

POLK COUNTY BOARD OF COMMISSIONERS
Minutes of January 27, 2015
Roth's West Salem, 1130 Wallace Rd., Salem, OR 97304

1. CALL TO ORDER & ATTENDANCE

At 6:04 p.m., Commissioner Ainsworth called the meeting of the Polk County Board of Commissioners to be in session. Commissioner Wheeler was present, Commissioner Pope was excused.

Staff present: Greg Hansen, Administrative Officer
 Sheriff Bob Wolfe
 District Attorney Aaron Felton
 Marty Silbernagel, Community Corrections/Juvenile Director

2. PUBLIC HEARING: PROPOSED OPERATING LEVY

Greg Hansen explained that in November, he recommended that the Board consider placing a local option tax measure on the May 2015 ballot in the amount of \$0.45/\$1,000 assessed value for five years (meaning taxes on a \$200,000 home would increase by \$90 annually). The Board accepted this recommendation, and this is the eighth of nine public hearings to collect public input on this process. The Board will make a final decision on moving forward on this process or not after the final public hearing. Since 2008, due to the loss of federal timber payments, an increase in non-county controlled benefit costs, and stagnant property taxes, the staffing levels within the Polk County Public Safety system have dropped from 112 FTE (full-time equivalents), to 78 FTE, an over 30% drop. The proposed levy would fund 22 FTE: 12 in Sheriff-Patrol, 5 in Sheriff-Jail, 5 in District Attorney-Prosecution, and also fund the rental of 2 additional Juvenile detention beds.

Sheriff Wolfe explained that within the city limits, the Polk County Public Safety Departments performs many functions: when a municipal police agency arrests a suspected criminal, they are lodged and handed off to the Polk County jail, which is operated under the Sheriff's office. Once in the jail, the inmate is charged with a crime and directed to circuit court, which means that their case is tried by the Polk County District Attorney's office, in a courtroom that is supposed to have security provided by the Sheriff's office. If convicted, this offender then goes into the Polk County Community Corrections caseload, where they are supervised by a Parole Officer. Many responsibilities of the Sheriff's office cannot be performed by State and Municipal police agencies by law: some of these include entering and serving restraining orders and property and money seizures. The Sheriff's office also provides a back up for the Municipal police departments, who's departments are also feeling the negative effects of the County public safety cuts.

Sheriff Wolfe went onto explain that the funding crisis the county is facing is not caused by a mismanagement of funds, but the result of the loss of O&C timber funding. Since 2008, the County has seen reductions and eventual elimination in payments that had been received from the harvesting of Federal Timber Land located in Polk County. This has created over a \$2.4 million shortfall for the County General Fund, which is where a majority of public safety funding is budgeted from. This is the reason why the public safety system in the County has been cut so dramatically. These cuts have resulted in the elimination of 24/7 patrol coverage (10-hr per day patrols since March 29, 2014), 1,500 calls so far this year that have been taken without a patrol response, and minimum staffing in the jail (resulting in \$79,000 in overtime expenses so far in this fiscal year). These cuts have also resulted in the elimination of the Sheriff's involvement in following programs: POINT (County drug enforcement and investigations), Forestry Patrol, DUI Enforcement and Seatbelt Grants, Special Response Tactical Team, Computer Forensics Deputy, Crash Reconstruction Technical Assistant, Dumpstoppers Program, Prescription Drug Tack Back

Program, Neighborhood Watch and National Night Out. Sheriff Wolfe also explained that the dispatchers for the Willamette Valley 9-1-1 operations center receive verbal abuse every night when they have to tell callers that there is no one available to respond. The victims are not the only ones that feel helpless and heartbroken when there is no law enforcement available to help. The Sheriff's office has seen a 34% drop in overall arrests, a 47% drop in DUII arrests and a 54% drop in drug arrests over the last year, putting everyone who lives in the County at risk. The only way to restore these services is the ballot measure that is proposed. Without more funding, things will not get better.

Commissioner Ainsworth opened the Public Hearing.

