

**Executive Summary Of Appendix B4. JO CO's  
Minimally Adequate Level Of Public Safety Services (MALPSS) Standards**  
(Public Outreach 5.6)

***Justice System & Public Safety Services Study Design: 2015 (Study Design)***

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

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**Executive Summary (ES)**

The Josephine County's (JO CO's) Minimally Adequate Level Of Public Safety Services (MALPSS) Standards project is summarized in its seven chapters.

1. What's the Problem?
2. History of MALPSS.
3. Types of Public Safety Services Standards.
4. What are the JO CO's MALPSS & Their Value?
5. Standards for Components of JO CO JS&PSS Public Safety Program.
6. Benefits of Public Understanding MALPSS Standards.
7. Potential Research Topics.

**The first chapter, *What's the Problem?***, is about a question, *What is the JO CO's Justice System & Public Safety Services (JS&PSS) Problem/Issue?* That is the research project of identifying public opinion through content analysis (ES Chapter VII). The Committee has two responses to the question.

Response 1. It felt part of the problem was because JO CO citizens have never had to understand and debate needed levels and funding for public safety. That public debate has now been raging intensively since 2012.

Response 2. It posed a second question, *Or, is there a problem, and if so, judged by what standards?*

Understanding and designing solutions are complicated tasks as there are substantial differences between Oregon counties in terms of their geographic and demographic characteristics, priorities, historic crime rates, willingness to tolerate certain levels of crime, and past and present funding of various public safety services. This complexity is also found at the local level in Josephine County, Oregon. The issue is not simply taxes versus safety. The range of pro and con reasons for the last four levies and one proposed sales tax from 2012 - 2015 are broad and complex.

A scientific study of the standards used to proclaim a public safety fiscal emergency when fiscal conditions compromise JO CO's ability to provide a *minimally adequate level of public safety services* would help answer the "*Is there a problem.*" question. When is a county in a state of

fiscal distress that compromises the county's ability to provide a MALPSS? Locally professional opinions have been offered, but the public has not been provided a scientific vetted document study of the MALPSS standards.

There are 16 distinct JO CO public safety services (PSS), some provided by JO CO and some are shared between the county and the state (list provided later in ES). There are four additional PSS provided by the State (Appendix B4 MALPSS, Table I-1): appellate court, state police, state prison, and attorney general.

However, the focus in JO CO is not the 16 PSS, but six PSS components identified for increased funding from 2012 - 2015, during four years of JO CO levies and one City of Grants Pass sales tax proposal. They are locally considered to be the major components of the JO CO public safety program needing additional resources (Appendix B4 MALPSS, Table I-2).

1. Adult Jail.
2. Juvenile Justice Center.
3. District Attorney's Office.
4. Rural Patrol Deputies.
5. Criminal Investigations & Related Sheriff's Office Support Services.
6. Animal Protection.

The Association of Oregon Counties is the author of the document, *Task Force on Effective and Cost-Efficient Service Provision*, that identified the three types of funding for PSS: 1. State provided PSS, 2. State/County shared and provided PSS, and 3. County provided PSS. The AOC has been active in addressing the public safety issue statewide through three of its committees. The AOC Public Safety Steering Committee is focused on those issues surrounding protecting individual and community safety from personal injury or loss of property. The Public Lands and Natural Resources Steering Committee seeks appropriate management policies and policy-making processes for public lands and natural resources, guided by the principles of "Enlibra" (national standards, neighborhood solutions; collaboration, not polarization; reward results, not programs; science for facts, process for priorities; markets before mandates; change a heart, change a nation; recognition of benefits and costs; solutions transcend political boundaries). The Human Services Steering Committee deals with those issues that surround the needs of individual Oregonians. Those issues include health care, mental health, public health, seniors, children and veterans.

The Lane County Public Safety Coordinating Council (PSCC) identified a list of PSS components for the purpose of identifying a MALPSS. Its December 1, 2011 analysis, entitled *Status of the Public Safety System in Lane County as per Senate Bill 77*, is enlightening and educational. Of special value was its identified five levels of MALPSS for its PSS.

