



Local Public Safety Coordinating Council
Director Malcolm McDonald, Chair
Chief John Schmerber, Vice-Chair

Local Public Safety Coordinating Council Meeting

January 25, 2021

12:00 – 1:30 pm

Zoom Webinar

Members present: Chief John Schmerber, Melissa Erlbaum, Emily Brault, Adam Freer, Seth Lyon, Christina McMahan, Malcolm McDonald, Judge Ann Lininger, Richard Swift, Bruce Tarbox, Mary Rumbaugh, Sheriff Angela Brandenburg and District Attorney John Wentworth.

Guests present: Elizabeth White, Alice Perry, Ximena Ospina-Todd, Scott Anderson, Undersheriff Michael Copenhaver, and Valerie Adrian.

Scott Anderson, Public & Government Affairs, hosted the webinar and initiated the meeting. He announced Malcolm McDonald, Clackamas County Community Corrections Director, is the new LPSCC Chair and Chair McDonald will facilitate the meeting. Scott provided online meeting logistics and instructions about the process for submission of public comments and said public comments should be limited to 3 minutes.

Welcome/Introductions

Chair Malcolm McDonald called the meeting to order at 12:08 p.m. He noted this is the first LPSCC meeting of 2021 and welcomed guests and new members – Sheriff Angela Brandenburg and District Attorney (DA) John Wentworth.

Chair McDonald indicated he conferred with Sheriff Brandenburg about Undersheriff Michael Copenhaver serving as a representative of the Sheriff's Office when Sheriff Brandenburg is unable to attend LPSCC meeting. The Undersheriff would also like to join the Advancing Racial Equity in Public Safety workgroup and participate in LPSCC meetings moving forward. Chair McDonald welcomed the Undersheriff and his participation in both groups.

Consent Agenda – Approval of minutes from November, 2, 2020

Chair McDonald asked if members had reviewed the minutes from the November 2, 2020 meeting and if there were any necessary edits or discussion.

Chair McDonald conferred with Elizabeth White about the most efficient way to conduct voting

via Zoom. The Chair decided to ask members to indicate a “nay” vote first. If no member present states “nay”, the motion passes unanimously. In the event of a “nay” vote, the Chair will poll members and Elizabeth will document individual votes.

Chair McDonald asked for a motion to approve the minutes. Adam Freer motioned to approve. Bruce Tarbox seconded the motion. The Chair called for a vote and no members present issued a “nay” vote. The motion passed unanimously.

Action Item – Discussion and Approval of the Clackamas County Justice Reinvestment (JRI) Semi-Annual Report, July – December 2020 [Malcolm McDonald, Community Corrections Director, Valerie Adrian, PhD, Sr. Policy, Performance, and Research Analyst]

Chair McDonald indicated a workgroup made up of LPSCC members reviewed and discussed the report and provided feedback. He noted this process informed revisions and stated the report’s content was similar to the previous report and said Dr. Valerie Adrian was available to address questions. Chair The Chair opened up the floor for discussion.

Chair McDonald indicated the report was similar to the previous report, reflected similar pandemic related challenges, and asked if members had any feedback. Adam asked for clarification about the purpose and audience and more context about the report. Chair McDonald said the JRI grant review committee reviews it to monitor progress, budget, and program outcomes.

Adam said, as someone working in a different sector, the report language was difficult to follow. He stated the report included many acronyms were not spelled out. Adam recommended additional introductory language to provide context, such as an executive summary to describe the purpose and intended audience. The Chair agreed these additions would be helpful for readers unfamiliar with criminal justice terminology and indicated an executive summary and other proposed changes could be included in the report.

Elizabeth asked the Chair if he’d like to share any report highlights with members. Chair McDonald said overall, things have remained stable in the COVID environment with some forward movement and things will change with vaccine rolling out and other changes. He stated there are new protocols in place regarding personal protective equipment (PPE) and other safety measures enacted to respond to the COVID-19 crisis. He indicated there are many unknowns about the long-term impact of this crisis on the population and noted measurable reductions in the numbers of clients served because of COVID protocols. He said the ongoing pandemic is likely to have an effect on the entire system.

