

## Josephine (JO) County (CO) Justice System (JS) & Public Safety Services (PSS)

### JO CO Justice System & Public Safety Services

The 2012 expiration of federal funding for services resulted in two JO CO proposed levies as a solution. They both failed.<sup>1-4</sup> **“Is JO CO providing a minimally adequate level of public safety services?”** The voting citizens in JO CO are basically split on the level of PSS they want, and are able, or want, to pay for. This split is not considered good or bad; it is considered a reflection on the citizens practicing their legitimate right to have differences of opinions when they vote.<sup>3</sup>

**HJSEC’s ADEQUATE INFORMATION STANDARDS**<sup>6</sup> In its research of the JS&PSS issue and sub-issues, the HJSEC will analyze and document selected available information on the JS&PSS issue for compliance with its adequate information standard and its five analysis elements (EI).

- Analayaia El 1. Information Is Understood Or Not
- Analysis El 2. Supporting Arguments Are Made Or Not
- Analysis El 3. Standard(s) of Review
- Analysis El 4. Applicable Evidence/Facts
- Analysis El 5. Primary Refs. & Sources of Information

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1. Hugo Neighborhood Association & Historical Society (HNA&HS). July 9, 2013. *Justice System Exploratory Committee*. Hugo, OR.  
2. HNA&HS. July 24, 2013. *Hugo Neighborhood Association & Historical Society’s Mission*. Hugo, OR.  
3. HNA&HS. July 9, 2013. *All Voters & Votes Are Legitimate*. Hugo, OR.  
4. HNA&HS. July 24, 2013. *Government Needs Support*. Hugo, OR.  
5. Hugo Justice System Exploratory Committee (HJSEC), HNA&HS. August 22, 2013. *Adequate Information to Justice System & Public Safety Services Issue Scope Of Work*. Including Appendix A. Hugo, OR.

## Hugo Justice System Exploratory Committee (HJSEC)

**Adequate Information Standard**<sup>7</sup> An informed citizenry and informed decision-making need the facts and, to have and understand, the substantive standards and criteria that apply to a public action identified by the decision-maker.

**ANALYSIS ELEMENT 4. APPLICABLE EVIDENCE/FACTS**<sup>5-7</sup> **The decision-maker must identify the evidence/facts relied upon to take action. The action must be “supported by substantial evidence in the whole record.”** Actions often involve valid evidence both for and against a given proposed action. The decision-maker decides which evidence deserves more weight in these cases. Likewise, evidence may be subject to more than one legitimate interpretation, in which case a reasonable interpretation by the decision-maker controls.

The decision-maker has freedom to base its decision on any reliable evidence, even if that evidence has been controverted. However, the decision-maker cannot rely on unsupported assertions to justify an action (i.e., no evidence). If conflicting evidence directly and credibly undermines evidence relied upon to support an action, the final action should explain why the evidence is still adequate to support the action.

**Controverted:** *To contest, deny, or take issue with.* For example, a claim of reckless driving alleged in a plaintiff's complaint that initiates a lawsuit for negligence is controverted by the statements made in the defendant's answer that he or she was driving at a speed below the speed limit and was observing the rules of the road.

## Applicable Evidence/Facts

**Substantial Evidence**<sup>8</sup> In some appeals from decisions of administrative agencies, the courts apply a "substantial evidence" standard of review over the agency's factual findings. In the United States, for example, if a Social Security Disability Insurance claimant is found "not disabled" (and, therefore, ineligible for benefits) by an Administrative Law

*Facts: usually refer to the usage as a plural noun of fact, an incontrovertible truth.*

Judge (ALJ) and the claimant appeals, both the Appeals Council (the body within the Social Security Administration that hears appeals from decisions of ALJs) and the Federal courts (which, in this type of case, will normally hear an appeal only after the claimant has exhausted all administrative remedies) will look to see whether the administrative law judge's decision was supported by "substantial evidence" or not. Substantial evidence is "more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." Facts: usually refer to the usage as a plural noun of fact, an incontrovertible truth.

**Want more information?** Contact a member of the *Exploratory Committee*.

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6. HJSEC, HNA&HS. September 9, 2013. *Adequate Information & Analysis Methodology*. Hugo, OR.  
7. HJSEC, HNA&HS. September 10, 2013. *Adequate Analysis: Information Is Understood Or Not*. Hugo, OR.  
8. Wikipedia, the free encyclopedia. Downloaded August 23, 2013. *Legal Burden Of Proof*[http://en.wikipedia.org/wiki/Legal\\_burden\\_of\\_proof](http://en.wikipedia.org/wiki/Legal_burden_of_proof)

## Exploratory Committee's Mission

**Mission** An independent Justice System and Public Safety Services Exploratory Committee (*Exploratory Committee*) to investigate the JO CO Justice System & Public Safety Services (JS&PSS) issue was formed under the leadership of the Hugo Neighborhood Association and Historical Society (HNA&HS).

Big picture ideas for the exploratory effort include the following.

1. Identifying the JS&PSS issue.
2. Identifying the JS&PSS sub-issues for research and analysis.
3. Identifying a range in level of services
4. Identifying a range of cost for services.
5. Identifying revenues for services.

The ultimate goal is an adequate justice system and public safety services. Is it possible to have a higher level of service for a lower cost? The purpose of the *Exploratory Committee* is to gather information adequate enough to understand the JS&PSS issues. This includes educational outreach efforts.

The *Exploratory Committee's* purpose is limited to investigating and researching the JS&PSS issues. It will not make evaluations of right or wrong, nor make recommendations on how to vote.

The contents of this brochure are expressions of the opinions and beliefs of those that contribute based on their thoughts and experiences. Hopefully, their efforts will assist the public toward informed decision-making.

- Donations Are Not Tax Deductible -

Edited by Mike Walker, Member, Exploratory Committee

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### *Justice System Exploratory Committee*

<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

### Hugo Neighborhood Association & Historical Society

<http://www.hugoneighborhood.org/>

# ADEQUATE ANALYSIS: APPLICABLE EVIDENCE/FACTS

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Justice System & Public Safety Services Series



*“The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew.”*

December 1, 1862 Annual Message to Congress --  
Concluding Remarks by Abraham Lincoln.

**Very Draft September 10, 2013**

*Hugo Justice System Exploratory Committee*