- |                 |                                     |
|-----------------|-------------------------------------|
| MALPSS Level 1. | Adequate Level of Service           |
| MALPSS Level 2. | Minimally Adequate Level of Service |
| MALPSS Level 3. | Less than Adequate Level of Service |
| MALPSS Level 4. | Inadequate Level of Service         |
| MALPSS Level 5. | Emergency Level of Service          |

The Lane County PSCC work was instrumental in the Committee developing its own thoughts of a MALPSS analysis. Thank you.

**The second chapter, *History of MALPSS***, addresses the Exploratory Committee's observations about the history of MALPSS (Appendix B4 MALPSS, Chapter II for history). The Committee has several observations about the Oregon Legislative's MALPSS concept, and the public independently becoming informed and prepared.

1. The Oregon Legislature Was Forward In Its Preparedness To Prevent Harm.
2. Early Advice From Professional Oregon Criminal Justice Commission (OCJC).
3. Oregon Legislature Refined MALPASS Planning Process From 2009 - 2013.
4. Future Refinements Of MALPSS Would Be Valuable.
5. An Educated Public Makes Informed Decisions.

The Oregon Legislature used forward thinking in its preparedness for public safety services emergencies (PSSE)/public safety fiscal emergencies (PSFE) for Oregon counties. The general purpose of all the 2009 - 2013 MALPSS legislation was to reduce the potential for loss of life, injury to persons or property and suffering that could result from a PSSE or PSFE, and to provide for recovery and relief assistance. These public safety objectives were to be accomplished by creating cooperation among units of local government and the Governor of Oregon. It was critical that local governments and citizens were involved in improving preparedness for the potential response to a catastrophic public safety event stemming from a PSFE.

The 18 Oregon counties in which there could be a PSFE were those counties that had Oregon and California Railroad Revested Lands (Appendix B4 MALPSS, Section I.A). These counties became known as the O & C Counties. Starting in 2012, public safety in the O & C Counties with the following structural features could suffer if the Secure Rural Schools Act (SRS Act) funding ended, and/or significantly diminished: 1. they have substantial percentages of their general funds dependent on the SRS funds (40-70%), 2. most of their general funds are dedicated to public safety, 3. they have relatively low property tax rates and/or receive a small percentage of the property taxes levied in that county with little legal room, or political opportunity, to increase those rates, and 4. substantial fractions of these counties are federally owned, not subject to taxation.

Early advice from professional Oregon Criminal Justice Commission (OCJC) was a prudent decision by the Oregon Legislative. The JS&PSS Committee found the OCJC's MALPSS work sound. It encountered significant difficulty in reviewing and analyzing PSS provided by counties county to determine whether a county is providing a "minimally adequate level of public safety services" (MALPSS). The OCJC had the task of writing the Oregon Administration Regulations (OARs) to implement the law - rules for determining "minimally adequate" PSS in an affected county. The significant first question of the OCJC was, *What services should be taken into account, what are the key data elements in measuring a particular public safety service and how should they be measured?* Significantly, the OCJC developed the only OARs for MALPSS in 2011, since revoked. There have been no OARs to assist potentially affected counties in their decision-making since the 2011 OARs were revoked in 2012, a critical length of time without guidance.

Oregon Legislature Refined MALPSS Planning Process From 2009 - 2013. The Legislature started early in 2009 in anticipation of the 2012 loss of SRS funding and continued to refine its MALPSS planning concept through 2013.

Oregon Senate Bill 77 (2009). SB 77 established the process to declare a PSS emergency in a fiscally distressed county. The bill had been codified at ORS 203.095 and 203.100. Under this bill the OCJC was identified as the agency to establish the process to declare a public safety services emergency (PSSE) in a fiscally distressed county.

Oregon House Bill 4176 (2012). HB 4176 repealed the law per SB 77. Relating to counties in fiscal distress; creating new provisions; amending ORS 203.095 and 203.100; repealing ORS 203.095 and 203.100; appropriating money; limiting expenditures; and declaring an emergency.

