also a grand jury witness in a significant shooting case. He was out in 3 days, luckily the client was compliant with the deputies. These are the type of challenges that they deal with on a daily basis.

Bookings Per 1000 Residents



Over last 4 years Jackson County has dropped almost 9 per thousand, and has had the most improvement from all the counties but it still very high compared to all the counties in booking per 1000, it is a very busy county.

Jennifer Lind asked Sheriff Sickler if he could talk about the "busyness" that he mentioned. She wanted to know what is leading to increased activity in criminal justice not just on the crime side.

Sheriff Sickler replied that there are several contributors including but not limited to the geographical location, socioeconomic issues, marijuana, I5, surrounded by counties that have significantly less infrastructure than Jackson County, making Jackson County a hub of Southern Oregon. There is a high amount of crime in a less populated area and officers have rapport with the population so people don't have the anonymity to get away with crimes.

Beth built on that, and commented that the police department is well-staffed and all of the cities within Jackson County have good-sized police departments which may not be true all over the state. Some jurisdictions have some crimes that they don't prosecute. For example, she has spoken to other counties that don't hear about marijuana cases, they don't file those cases and don't do anything about them. Jackson County has had much crime driven by marijuana and they file those cases. There is also a Marijuana team, through the Sheriff's department, so it is a lot of these factors that explains why Jackson County has these numbers.

Sheriff Sickler said these are good things because they want to improve livability for everyone else, ignoring things is not a good practice for Jackson County.

Travis Christian commented that looking back through the history of the Jail, it was undersized and understaffed. He wanted to know how this is being addressed if jail size is increased.

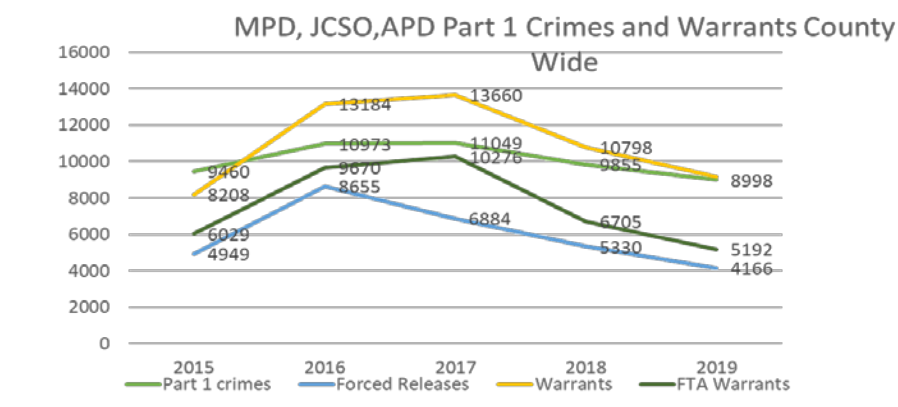
Sheriff Sickler replied that this plan has addressed staffing and the increased workload along with the amenity issues, mental health, and more.

Josh Aldrich added that the modern jail model is highly efficient. In one half of the jail model, it houses the same amount of people that are in the entire building and it takes about a quarter of the staff to supervise it.

Travis wanted to know if the jail is mandated by an organization that says there must be a certain number of officers per inmates.

Sheriff Sickler was not aware of a set standard but maintaining safety and security in the facility is the goal, if they don't they could be subject to civil liability. Josh added that it is task-driven.

#### Forced Releases, Warrants, and Crime



Danny Jordan said everything has gone down since the 60 beds have been opened up and had more space.

Sheriff Sickler agreed, they've done a few other things but the bed space and efficient use of that bed space has helped drag down some of these numbers. Looking at FTA's in 2017, 10,276 people showed up for court. This year that number is 5,100. In two years, that number has dropped by 5000.

Danny added this happened by just focusing 10 beds.

Sheriff Sickler said if they had 300 more beds there wouldn't be FTA's to this degree. He imagines the Judges would only give somebody so many opportunities to not show up to court before they helped them. Judge Mejia agreed, the chronic FTA program helps them identify those people.

Travis wanted to know what happens to the jail now, if the new jail proposal passes.

Sheriff Sickler commented it may be demolished, Danny added its likely to be raised as more space is needed for more courthouse facilities.

Judge Mejia added it's not going to be as big of a court as is needed, because they won't have access to the people within the jail. Sheriff Sickler replied there will be one court at the jail.