James Rhoten, 2131 Eola Drive, Salem, is a former commissioner from another state, and understands the difficult decisions the Board faces. However, Mr. Rhoten testified that he is opposed to the levy because he feels the Sheriff's office is detrimental and irrelevant to West Salem. Mr. Rhoten also accused the Commissioners to turning a blind eye to pollution and run-off that the City of Salem is releasing into one of the watersheds feeding into the Willamette River. Mr. Rhoten testified that West Salem is ignored and is not a priority for the Board and thinks it is "bad politics." He does not oppose public safety, he opposes that the Commissioners, Sheriff, and District Attorney gets their efficiencies out of West Salem. Until the politics change, there is not a chance to get enough votes to do what needs to be done and he doesn't think it will pass.

Lisa Mitchell, 10895 Bethel Road, Amity, testified that she is speaking from two different perspectives: a victim and a first responder. Ms. Mitchell shared her story from last July when she became a victim of domestic violence that escalated and resulted in her home being destroyed by a fire, and was told by the dispatcher that "there is no one we can send." As a first responder, Ms. Mitchell responds to fire, medical and motor vehicle accidents, and explained that a quick, timely response to an emergency situation is critical and increases the likelihood of a more positive outcome. Having law enforcement to respond with first responders is necessary to ensure that there will be a safe outcome not just for the patients, but also the first responders. Ms. Mitchell stressed that not passing a levy is a life or death situation. Ms. Mitchell also asked the Sheriff that if the levy passed, how long would it take before he could get new deputies trained and hired; the Sheriff explained that the hiring/background/academy/training time is approximately 18 months. Ms. Mitchell urged the Board to go out for the levy now and not wait any longer. There is one reserve that is at a level one that would require less training, if he is willing and able to come to work for the County.

Debra Thompson, Executive Director of SABLE House, 1826 Yvonne St., Salem, testified that she does not want Polk County to be the next headline county, and urged the Board to put the levy on the ballot. Ms. Thompson serves over 800 women a year through the SABLE house, and desperately need law enforcement coverage. She hears of many women who file restraining orders that take days to serve because of a lack of Sheriff's deputies, and because of the lack of adequate prosecutors the domestic violence cases become lower priority and lack the resources to meet and work with victims. Ms. Thompson also explained that there was a recent victim of sexual assault that her staff met with at the hospital, and a law enforcement officer never showed up to take a report or collect evidence.

Ted Gaty, 711 55th Ave., Salem, testified that he feels that the O&C funds are gone forever; Citizens simply need to step up and pay for the services we are using. Mr. Gaty has watched Josephine County deteriorate because the voters continue to refuse to increase taxes, now it is like a third-world country. Mr. Gaty supports moving the levy forward.

Eric Smith, 2615 Spring Valley Rd., Salem, pays approximately \$3,000 in taxes each year, and thinks paying an additional amount for law enforcement is worth it. Mr. Smith would also like to see the right to bear arms being revoked for people who are offenders of domestic violence. Mr. Smith also thinks that there are non-profit organizations that should be used to respond to domestic disturbance calls to save deputies time.

Don Homuth, 6885 Spring Valley Rd. NW, Salem, urged the Board to put the levy on the ballot and he would support it and vote for it. Mr. Homuth however, does not believe that the Commissioners pushed the levy hard enough to the citizens of the County, especially West Salem, during the last campaign; and doesn't know if they will this time. Mr. Homuth feels that the Commissioners appear to not want to deal with West Salem, and agrees that there has been bad politics. In order to pass this levy, the Commissioners will have to put themselves on the line.

Andy Lushenko, Sunburst Terrace, Salem, testified that he used to work in the Sheriff's office, and knows the Sheriff and his staff do a 'Herculean Job'. The County needs the Sheriff's office. However, Mr. Lashenko researched what other options are out there, and offered the alternative of reconsolidation of police services. Greg Hansen explained that there are two options for the County: pass an operating levy or create a law enforcement district. Both requires a vote of the people. The Sheriff has previously approached the Chiefs of Police of the cities to discuss creating an mutual law enforcement district but they were not responsive to this suggestion.