Oregon House Bill 3453 (2013). HB 3453 repealed HB 4176. HB House Bill 3453 is the law as of December 15, 2015. It provides that the Governor of Oregon may proclaim public safety fiscal emergency (PSFE) for one or more counties where fiscal conditions compromise county ability to provide a MALPSS.

The Committee believes that future refinements of MALPSS would be valuable to address the following.

- Interaction of MALPSS Concept & Home Rule Charters.
- Identify Planning Process Methodology and Standards by which MALPSS ratings are categorized and evaluated. The Committee was beginning to consider different possible frameworks of understanding within the context of local counties.
  - Optimal Level of PSS.
  - Adequate Level of PSS.
  - Minimally Adequate Level of PSS.
  - Less than Adequate Level of PSS.
  - Inadequate Level of PSS.
  - Emergency Level of PSS.

The Committee also feels strongly that there must be an understandable MALPSS evaluation methodology that addresses the following analysis process elements in a scientific, documented, publicly, accessible way: 1. affected conditions – description of existing conditions being evaluated by MALPSS indicators and standards, 2. indicators, 3. standards, and 4. significance.

Nevertheless, the Committee believes the Oregon Legislative identified MALPSS concept was sound as a tool to assist counties in fiscal distress whether it was actually implemented by the Oregon Governor, or not (i.e., educational tool for public to have the opportunity to understand in a scientific documented way versus relying on professional opinions alone).

An Educated Public Makes Informed Decisions. As the public becomes ever more involved in the JO CO JS&PSS Problems/Issues as a part of daily life, it is crucial that citizens have the opportunity to develop critical thinking skills to help them decipher the barrage of conflicting information and opinions coming at them, and use this information in their opinion-forming and decision-making processes. This would help them in making decisions about the severity of any identified PSFE.

Comprehensive Preparedness (CP) is a tool for developing emergency information and operations plans (as needed). It promotes a common understanding of the fundamentals of risk-informed planning and decision making to help the public examine a hazard or threat and produce integrated, coordinated, and synchronized plans and responses. The goal of CP is to assist in making the planning process routine across all phases of emergency management. CP helps the public and planners at all levels of government in their efforts to develop and maintain viable emergency plans.

Preparedness, Considerations & Paths Forward. Natural disasters, political conflicts, economic crises, and other catastrophic events threaten the lives and livelihood of communities and people. The challenge for communities today is to make themselves more resilient in the face of the unexpected and expected, and more agile and responsive when disaster strikes. This is exactly the kind of problem MALPSS was designed to address.

The Committee believes that, even with its limitations, the original MALPSS concept has just started to be understood and valued as an educational tool, as well as its original and present legal role as an operational action plan.

**The third chapter, *Types of Public Safety Services Standards***, addresses the types of PSS standards. It is acknowledged by the Committee that this is a brainstorming work in progress. The heavy lifting would be by other individual researchers and/or the future *Study* team.

The first question was the jurisdictional authority for PSS. There was the obvious breakout by Federal, State of Oregon, and JO CO. The Committee's research is ongoing. The results have not been satisfying at the Federal and mixed at the State level.

At the State level enquiry, the primary value was a good overview of Federal jail standards and inspection, and some detailed information about Oregon's Department of Public Safety Standards and Training's (DPSST) standards and certification, and an excellent report by the Oregon State Police (OSP). A summary of the OSP JO CO patrol division's report follows.

Beginning in June 2012, when the Josephine County law enforcement levy failed, the OSP Patrol Division experienced a dramatic increase in calls for service. Because of the levy failure, the JO CO Sheriff's Office reduced their staff. With the dramatic downsizing of the Sheriff's Office, OSP saw an increase in the number of calls being referred from the Sheriff's Office. In 2013, there were 2,832 calls handled by the Patrol Division and 72% of the calls were referred to OSP by the Sheriff's Office. These demands have required some reallocation of agency resources.

The geographical area patrolled by the Central Point Area Command, which includes the Grants Pass work site, falls within Jackson and Josephine Counties. As the command group's larger parent office, Central Point enjoyed 24 hour patrol coverage at the beginning of 2012, with their allocation of 21 Patrol troopers. The Grants Pass Work site was staffed with eight Patrol troopers and one Patrol sergeant at the beginning of 2012.