#### High Risk Offenders

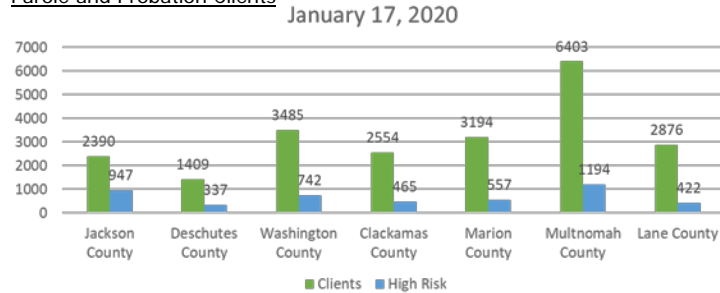
- Offenders on Supervision are classified as High, Medium, and Low Risk based on the likely hood they will re-offend. The method used to rate the individual considers many factors and is consistent across the state.
  - Jackson County has the highest percentage of High-Risk Offenders in the State with 39.6 percent
    - 23.9 Percent is State Average

Jennifer Lind asked if high risk means a high risk of harming others, or of re-offending.

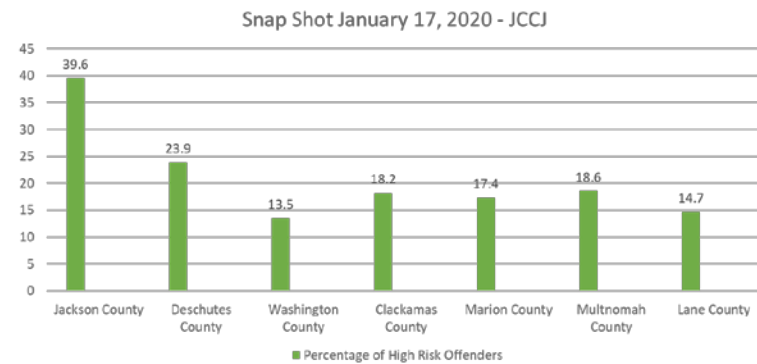
Sheriff Sickler answered that high risk means that risk of re-offending, and deferred to Eric Guyer to confirm. Eric confirmed, it means likelihood to re-offend and doesn't have to do with crime type.



### Parole and Probation Clients



### Percentage of High-Risk Offenders



### Repeat Offenders over 12 months

- 6756 individuals accounted for the 13419 bookings
- 1423 or 21% were booked 6884 times
- 365 Individuals accounted for 22.5 % of all bookings
- About 45% of individuals who were CAP/Forced released Failed to appear and generated a warrant
  - The Chronic FTA program has substantially reduced FTA's (about ½)
  - Information provided by Jackson County Audit and spans from September 1, 2018 to August 31, 2019

### Mental Health (Oregon State Hospital)

- Jackson County admissions to the State Hospital for 2019 was on average was 4.6 per month
- 94.7 Percent of Jackson County admissions are for felony cases
  - For reference on Jan 27<sup>th</sup>, 2020 (snap shot)
    - Jackson County represents 5.29 percent of Oregon Population
    - Had 6.6 percent of beds occupied at the State Hospital
    - Marion County represents 8.21 percent of Oregon Population
    - Had 12.5 percent of beds occupied at the State Hospital

### Other factors to consider

#### *Building age*

- It's a 40-year-old building
- Plumbing Issues
- Electrical Issues
- Doors, Locks and Equipment wearing out
- Useful life of the equipment and building has been reached
- Heavy use building 24/7 365

#### *Building design*

- Expensive to operate
- Design is archaic
  - Punishment through architectural design
  - Elevators
  - Linear design
  - Extremely limited space for services
    - Spaces not appropriate
  - Inability to upgrade w/modern technology
- We should always consider the environment in which the employees work in

- Wellness Policies are mandated through State Statute
- Safety
- Same exposure to outdate design as those in custody
- 

*Increase in Cost of Construction*

- Construction Costs, at current inflation rates, go up approximately 5% per year
  - First proposal estimated at 166 million
  - 6 months later – 171 million
  - The building will absolutely need to be replaced someday – why wait?
  - 1.25

Lee Ayers asked if any type of calculation has been done to show how much the county would save if those crimes weren't committed because the jail had the capacity to hold them, and how it might offset the cost of this project.

Sheriff Sickler confirmed that a cost of crime study was done by a few SOU Students. Residents of Jackson County paid on average 160 dollars higher than the average Oregonian. Criminal Justice services cost of crime included livability issues, missed time at work, insurance claims etc. All of those factors go into cost of crime, and forced releases do impact those numbers.

Travis Christian asked about the homeless correlation to crime.

