



**Local Public Safety Coordinating Council**  
**Director Malcolm McDonald, Chair**  
**Vacant, Vice-Chair**

## **Local Public Safety Coordinating Council Meeting**

**June 3<sup>rd</sup>, 2024**

**3:30 – 5:00 pm**

**Development Services Building, Rm 119, 150 Beavercreek Rd, Oregon City, OR 97045**

**Members present:** Malcolm McDonald, Mary Rumbaugh, Bruce Tarbox, Adam Freer, Sheriff Angela Brandenburg, District Attorney John Wentworth, Chief Shaun Davis, Commissioner Ben West, and Rod Cook.

**Guests present:** Elizabeth White, Brandi Johnson, Glen Suchanek, Judge Kathie Steele, Bill Stewart, Kristin Gibson, Trent Wilson, Undersheriff Jesse Ashby, Undersheriff Jenna Morrison, and Manuel Padilla

### **Welcome, Overview of April 15th Meeting and June 3rd Meeting Objectives**

- Chair Malcolm McDonald welcomed meeting participants and reviewed the agenda.

### **Brief Remarks: May 9th Deflection Symposium**

- Mary Rumbaugh shared her reflections on the recent Deflection Symposium held on May 9th. She discussed the turnout and engagement from attendees, noting participation from 33 out of 36 counties, with a strong presence of law enforcement officials and district attorneys. She also noted that many of her colleagues from the community mental health program were represented.
- The symposium included a presentation on data collection by the Criminal Justice Commission (CJC), emphasizing the critical role of data in the success of deflection programs.
- Marion County LEAD representatives shared program highlights. Despite its small scale (a three-person team operating 24/7), the program's success was attributed to robust support from all partners, including the district attorney. One key takeaway was the caution against overbuilding or scaling up too quickly due to the many moving parts that need to be managed effectively.
- Mary noted a shift in where program coordinators were housed after the symposium, moving from behavioral health programs to district attorneys' offices. She discussed the importance of connections facilitated by program navigators, who link individuals to a wide range of services, including traditional mental health and substance use providers, community-based organizations, and the Behavioral Health Regional Network (BHRN).
- Mary considered the symposium successful, with attendees walking away with new perspectives and potential ideas for implementing deflection or diversion programs.

### **Brief Remarks: Deflection Subgroup**

- Bill Stewart provided an update on the deflection program planning. He began by explaining his role, assigned by District Attorney John Wentworth, to facilitate this process.

- Bill highlighted the collaborative nature of the workgroup, which has been meeting regularly to support the planning. The group includes representatives from law enforcement, community corrections, behavioral health, H3S, court staff, and various community partners, all working together to shape the program.

### **Review and Discussion: Deflection Model**

- Bill indicated over the past three years, significant progress has been made in housing individuals experiencing homelessness. He tied this work to the goal of the deflection program, which aims to connect the criminal justice side with existing outreach services, building on the partnerships already in place.
- Bill outlined several key principles for the program:
  - Consistency: Law enforcement will issue citations for unclassified misdemeanors, and these individuals will be scheduled to appear in community court on designated days. The DA's office, along with a program navigator, will decide if deflection is appropriate.
  - Transparency: Data will be shared with all partners to ensure everyone is informed about the program's operations.
  - Accountability: While the LEAD model focuses on connecting individuals without requiring treatment engagement, this new approach will include a different level of accountability to encourage engagement in treatment services.
- Bill said the process for deflection includes reviewing the individual's criminal history and current situation, then connecting with outreach partners who may already be working with them. If deflection is deemed suitable, the person will be offered this option before any formal charges are filed. If deflection is not appropriate, the next step is a conditional discharge through community court, and if this fails, the person will proceed through formal probation.
- Success under the deflection program is defined by engagement rather than completion. This could look like connecting with outreach partners and supportive services, including treatment. Peer support will be utilized to encourage treatment engagement.
- The program navigator, a role yet to be filled, will coordinate between outreach, treatment, peer partners, and participants, ensuring the program is data-driven. Bill indicated the program will only include unclassified misdemeanors, but there is potential to expand to other low-level crimes if the program proves successful and bandwidth allows.
- Bill mentioned the District Attorney's Office has secured one grant from CJC and is applying for another grant to fund the program, with plans to launch by September 1st on a small scale. He noted the importance of ongoing oversight and collaboration, ensuring that all partners are fully informed and involved in the program's development and implementation.
- Commissioner West sought clarification on what constitutes successful program participation. Bill responded by differentiating deflection and conditional discharge, explaining that deflection is a pre-charge diversion while conditional discharge involves court conditions the individual must follow.
- Mary noted Measure 110's impact in bringing funding and services and sees an opportunity to improve the deflection program by better connecting individuals to these services, noting the challenge of multiple "front doors." She talked about meeting individuals where they are at in their recovery, including the use of harm reduction strategies. Mary also discussed the importance of continued support for an individual's recovery path.