In May of 2012, the Josephine County Sheriff's Office laid off deputies and calls for service were rising. It was readily apparent OSP would need to transfer resources to the Grants Pass Worksite to keep the troopers safe who were now responding to a greater variety of high-risk calls for service. The Department reallocated four Patrol trooper positions from Central Point to Grants Pass to address the safety issue. OSP routinely sends more than one trooper to certain types of calls which fall in line with best safety practices for law enforcement. The impact of the transfer of these four trooper positions, coupled with normal attrition (retirements), eliminated the ability of the Central Point Area Command to deliver 24-hour patrol coverage.

Due to the need to reallocate these four troopers to the Grants Pass Work site, the agency is realizing the following challenges.

- Decreased proactive policing time, impacting OSP Patrol priorities, including DUII apprehension, narcotic intervention, and crash prevention.
- Increased community frustrations with lack of police resources.
- Diminished service delivery at the Central Point Area Command.

In the aggregate, there are 16 types of PSS provided by the State & JO CO in Josephine County. Eleven (11) of these PSS are State and JO CO shared & provided, and five (5) are provided solely by JO CO.

#### State-JO CO Shared & Provided Public Safety Services

1. Trial Courts
2. District Attorney
3. County Jail 911/Emergency Communications
4. Emergency Management
5. Homeland Security
6. Community Corrections
7. Security
8. Juvenile Services
9. Marine Patrol
10. Drug Courts
11. County Law Library

#### JO CO Provided Public Safety Services

1. Sheriff Patrol
2. Animal Control
3. Justice Courts
4. Search and Rescue
5. County Jail

Identifying the minimum PSS standards for the JO CO Sheriff's Office has been mixed. One of the best clues on the JO CO Sheriff Office's minimum public safety standards came from a news article by Stacy D. Stumbo of *The Grants Pass Daily Courier* on the difficulty of identifying these minimum standards.

In 2012 the City of Grants Pass Public Safety Chief, Joe Henner, sent a memorandum to City Manager Aaron Cubic. The memo related discussions about consolidating law enforcement services in the city and the county after the failure of a property tax levy to support the criminal justice system. "Consolidation of law enforcement services under the umbrella of the Josephine County Sheriff's Office is a bad idea," Henner wrote.

"For elected Sheriffs in Oregon, very few minimum standards exist," [emphasis added] Henner wrote. "This is not meant to reflect negatively on any current or former sheriff but you really never know who will be providing leadership at the sheriff's office. That is because elected sheriffs can come and go with every election. At a recent meeting, the current Sheriff stated he 'answers to no one,' with respect to decision making about law enforcement in the county."

The Committee's will research the memorandum from City of Grants Pass Public Safety Chief, Joe Henner.

The Committee's research efforts discovered, except for training and certification, very little on mandatory PSS standards (i.e., laws & regulations), or even a scientific approach to these standards. It efforts were much more productive when it came to discovering the world of public "value" safety standards. Informal policies on *Public "Value" Safety Standards* are common for the JS&PSS, and they are usually not requirements unless specifically adopted as policies rather than serving as guides or goals. They involve a variety of factors, including an understanding of substantial differences between local governments in terms of their geographic and demographic characteristics, priorities, historic crime rates, willingness to tolerate certain levels of crime, and past and present funding of various public safety services.

The Committee felt the brainstorming of PSS standards produced topics for further research (e.g., 1. Real World Ideas, 2. Numbers Of Officers Per Capita To Define PSS, 3. FTE Comparisons with Other Communities, 4. More With Less/Efficiently and Effectively/Best Management Practices, 5. Zero-Based Budgeting For Law Enforcement Staffing & Deployment, 6. Travel Coverage - Officer Response Time, 7. Number of Arrests & Citations, Daily Coverage: 24/7, 8. Socio-Economic Population PSS Needs, 9. Crime, 10. etc.).

Although difficult to find information on the JO CO Public Safety Coordinating Council (JO CO PSCC), it hoped to be a major potential source of applicable information pertinent to the JO CO JS&PSS Problems/Issues.