Chair McDonald said the Community Corrections team plans to examine the impact of the COVID-19 crisis on programs and other services, especially treatment programs. He remarked that overall, the system has been stabilized and Community Corrections is working in a positive direction.

Chief Schmerber said he shared his recommendations about the report with Chair McDonald and asked if they were included in the final report. The Chair indicated these changes have been incorporated, notably addition of visuals (e.g., CJC dashboard comparisons).

Emily Brault asked Chair McDonald if he attributed lower prison usage to postponed court cases or the use of diversion programs.

Chair McDonald noted a significant drop in the number of court cases and reduced prison utilization is related to the system coming to a grinding halt. He said increased commutations by the Governor also reduced the prison population and the forecast regarding what the prison population will look like in the future is unclear when system is able to achieve full capacity. He indicated there are ongoing conversations about closing and consolidating prisons.

Chair McDonald asked for a motion to approve the JRI report. Christina McMahan motioned to approve. Seth Lyon seconded the motion. The Chair called for a vote and no members present issued a “nay” vote. The motion passed unanimously.

Restoring Individuals, Communities and Hope: The RICH Diversion Program –
Presentation – [Christina McMahan, Clackamas County Juvenile Department Director; Alice Perry, Juvenile Services Manager and Acting Assistant Director; Ximena Ospina-Todd, Latino Network Youth Empowerment and Violence Prevention Director]

Malcolm invited Christina to begin the presentation on the RICH Diversion Program.

Christina introduced invited guests Alice Perry and Ximena Ospina-Todd and invited Alice to provide introductory remarks. Alice discussed the role of evidence-based decision-making and best practices that hold youth accountable while addressing their unmet needs to promote success and keep youth out of the justice system. She said the Juvenile Department offers a continuum of services and provides informal and formal supervision. The deeper youth penetrate the justice system, the higher likelihood of recidivism, and diversion from the system especially for those youth engaged in low-level criminal activity, is an effective approach. Alice then introduced Ximena and invited her to provide an overview of the violence-prevention partnership between the Clackamas County Juvenile Department and Latino Network.

Ximena introduced herself and provided an overview of the RICH Diversion Program. This program provides community centered interventions for Clackamas County youth that have committed low-level offenses and considered low risk to reoffend. The program began in 2019.

Ximena first explained the mission, core values and reach of the Latino Network. Then, she delivered a brief overview of the RICH program, described program elements and values and reviewed program procedures. Ximena indicated the program staff have training in restorative practices and cultural responsiveness. The program includes voice of youth and families, meets families where they are at and works with youth to help them reflect on their actions and develop agreements and a plan outlining how they will be accountable for their poor decisions.

Ximena discussed service navigation, outreach strategies and the process of service initiation after a law enforcement referral, including use of an assessment tool specific to Clackamas County. She described the process for addressing the cross over with the DHS Child Welfare system. Ximena also noted there was a secure referral system in place. She also talked about the role of a success plan to identify services and supports and foster engagement with youth and families and described how youth proceed through the program from initiation to close. Ximena described the population served, program impact and funding sources that support this program. She presented outcome data from first full year of operation. Ximena indicated 142 out of the 159 (89%) program participants successfully completed the program and 11% did not complete the program (such as re-offending, and other reasons). Ximena said program staff are working to build nurturing relationships with local high schools and foster new partnerships. These collaborations spurred new funding to support RICH families. She also discussed the importance of comprehensive approach and the role of system partners to support holistic youth development.

Ximena concluded the presentation and asked members if they had any questions.

Emily asked Ximena what types of behaviors qualify for referrals and if program eligibility could be expanded to higher-level offences. Emily also asked if violent offences were included.

Ximena indicated youth engaged in low-level offences were eligible and expansion of program eligibility would need to be a conversation with system partners, such as the District Attorney's Office. Emily asked if these discussions were taking place.

Christina said the District Attorney's (DA) Office works with the program team to review individual cases to discuss eligibility. She indicated sometimes a case might fall outside program parameters and a youth might be included that was engaged in higher-level criminal activity. She said program eligibility is a conversation with the DA and other system partners if a youth under consideration for program participation has criminal charges outside of agreements

established with the DA's Office, Christina noted the importance of looking at look at youth as individuals and the value of working with system partners.