- Bill discussed engaging individuals in treatment if they meet the criteria for deflection but re-offend later. If individuals who have gone through the deflection process re-offend, the focus will shift to continued engagement in treatment. The idea is to provide long-term support and engagement through peers who stay connected with the individual. Mary noted the push from the DA's office and the pull from the BHRN to encourage treatment engagement.
- Chief Shaun Davis asked if there was a database to track repeat offenses and the process to determine when deflection is no longer viable. Bill acknowledged that many individuals encountered will be repeat offenders and said while officers should continue to cite individuals when necessary, the determination of whether someone is eligible will be made at the DA's Office. He said the decision to deflect will be based on criminal history and feedback from outreach workers. Bill explained if someone has multiple citations within a short period, they will likely bypass deflection and go directly to community court. If community court or conditional discharge doesn't meet this need, probation is the next step.
- Chief Davis also asked about eligibility for deflection for individuals charged with selling illicit drugs. Bill said if an individual is in possession of significant amounts of illicit drugs, they are ineligible for deflection.
- Bill discussed the Clackamas County LEAD program, noting that there were more social referrals than law enforcement referrals. He expressed hope that as capacity develops and partnerships grow, more law referrals can be made so if an officer encounters someone multiple times but does not issue a citation, they can be referred to supportive services.
- Bill addressed questions from the Sheriff about individuals who don't comply with the conditions of discharge, the process for individuals who are picked up on charges in addition to the unclassified misdemeanor, and those who fail to appear in community court. He indicated there are limitations on the amount of jail time individuals can receive when under conditional discharge. He said officers have discretion in handling such cases and that individuals who fail to show up for their court date would have a warrant issued for their arrest, potentially leading to jail time.
- Bill noted that outreach workers help clear warrants and remove other barriers to help them be successful. He said the goal is to minimize the amount of jail time individuals receive, acknowledging jail resources are limited and emphasized the importance of keeping individuals in community court.
- Judge Steele inquired about the CJC grant and where individuals would be sent for treatment. This led to a discussion on deflection funding, gaps within the public safety and treatment systems, and how to address them and improve coordination among various treatment providers. Meeting participants discussed as planning progresses, they will likely uncover areas needing more funding that they hadn't initially identified. Chair McDonald highlighted the reliance on existing treatment options, including those in the Metro Area.
- Judge Steele raised a concern about the availability of treatment beds and inpatient services, noting that drug court participants might need higher levels of care, which could restrict access to resources. In response, the group discussed the potential of seeking additional funds to enhance coordination efforts and bridge existing service gaps.

### **Discussion: Deflection Outcomes**

- Meeting participants talked about the importance of monitoring and evaluating the program to ensure adaptability based on findings and gaps. Bill and Chair McDonald indicated the need for regular progress reporting.

- The group discussed the need to demonstrate measurable success to secure legislative support. Trent Wilson talked about the need for a tailored approach that aligns with county resources.
- Next steps include launching the deflection program, identifying gaps, and adjusting based on findings.
- Bill discussed the importance of ongoing communication with stakeholders to sustain the program. The group discussed the need to keep the dialogue open with key players to ensure the program's sustainability and success
- Trent shared insights from other counties, leading to a discussion on regional strategies to create comprehensive programs.
- Rod Cook and District Attorney Wentworth talked about the need to seek additional funds to improve coordination and bridge service gaps, recommending a unified approach.
- Data tracking and analysis were deemed essential for measuring success, ensuring program sustainability, and aligning with legislative requirements. Participants noted challenges in maintaining consistent reporting. The Chair recommended maintaining alignment with evolving CJC standards.
- The discussion ended with a plan to schedule another meeting in July.

#### **Public Comment**

- No public comment.