The bright spot for assuming significant information is to be gleaned from the JO CO PSCC was because of the web accessible MALPSS analysis by the Lane County Public Safety Coordinating Council (LC PSCC). The LC PSCC's purpose and background, and especially its MALPSS rating key ascertaining LC's PSS relationships with the county's MALPSS was exceptional. The LC PSCC's MALPSS five level rating key was identified earlier.

The LC PSCC's MALPSS methodology felt right to the Committee (i.e., it identified the concepts of MALPSS and PSSE with a range of evaluation ratings from above the MALPSS level to an emergency level of service) in satisfying the law and a common planning approach of identifying a range of alternative solutions for problems/issues.

The Committee's concern, at this level of research, is that the LC PSCC's report did not identify the methodology or standards by which it differentiated its rating categories. Hopefully this information is in another supporting document. For example, it identified many opinions, mostly without explanation, which are suggestive that some of the standards are based on some "policy" number for full-time-equivalency (FTE), and PSS ratios per population. However, there are no explanations in its report. This is a future area of research with the LC PSCC, and JO CO PSCC.

The Committee's conclusion, was that the LC PSCC's report was excellent. It was also the only PSCC report found on MALPSS. It was very good on description. New to the Committee's research was a reasonable approach of placing the MALPSS within a system (i.e., one of five rating categories).

The Committee believes that two other preliminary research topics had merit for further research.

1. Law Enforcement Staffing Standards.
2. Determining Police Staffing & Deployment.

Law Enforcement Staffing Standards (Appendix J of Appendix B4 MALPSS). The use of officers per thousand for police or fire deployment is an ineffective performance measure. Instead, the determination should be made by what time is required to perform the given tasks on a daily, monthly, and seasonal basis and deploying the appropriate resources to manage the workload (*Police Staffing Standards*, Appendix J). Officers per thousand is a national standard. Wrong. There are no such standards. Nor are there recommended numbers of officer per thousand. It is not useful to make comparisons with other communities. Ready-made, universally applicable patrol staffing standards do not exist. A key resource is discretionary patrol time, or the time available for officers to make self-initiated stops, advise a victim in how to prevent the next crime, or call property owners, neighbors, or local agencies to report problems or request assistance. Understanding discretionary time, and how it is used, is vital.

Determining Police Staffing & Deployment (Appendix J of Appendix B4 MALPSS). Staffing decisions, particularly in patrol, must be made based upon actual workload and very few law enforcement agencies have the capability of conducting that analysis. Once an analysis of the actual workload is made, then a determination can be made as to the amount of discretionary patrol time should exist, *consistent with the community's ability to fund*.

The most effective way to manage operations, including public safety, is decisions based upon the interpretation and analysis of data and information. To achieve this, a data analysis of law enforcement department workload, staffing and deployment is conducted



**The fourth chapter, *What are the JO CO's MALPSS and Their Value?***, asked questions about legal indicators and standards for the MALPSS, with little satisfaction by the Committee in understanding the standards.

In 2013 the Hugo JS&PSS Exploratory Committee researched the legal indicators, but were unable to identify the standards by which the indicators were evaluated for meeting or/not, the MALPSS. Its position is that the 2013 HB 3453 legal thresholds of what the Committee had been identifying as standards were actually indicators of the JO CO PSS Problem/Issue, as standards were not identified in HB 3453, the ORS or the OAR.

- HB 3453 Indicator 1. JO CO PSS Problem/Issue's *State of Fiscal Distress (SFD)*.
- HB 3453 Indicator 2. JO CO PSS Problem/Issue's *Minimally Adequate Level of Public Safety Services (MALPSS)*
- HB 3453 Indicator 3. JO CO PSS Problem/Issue's *Public Safety Services Emergency (PSSE)*.

Questions about JO CO's MALPSS standards will apply to all 16 identified components of the JO CO public safety program, both the 11 State-JO Co Shared Public Safety Services, and the five (5) JO CO provided public safety services. However, the focus will be those historically considered locally to be the major components of the JO CO public safety program needing additional resources (Table I-2).

1. Adult Jail.
2. Juvenile Justice Center.
3. District Attorney's Office.
4. Rural Patrol Deputies.
5. Criminal Investigations & Related Sheriff's Office Support Services.
6. Animal Protection.

