



PUBLIC SAFETY COORDINATING COUNCIL

Minutes of Meeting

Tuesday, October 1, 2024

A meeting of the Public Safety Coordinating Council was held at 3:30 p.m. on Tuesday, October 1, 2024 via Zoom virtual meeting platform

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| | Judge Wells Ashby (<i>Chair</i>) | X | Nick Lelack, <i>County Administrator (Vice Chair)</i> |
| X | Stephen Gunnels, <i>District Attorney</i> | | L. Shane Nelson, <i>Deschutes County Sheriff</i> |
| X | Mike Krantz, <i>Bend Police Chief</i> | | Anthony Broadman, <i>Bend City Councilor</i> |
| X | Devin Lewis, <i>Redmond Police Chief</i> | | Keith Witcosky, <i>Redmond City Manager</i> |
| | Stephen Lopez, <i>Sunriver Police Chief</i> | X | Thomas Spear, <i>Defense Attorney</i> |
| X | Sara Crosswhite, <i>Director 9-1-1 Operations</i> | | Deevy Holcomb, <i>Director Community Justice</i> |
| | Phil Chang, <i>County Commissioner</i> | | Janice Garceau, <i>Director Health Services</i> |
| X | Angie Curtis, <i>Court Administrator</i> | X | Gil Levy, <i>Citizen Member and Director KIDS Center</i> |
| X | Donna Mills, <i>Citizen Member</i> | | |
| | Joseph Mabonga (<i>non-voting</i>), <i>Juvenile P&P Supervisor Oregon Youth Authority</i> | | Brandon Smithers (<i>non-voting</i>), <i>Lieutenant Oregon State Police</i> |
| | Jason Van Meter (<i>Interested Party</i>), <i>Black Butte Ranch Police Chief</i> | | Roger Olsen (<i>Interested Party</i>), <i>NAMI Central Oregon</i> |

Also present were: Neil Marchington, *Deputy Deschutes County Sheriff's Office*; Trevor Stephens, *Business Manager Community Justice*; Holly Harris, *Director Behavioral Health*; and Angie Powers, *Administrative Assistant BOCC*.

Media present: Richard Coe, *The Bulletin*; Julianna LaFollette, *Bend Source Weekly*; Mike Thomas, *KBND Radio*.

1. Call to Order and Introductions:

Vice Chair Lelack called the meeting to order at 3:30 p.m.

2. Approval of LPSCC Meeting Minutes:

There were no suggested revisions to the August minutes, and no objections to their approval, so the August 6, 2024 minutes were approved as submitted.

3. Public Comment:

None presented.

4. HB 4002 Deflection Program Update

Deschutes County Sheriff's Office Deputy Neil Marchington provided an update on Deschutes County's deflection program. He's been with the Sheriff's Office for 17 years, and now serves as the County's Deflection Program Coordinator, working under Captain Michael Shults who oversees the program. The program's goal is to get people into treatment rapidly. He described the program's multiple community and statewide partners.

He described deflection as "a way to help people escape addiction". Deflection staff and command structure were outlined. Ideal Options and BestCare/Taylor Center are the community's two treatment providers. They currently have three of four Peer Support Navigators in place – two from BestCare, one from Ideal Options and a vacant position with Ideal Options.

As an officer of the law, Dep. Marchington hears from addicts that they want to get clean, but each time they try, they fail. From the moment of arrest or citation, people are offered treatment via deflection every step of the way as they travel through the criminal justice system.

The model for Deschutes County's deflection program is based on Marion County's model (L.E.A.D.), which has been in action since 2018. Dep. Marchington knows that it works as he's been doing this in practice for years.

Participation in deflection is optional. Those who opt in get immediate access to treatment screening and services, with wrap-around services provided by a Peer Navigator. If they engage in treatment during the 60-day period out from the citation date, the DA will not file the PCS U charges against them. Dep. Marchington described the process for those who opt in, noting that a typical person engaged in treatment will participate for one year or more.

