

# ASSOCIATION OF OREGON COUNTIES

## PUBLIC SAFETY COMMITTEE

June 6, 2011  
8:00 a.m.

Dale White Conference Room  
Local Government Center  
Salem, OR

*Note: Minutes are not official until approved.*

*Approved: October 10, 2011.*

### **Present**

**Members:** Commissioners Jay Dixon and Jim Bernard (Co-Chairs) and Earl Fisher; Judge Pat Shaw; and Sheriff Diana Simpson; Participating by phone: Commissioner Ken Fahlgren; Community Corrections Director Mark Royal; and Juvenile Department Director Tim Loewen); **Guest:** Elizabeth Cushwa, for the Oregon District Attorneys Association; **Staff:** Alex Cuyler, Lane County, and Paul Snider, AOC.

Upon motion by Commissioner Fisher, seconded by Commissioner Dixon, the committee unanimously approved the minutes of the May 16 meeting.

Paul Snider reported on SB 395. This is the bill that is currently the only vehicle for county reimbursement of jail costs under Measure 73 (M73). It includes language that substantially limits the ability of counties to get reimbursement (narrowing it to post-conviction incarceration, making it subject to a separate appropriation, setting a cap on the amount per-day; providing reimbursement only prospectively; treating it like a grant that may be reduced in future biennia). It also changes the sentence for third offense DUII, making it subject to a two-thirds vote requirement, which will make it difficult to pass. The committee discussed how to proceed and by consensus agreed not to make reimbursement retroactive, agreed to a

flat rate per county at the local control jail rate, agreed the money should be clearly made available, and agreed to direct staff to look for another vehicle that doesn't require a super-majority to pass.

The committee discussed SB 416, including various scenarios as to what offenders might be shifted to the counties, what the reimbursement rate might be, how many prison beds might be saved, whether it assumes continued suspension of Measure 57, and whether participation would be discretionary or mandatory. All those issues are in play.

### **Affiliate and Associate Organization Reports**

#### **Oregon District Attorneys Association (ODAA):**

Elizabeth Cushwa reported that public safety was anticipated at the start off the session to have a \$100 million gap to fill. ODAA has been looking at the sentencing grid as a way to save. But they were told by the Criminal Justice Commission that their ideas about a reduction of up to 20% in certain grid blocks would not save any money. The Department of Justice disagreed. The Department of Corrections said it depends. The gap now looks like about \$200 million. The Governor is creating a Public Safety Commission with the Chief Justice as chair. There will be many conversations over the interim, including Measures 57 and 73.

**Oregon State Sheriffs Association (OSSA):** Sheriff Simpson reported that OSSA still opposes SB 412. It should be on the Senate floor today. The bill is better. It now includes tort liability, public records law provisions. But reciprocity is still an issue. **Upon motion by Commissioner Bernard, seconded by Judge Shaw, the committee recommends that AOC oppose SB 412.**

Voting no was Commissioner Dixon. Abstaining were Mark Royal and Tim Loewen.

**Oregon Justices of the Peace Association (OJPA):** No report. Alex Cuyler said HB 2653 (justice court collections) is in Ways and Means.

**Oregon Association of Community Corrections Directors (OACCD):** Mark Royal reported that with passage in 2009 of HB 3508, inactive post prison supervision, earned time credit, and limitations on length of stay for revocations down from 180 days to 60 days, the community corrections appropriation will probably be about \$175 million, down by about \$50 million.

**Oregon Juvenile Department Directors Association (OJDDA):** Tim Loewen reported that the Oregon Youth Authority budget has been amended to restore all basic and diversion funding. There will still be a reduction in hard beds from 900 to 750, but they will add 100 community slots. They will reduce education funding by about \$1.7 million and reduce funding to restorative behavior programs. Overall, it's a plus from the Governor's recommended budget. HB 2142 is an OJDDA bill. It's moving well. OJDDAA is neutral on HB 2707. HB 3256 is the bill to move Juvenile Crime Prevention money to the Criminal Justice Commission. We'll request a task force to address that.

**Oregon Emergency Management Association:** No report.

There being no further business, the meeting was adjourned.