The Committee does not have a scientific methodology for the definition of MALPSS, but the LC PSCC in its 2011 *Status of the Public Safety System in Lane County as per Senate Bill 77* identified a MALPSS rating worthy of consideration (identified in an earlier chapter of ES).

The Committee addressed questions about performance standards without gaining an understanding of what they might be. It also continues to believe in the value of MALPSS standards regardless of whether there is a legal definition of the issue (i.e., 2013 Oregon House Bill 3453). Again, the bottom line, the public has not been provided a scientific documented study of where JO CO is at. Is it below the MALPSS, at it, or above it, as explained by more than professional opinions?

**The fifth chapter, *Standards for Components of JO CO JS&PSS Public Safety Program***, identified PSS, of which there are 16 services, some provided by JO CO and some are shared between the county and the state.

The Committee's position is that the range of PSS components identified for increased funding from 2012 - 2015, during four years of levies and the sales tax proposal, are locally considered to be the six major components of the JO CO public safety program.

The potential Sub-Components of the JO CO PSS can be very detailed. Good examples are provided for the following PSS: county jail operations; law enforcement, investigation, and patrol; community corrections; juvenile justice; emergency operations and emergency response, including search & rescue operations; criminal prosecution; and court facility operations.

The context under which sub-components of the JO CO PSS are considered is important (e.g., 1. population density, 2. geographic characteristics, 3. historical crime rates, 4. affected conditions, 5. social, 6. other relevant factors, etc.).

**Zero-Based Budgeting.** Performance measurement is at the heart of nearly every innovative management fad or organizational development strategy in the past two decades. It is an essential component of zero-based budgeting and management by objectives, reinventing government, re-engineering the corporation, total quality management, benchmarking, balanced scorecards, and organizational learning. Despite its popularity, performance measurement is an inherently ambiguous term. It is used in various ways to refer to the performance of individuals, of products and services, of subunits, of projects, and of organizations. Yet the methods and data used to measure performance at these different levels can vary significantly.

Zero-based budgeting is an approach to planning and decision-making that reverses the working process of traditional budgeting. In traditional incremental budgeting, departmental managers justify only variances versus past years based on the assumption that the "baseline" is automatically approved. By contrast, in zero-based budgeting, every line item of the budget, rather than only the changes, must be approved. Zero-based budgeting requires that the budget request be re-evaluated thoroughly, starting from the zero-base; this involves preparation of a fresh budget every year without reference to the past. This process is independent of whether the total budget or specific line items are increasing or decreasing

There is a valuable treatment of performance standards on four traditional measurements of law enforcement performance from an article entitled *Measuring the Performance of Law Enforcement Agencies*: 1. crime rates, 2. arrests and citations, 3. clearances, and 4. response time.

1. Crime Rates. It is too simple to argue that the public safety issue is the public considering it "taxes versus safety" as most policing scholars argue that there is no single "bottom line" in policing. Like other public agencies, police departments have multiple, perhaps even competing goals. Therefore, to focus exclusively on one goal at the expense of the others is to invite poor performance on alternative goals. It has been learned through the efforts of pioneering police chiefs that there are ways of operating police departments that reduce crime and enhance security without harming civil liberties or community satisfaction. Measuring police performance solely by crime statistics simply ignores consequential values such as justice, integrity, fear reduction, citizen satisfaction, protection and help for those who cannot protect or help themselves, and many others."

There are two primary problems with using "unadjusted" crime rates as performance measures for police. First, police are not the only factor that influences crime rates. Crime is the product

of a complex array of social, economic, and political forces. Second, reported crime rates often have as much to do with how local police departments process the information they receive as they do with the “true” level of crime. Finally, not all crime is reported to the police, therefore it makes sense to supplement “official” crime data with victimization surveys that indicate the extent of unreported crime.