Chief Schmerber remarked this program is very successful (89% success rate) and provides youth a positive way forward. He would like to know the success rate for youth in Gladstone and he thought other law enforcement officials would want this information for their jurisdictions. Chief Schmerber said presenting this information to city councils and other venues would be beneficial to share out. He noted it was valuable to share the success of this program and it's restorative approach and would like to talk about the program at the Chief's meeting. Christina said the specific data requested by the Chief are available and she will provide this information to Chief Schmerber.

Adam asked how the program addresses youth in this population with a substance use disorder. Ximena said program staff help youth get an Alcohol and Drug assessment if it required or requested by the family. She said the program employs a whole-family approach and links youth and their family to services, such as an assessment for substance use disorder or a mental health assessment. Adam mentioned the Rural Opioid Prevention & Early Intervention Program (ROPES) offered through Northwest Family Services as a resource for youth that misuse alcohol and other substances. Adam will connect with Ximena to provide more details.

Judge Lininger asked for clarification regarding the 337 and 159 numbers presented. Ximena said the 337 includes new referrals and ongoing program participation. There are 159 individuals during a specific timeframe included in the calculation for completed participation (January – December 2020).

DA Wentworth asked about the success rate for participants after program completion, such as reduced recidivism.

Christina indicated the program team is tracking recidivism by disposition level and will have data to share. She noted the Juvenile Department tracks outcomes after a disposition ends (completed diversion or probation) and measures from a year out. Christina indicated the department has the capacity to monitor and analyze this data.

Discussion and approval of the use of Criminal Justice Commission funds to be used by a locally-based nonprofit to further equity or development of an LPCCC Equity plan
[Capt. Malcolm McDonald, Community Corrections Director]

Chair McDonald provided information about a funding opportunity from the Criminal Justice Commission to support Equity Diversity & Inclusion (EDI) integration into public safety. He said

the JRI Grant Review Committee would like Clackamas County to use \$48,771.47 of the JRI funds that were going to be returned to fund either a local based nonprofit provider that furthers equity, such as by providing culturally-specific services, or to pay for part of what will ultimately be the development of an equity plan.

Chair McDonald noted this was a strategic investment because JRI programs will require the integration of equity in future funding applications. Proposed use of funds include supporting a contractor to review LPSCC with an equity lens placed on Law Enforcement and Justice. A potential use of funds includes working with a consultant to take inventory of existing practices and identify improvements. Another route is to use funding to support a non-profit agency that is already doing this work in community. Chair McDonald said this would be a LPSCC initiative and provided this information to the workgroup.

Melissa Erlbaum highly recommended the development of an equity plan due to changes in JRI funding distribution for the next biennium.

Seth noted this was timely for the Advancing Racial Equity in Public Safety workgroup and an exciting opportunity. Workgroup members will support this effort through gathering data and providing help with planning.

Judge Lininger said she also strongly supports the development of a LPSCC equity plan and indicated it is important to address how we can eliminate disparities and break down systemic racism in the justice system. She said it also predicates further JRI funding, helps us compete for resources, and maximizes equity.

Seth supported the idea of culturally specific services but in the absence of a plan, it was important to develop a framework to cultivate future investment in these services.

Chair McDonald said by investing in a LPSCC equity plan, this helps put Clackamas County ahead of other JRI applicants. He indicated there are only a few counties that have implemented an equity plan. The Chair remarked members indicated a strong interest in using funding to develop a LPSCC equity plan and asked if there was a motion to use these funds accordingly.

Rich Swift asked if the intent of this plan is to review policies in addition to data collection. Chair McDonald indicated there was not an established framework for implementation and it is to LPSCC to make this determination. The Chair said the proposed approach is to hand this work over to the workgroup to consider steps such as hiring a consultant or other strategies. Chair McDonald stated there are different opportunities to this move forward.

Rich motioned to approve the development of a LPSCC equity plan. Adam seconded the motion. The Chair called for a vote and no members present issued a “nay” vote. The motion passed unanimously.