Sheriff Sickler stated there is an audit report being released that talks about this, but it is difficult to pin down due to the current records management in the jail and depends on the cooperation of the person being booked in.

Danny Jordan commented that 10 percent are transient. When looking at two different bookings 3 or 4 percent of the time a person was not transient from one booking to another, it is really not honest or dependable because it is self-reported

Sherriff Sickler also added that people may have different type of definitions on homelessness when they are booked in.

Issue for the voters

- Three prior Assessments by the National Institute of Corrections
- A Decade of Grand Jury recommendations
- Professional assessment based on experience
  - Judges
  - Sheriff, Sheriff's Deputies
  - Police Chief's, Police Officers
  - District Attorney, Prosecutors
  - Defense Attorney
  - Community Justice (Parole and Probation)
  - Social Services
    - Treatment
    - Mental Health

Danny Jordan explained that the grand jury meets over several weeks one day a week, Beth confirmed one day a week for nine weeks. This is whole group of citizens that represents citizens who, over many hours, learn about the facilities and programs.

Sheriff Sickler added, the grand jury talks to inmates, service providers, deputies, administrative staff and county staff. Not the same jurors every year. It's a very in-depth review by lay citizens with no involvement in the criminal justice system who are listening to the facts and say what needs should be met. He emphasized that this should be moved forward to the voters, to give them an option.

Jennifer Lind added the case for the jail is a very solid one but they will continue to hear that there are not enough resources for mental health, substance use or crisis intervention. The concept of how everyone is partnering and what they want to build will be a received message.

Sheriff Sickler replied that as a sheriff his focus is the criminal safety aspect as well as building bridges and creating relationships. With this plan they will be able to bring those services in from the outside, but that may take 3 to 4 years to line up completely.

Travis Christian commented that they should build more but put less in it.

Danny commented that everything the county does is public knowledge but CCO's have done a good job of people not knowing what they are spending. They say they're overspending what they're getting, but the public doesn't know what CCO's are getting. NAMI is sending a message that the county is spending all of this money on the jail but not spending money on mental health. The truth is the county is still spending money on mental health even if the jail proposal passes. This is 512 mil in new taxes, say 45 million a year which would be almost 900 million in 20 years, present value. Versus 500 million on this jail with the new taxes, but the CCO's and the State don't put that information out so the public doesn't know

what Jackson County is investing in mental health. The CCO's and the State need to publish what they are spending on mental health so that the public can see what they are really spending.

Jennifer Lind commented that this information is public but it is hard to access. Danny wanted a rough estimate. Jennifer did not have that number but said she could come back with that information.

Danny added that it is good that this information goes out to the public because the county is spending way more money on mental health than this jail. Danny stated that it is uninformed of NAMI to push that principal that the county is not spending money on mental health.

Jennifer asked for, " A shared message in how we talk about what we are spending."

Danny emphasized that that information needs to be known in order to share that message. He believes Jackson Care Connect is more public but the other CCO is a private company and it is more difficult to get information from them. The county is involved and is a provider through crisis services in a more limited scope. What actually comes into the state is billions of dollars for these services over the next 20 years. At the last PSCC meeting, the State Director said that the State isn't investing enough. It's a state responsibility and they need to figure it out.

Cost to Homeowners

- At \$.8719 per 1000 of assessed value the average homeowner in Jackson County will pay;
  - \$169.32 per year
  - \$3.26 per week
  - \$.47 per day
- Information provided by the Jackson County Assessor's Office, SAL Report 2019, Table 7A

Judge Mejia commented about the soundbites showing up in the paper. Sheriff Sickler added information is being presented that there will be a 40% increase in taxes, which is not true. If looking at the average homeowner in Jackson County they would pay 47 cents a day for this facility. Sheriff Sickler added that this skewed information is a buzz thing and it's a manipulative scare tactic

Sheriff Sickler went back to the comment that Travis Christian had made previously about the design of the facility. The first time he met with DLR they went around the room as well as went to all law enforcement and all treatment providers, and they came back with a very high number, about 220 million dollars, so some things were cut out. This facility as proposed is a middle of the road facility.

Travis added that over 50% of the schools he mentioned, were designed by DLR.

Sheriff Sickler added that DLR made the feasibility and needs assessment but they aren't contracted,

**ANNOUNCEMENTS/OTHER BUSINESS**

**ERIC GUYER, CHAIR**

<b>DISCUSSION</b>	

**Next Scheduled PSCC Meeting: To Be Determined due to COVID-19 Social Distancing restrictions.**

**Meeting Adjourned: 1:15 pm**