2. Arrests and Citations are “output” measures. They demonstrate the extent to which organizations engage in certain activities, but they say nothing about whether these activities were effective in producing something of value for communities. In other words, they are not “outcomes.” When police departments cite the number of arrests they make or citations they issue, it is the equivalent of a carpenter boasting about how many board feet of lumber he cut, or how many nails he sank. Certainly these are some of the activities we expect of our police officers and our carpenters. These measures show clearly that the police officer and the carpenter were busy, but they do not demonstrate that the community is safer or happier, or that the home has been well built. This is not to say that arrest and citation data should not play any role in performance measurement. Rather, it is a challenge to police executives to think creatively about what these measures represent and how they might contribute to a more comprehensive performance measurement scheme.

Arrest represents one of the most visible measures of police output. Although this measure might appear on its face to be clear, research has shown that the legal definition of arrest varies widely across agencies. In addition to these measurement problems, arrests are also conceptually ambiguous.

Unlike arrests, there are no national data on citations issued by police agencies. Police departments traditionally maintain their own records on citations and have historically paid close attention to citation productivity. Citations are one of the basic outputs of police agencies, used much more numerous than arrests. Citation data may be useful for individual police organizations to keep track of how officers are spending their time, or to ensure that the organization is producing outputs in the manner prescribed by the chief executive. But, because they are not available nationally, they cannot be used to compare police departments nationally.

Furthermore, arrests and citations are “output” measures. They demonstrate the extent to which organizations engage in certain activities, but they say nothing about whether these activities were effective in producing something of value for communities. In other words, they are not “outcomes.” When police departments cite the number of arrests they make or citations they issue, it is the equivalent of a carpenter boasting about how many board feet of lumber he cut, or how many nails he sank. Certainly these are some of the activities we expect of our police officers and our carpenters. These measures show clearly that the police officer and the carpenter were busy, but they do not demonstrate that the community is safer or happier, or that the home has been well built. This is not to say that arrest and citation data should not play any role in performance measurement. Rather, it is a challenge to police executives to think creatively about what these measures represent and how they might contribute to a more comprehensive performance measurement scheme.

3. Clearances. Like the arrest rate, the clearance rate, which is the proportion of reported crimes solved by the police, is another measure of police output that is collected widely and frequently by police agencies around the nation. Despite numerous conceptual and technical problems with clearance rates, they are “the most common measure of investigative effectiveness” used by police. Despite these problems with the measurement of clearance rates, they are reported routinely by police departments, and they are used routinely by researchers. Clearance rates can be very useful measures. As with arrest and citation measures, important concerns have been raised about the quality of the data, particularly when they are used to compare different agencies.

4. Response Time. The standard response to calls for service in most police departments has historically been to dispatch a sworn police officer, who responds quickly. Yet, research and experience have shown that not everybody who calls the police requires, or even necessarily expects, a rapid response. Police agencies facing resource shortages have often been able to streamline their existing resources and improve both efficiency and effectiveness by implementing some form of alternative response strategy. Collectively, these alternative responses have come to be known as “differential police response” (DPR) strategies. The development and diffusion of DPR strategies in American police agencies was informed by several influential research findings. First, several studies showed that rapid response to reports of serious crimes led to an arrest less than 5% of the time. Second, for offenses in which there are no witnesses and no evidence, citizens are often willing to file a police report over the telephone. Third, a series of studies showed that the single most important factor in citizen satisfaction with police response was whether the response time matched citizen expectations, even if the response time was lengthy. In other words, providing citizens with an accurate estimate of the response time is often more important than providing a rapid response.

What challenges do response rates raise as comparative performance measures? First, community standards vary widely. Some communities demand a different police response than others. Second, communities differ in geography, topography, traffic patterns, and other features that make it difficult to compare response rates. Third, rapid response can sometimes be a less efficient, less effective response strategy than alternative approaches. Rapid response to nuisance calls is sometimes wasteful and may detract from more important police priorities. It is possible to compute a comparative performance measure that is based on response times, but it would require careful thought. It would mean developing a uniform definition of calls requiring a rapid response, and measuring the response times for only those calls. Response time is important, but using it as a comparative performance measure invites several challenges. One more feasible alternative to using actual response times is to use customer satisfaction with response times as a performance measure.

Two worthwhile ideas are addressed: 1. toward a new conception of police performance, and 2. multi-dimensional nature of police performance.