The County had its first deflection on September 5, 2024. The individual had been using fentanyl, and his apprehension likely prevented a DUII. He entered detox on September 8 and is now living in sober housing. DA Gunnels agreed not to file charges, pending completion of treatment. Currently, nine clients are engaged in deflection with seven of

nine progressing and in compliance. Central Oregon Daily interviewed two clients and the story will air next week.

Based on Dep. Marchington's 17 years of experience in law enforcement, incarceration alone has not solved addiction, but treatment has. He outlined eligibility requirements, some of which include a new PCS U crime for minor possession and a willingness to engage in treatment. He summarized criteria which make one ineligible such as sex offenders or pending sex treatments or person crimes.

Lelack thanked Dep. Marchington for his presentation.

Chief Krantz acknowledged the challenging work being done by multiple agencies to get this program up and running. He thanked Dep. Marchington for his dedication and training Bend Police Department's staff.

Dep. Marchington emphasized that the goal of deflection is to help as many people as possible but is cautious at proceeding at a reasonable rate to avoid overwhelming the system to the point where services are degraded and no longer effective.

Chief Krantz said that 72% of Bend PD officers have fewer than five years of experience, so the decriminalization of drugs due to Measure 110 impacts their breadth of experience. His police force is learning to re-engage with drug criminalization. His department received deflection training by September 16th and began implementation on the 18th. Dep. Marchington expects better data for analysis after 90 days of deflection in practice. Responding to Lelack, the after-hours capacity of the treatment center (first stop for deflection) will expand as the program progresses, but the current number of Navigators is limited and it's important not to burn them out.

Holly Harris commended Dep. Marchington and his team for getting the program off the ground. She said they considered but do not believe the Stabilization Center is an appropriate location for 24/7 drop-off as their niche is not to get involved with law enforcement or the criminal justice system, while acknowledging there is some overlap. The future of staffing capacity for the deflection program will depend on funding. Dep. Marchington said the Stabilization Center continues to be a critical partner.

In response to a question from Lelack regarding whether any of the ineligibility criteria may be changed or removed in the future so more people enter treatment, discussion ensued related to ineligibility criteria and whether there's some room to consider changes in the future. Dep. Marchington said people with dangerous crimes will likely remain a criterion for ineligibility, and moving forward they will consider adding in some of the others based on capacity.

5. Public Defender and Unrepresented Persons Update

Angie Curtis provided a public defender and unrepresented persons update. As of this date, there are 152 defendants without a court-appointed attorney who are income-eligible and

have indicated they would like one. Most of these individuals are out of custody and in the community. Nine are in-custody. Of these 152 individuals, 18 have received warrants for failure to appear. There is a federal ruling that directs County jails to release defendants without a court-appointed attorney after 7 days. Once released, they are set up for hearings scheduled 30, 90, and 180 days out. If an attorney becomes available prior to these timelines, they will be assigned one.

The good news is that this situation may be improving moving forward. Deschutes Defenders, Bend Attorney Group and Atlas Law Group are close to being fully staffed, but it does take time to onboard their new attorneys. Curtis noted there have also been some independent attorneys in the community who have taken on work on contract, even though they aren't traditional public defenders which has buffered the impact. The backlog must also be addressed.

Curtis shared that OJD does have a public-facing dashboard showing the status of the unrepresented persons situation in districts across the state and shared the link in the Chat: <https://www.courts.oregon.gov/about/pages/reports-measures.aspx>.

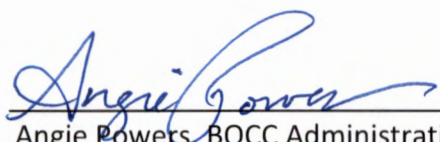
Curtis stated it is their goal to assign an attorney to everyone who asks for one and qualifies for one. She acknowledged it will be a long journey to meet the backlog and the new demand for persons needing representation. She is cautiously optimistic but not minimizing the current challenges.

6. Agency Updates and Other Business

None shared.

ADJOURNMENT: Vice Chair Lelack adjourned the meeting at 4:09 p.m.

Respectfully submitted,



Angie Powers, BOCC Administrative Assistant