Chair McDonald indicated this work would continue through the LPSCC workgroup, including further discussion about managing funding and reporting. He proposed to move on the next agenda item if there were no concerns with this approach.

Advancing Racial Equity in Public Safety Workgroup – Review draft vision and mission statement [Seth Lyon, LCSW, District 15 Manager (Clackamas County), Child Welfare and Self Sufficiency, Oregon Department of Human Services]

Seth said most workgroup participants were able to attend the meeting. He indicated the group developed a draft mission and vision statement and formed some initial goals. Seth noted the timing of potential funding support aligned with the need for additional assistance from a consultant. Although Melissa was unable to join the meeting, Seth said Melissa provided input on the vision statement (Version 2) through email correspondence.

Seth said the workgroup acknowledges the existence of systemic racism exists (therefore it will be found) and didn't want to assume national trends are applicable to local conditions, so will use local and specific to inform efforts, and examine policies outcomes based on held identifies. The two draft vision statements are different regarding ensuring racial equity and addressing disparities. The tenets discussed by workgroup members include gathering data, ensuring racial equity and transparency in the public safety system, identification of what is/isn't working, elevating best practices, and developing a data plan to determine performance measures to evaluate impact.

Chief Schmerber affirmed Seth provided an accurate recount of the group's discussion.

Melissa said she missed the meeting and provided input regarding the vision statement to include more action driven language. For example, if we emphasize disparities, then what? She wanted to clarify she responding to how the language was laid out.

Adam indicated the vision is the end product and the mission what is we are trying to achieve. Mission statements don't go into detail about how this work will be accomplished. He said the goals are concrete and measurable and advance the mission.

Judge Lininger said she liked version 2 best because it indicated action and improvement. She suggested changing disparities from “caused by”, to “related to”. She said disparities are happening, not caused by. She also recommended including court practices into the language

and workgroup efforts. She noted there are opportunities for improvement in court practices and language to foster inclusion and equity. Judge Lininger noted the formation of workgroup to address equity, inclusion and diversity in the court systems in. She indicated there was room for improvement system-wide. Seth acknowledged it was difficult to include the Judge in these conversations due to scheduling challenges.

Chair McDonald asked if there were any changes in workgroup membership. He confirmed the Undersheriff's participation in workgroup meetings moving forward. The Chair noted the majority of group members are required to be LPSCC members.

Chief Schmerber asked who is responsible for adjusting the language. Adam said he'd work with Elizabeth to revise the text based on member feedback, including changing "caused by" to "related to".

Seth will work with the group to develop a finalized version of the vision, mission and goals statements and begin framing a scope of work for a consultant. Seth is unsure of the procedure for adoption or resolution.

Chair McDonald requested a motion to adopt version 2 with proposed changes.

Judge Lininger said there should be consideration of issues related to national origin issues and language barrier. She recommended incorporating this addition of this into these statements.

Adam indicated support for going back to workgroup to capture the role of the court system in the revised text and other changes, and provide a revised version for consideration by members.

Mary Rumbaugh said low English proficiency poses significant barriers for many individuals and worth the workgroup's consideration.

Chair McDonald thanked Rich for leading the H3S Department and asked him if he would like to provide any remarks to the group. Rich said he enjoyed his time participating in LPSCC and indicated LPSCC was moving in a positive direction.

Public Comment

Scott Anderson checked in to ask if there was any public comments. There were no comments submitted to Scott.

Simon Fulford provided this comment in the chat: This is a great question from Emily. There is substantial evidence (national and international, academically valid) to show that RJ is very effective with higher level crimes. In fact, MORE affective.

Elizabeth included the link to the program mentioned by Adam: Hi Adam is referring to this program <https://www.nwfs.org/youth-programs/transitions-first-step.html>

Next Steps:

- Chair McDonald will reach out to Adam to join the review panel for the next JRI report.
- Christina to provide local data to the Chief and long-term outcome data to the DA when available.
- Adam to connect with Ximena about the ROPES program serving youth using/misusing alcohol and other substances.
- Elizabeth to work with Adam to incorporate member feedback into the equity vision, mission and goal statements.
- Seth to work with Malcolm to identify process and procedures for securing workgroup funding support, establishing monitoring and reporting protocols.