Alan Pollock, 3161 Elliott St. NW, Salem, testified that the only way to ask the community if they want those services is to put this measure on the ballot. Mr. Pollock asks how the staffing with this levy compares to 2008 levels and how it compares to other counties in the state. The Sheriff explained the staffing comparisons between Polk County Patrol Division (16) and Benton County Patrol Division (38). Benton County also has nine more staff members in their Jail division that Polk County does, but their jail only holds 40 people, while Polk County's holds approximately 200. Mr. Pollock also asked what happens after five years. Greg Hansen replied that unless permanent funding can be found in the next five years, most likely the County will need to go out for another levy at that time.

Lorraine Stewart, 560 Upper Vista Court NW, Salem, asked how Polk County's permanent tax rate compares to other local counties. Polk County's permanent rate is \$1.71/\$1,000 assessed value: Marion County \$3.04, Benton County: \$2.20 + \$0.90 public safety levy, Yamhill County: \$2.57, Lincoln County: \$2.84. The total of the requested public safety bond would only bring the County's tax rate to \$2.16, still less than a majority of counties around the state.

Josh Pollock, 3161 Elliott St. NW, Salem, testified that the Salem Police Department only provides one patrol to the West Salem area for the 19,000 residents of West Salem. The safety of the community is a priority, and that means the County needs to return to 24-hour patrols. There are many victims of domestic violence and there needs to be officers and DA's available to serve and enforce the restraining orders.

Russ Noll, 1920 Oak Grove Rd., Salem, testified that if there are no law enforcement officers to enforce restraining orders, then they are just a piece of paper. Mr. Noll was also intrigued by the idea of consolidation of Polk County Law Enforcement and creating a permanent taxing district and encouraged the Board to continue to pursue that option, because this 5-year levy is just a band-aid.

Rod Buchanan, 1335 Reuben Boise Rd., Dallas, announced that a group of citizens have already

started a PAC and have started contacting legislatures at the Salem level, and invited supporters to get involved. It is the Commissioners job to lead this campaign, but it is the citizens job to make it happen. Mr. Buchanan explained that on a \$200,000 home, the tax increase equates to approximately \$0.25 per day, which is not very much for safety and security.

Judy West, 784 Corsair, Independence, asked Aaron Felton why the restraining orders do not have teeth in the State of Oregon? Aaron Felton replied that if someone violates a no-contact restraining order, they are enforced and the offender will go to jail. The point of a restraining order is to get one person away from another person, and sanction them. Polk County does take them seriously, but if the violation happens during off hours, then no deputy can respond until the next day at the earliest. There needs to be an officer available to arrest the offender, until that time the victim continues to be a victim.

Cathy Segla, 6885 Spring Valley Rd., Salem, testified that when she moved to West Salem, she didn't comprehend that it is not Marion County. Ms. Segla feels that many West Salem residents have the same misunderstanding. Ms. Segla also explained that all of the law enforcement functions fit together: if there is not enough funding for the Sheriff, you can't serve the restraining orders. If you don't get the restraining orders served, you can't prosecute them for violating the restraining order. If you can't prosecute them, you can't hold them in jail or supervise them on parole. All of these parts fit together so that all of them need to get funded. This is why the levy needs to be on the ballot and needs to pass. Crime is the cruelest tax of all.

Janet Hansen asked when a decision will be made on this levy. Greg Hansen explained that at the earliest the Board could decide after the close of the public hearing tomorrow, and at the latest by the end of February.

District Attorney Aaron Felton commented that he lives in West Salem, and grew up in Salem. Polk County serves West Salem, Monmouth, Independence, and Dallas, and does the prosecutions for all those jurisdictions. The coverage in West Salem is sparse, and we do need more patrols, but Aaron also needs more staff to prosecute the criminals in this county., and bring the office back to a basic level of service for the victims of this county. This will prevent crime and allow the County to hold the offenders accountable.

Marty Silbernagel explained that there is a handout with information about the adults and juveniles that his department supervises, and noted that there are 146 offenders living in West Salem that are under his department.

3. ADJOURN

Commissioner Ainsworth reminded the public of the other scheduled upcoming public hearings on this issue.

Hearing no further business, Commissioner Ainsworth adjourned the meeting at 7:20 p.m.

POLK COUNTY BOARD OF COMMISSIONERS

Mike Ainsworth, Chair

Jennifer Wheeler, Commissioner

Craig Pope, Commissioner

Minutes: Heather Merrill
Approved: February 4, 2015