The Committee feels strongly that there must be an identified MALPSS compliance methodology that addresses the following analysis process elements in a scientific, documented, public accessible way.

1. Affected Conditions – Description of Existing Conditions Being Compared to MALPSS Indicators and Standards.
2. Indicators.
3. Standards.
4. Significance.

**The sixth chapter, *Benefits of Public Understanding MALPSS Standards***, addresses the simple belief that the benefits of common accurate facts to better explain the JO CO JS&PSS Problem/Issue is worth the effort. For example, the Committee believes strategies to combat misinformation are worth trying, within the framework that all citizens, voters, and votes are legitimate. Legitimacy has powerful hopes.

- A feeling of expectation and desire, and belief in citizens, for a certain thing to happen.
- *Study Design* may help to facilitate a consensus solution to the public safety issue.
- There are grounds for believing that something good may happen.
- Hope is belief that the glass is half-full rather than half-empty.

“Learn from yesterday, live for today, hope for tomorrow.  
The important thing is not to stop questioning.” Albert Einstein

The potential benefits are in a context of a Josephine County “Public Safety Trust Issue,” including the State of Oregon, and government in general (from July 15, 2015 CA).

- Issue # 2 Mistrust in Government Growing: Honesty, Transparency and Accountability
- Issue # 3 Citizens Feel Their Voices Are Not Being Heard. What Part Of “No” Don’t They Understand?

The Committee’s position is that facts matter and strategies to combat misinformation are worth trying. This includes new facts with all accessible to the public.

What will an analysis of the MALPSS and/or the “Law Enforcement Staffing & Deployment (LES&D)” standards provide to citizens? These standards are in many ways just like all the other pieces of information needed for an informed and understanding public. They are also keys because they focus directly on the JO CO JS&PSS public safety issue. For example, the simple potential to provide a framework of understanding is significant in realizing where JO CO’s public safety program is in the scheme of things. Are we above an emergency level of services, or below? Are the JO CO’s JS&PSS adequate, or less than adequate? And, just as important, where is the science and/or facts supporting the professional opinions of adequacy?

What does the public think the difference is between an emergency, adequate, or optimal PSS? The Committee is curious about is how far will the people go to get the best available outcomes. What will one sacrifice? The Committee believes that everything in life is relative and to achieve the best in one thing might mean giving something else up. That includes things like how it affects family members as well to how it affects individual citizens. The Committee defines a normative level of PSS to be what is considered to be the normal or correct way of doing something (i.e., compromise between adequate and optimal?).

The Committee’s recommendation is that the MALPSS analysis needs to go beyond the valuable work of the LC PSCC in defining a safety rating system, including the methodology or standards by which rating are categorized. Consider the following possible framework of understanding (ES: Table VI-1. MALPSS Framework).

<b>Table VI-1. MALPSS Framework For Public Safety Services (PSS)</b>		
<b>Level of PSS<sup>1</sup></b>	<b>Acronym</b>	<b>Notes</b>
Optimal Level	OL PSS	Best available outcomes; includes discretionary services?
Normative Level	NL PSS	Compromise between adequate and optimal; includes discretionary services (pre-2012 level of PSS)?
Adequate Level	AL PSS	LES&D? <sup>1</sup>
Minimally Adequate Level	MAL PSS	MALPSS?
Less than Adequate Level	LTAL PSS	Less than sufficient to satisfy a requirement/meet a need?
Inadequate Level	IL PSS	Insufficient for a purpose?
Emergency Level	EL PSS	Public Safety Fiscal Emergency (PSFE)? <sup>2</sup>
Footnotes		
1. Public Safety Services Law Enforcement Staffing & Deployment (LES&D) standards.		
2. PSFE, Oregon House Bill 3453 (2013); Appendix A; much the same concept as Public Safety Services Emergency (PSSE), Oregon Senate Bill 77 (2009); Appendix B.		
Source: Walker, Mike and Whalen, Jon, Co-Authors <i>Study Design (Justice System &amp; Public Safety Services Study Design: 2015)</i> , The Hugo Justice System & Public Safety Services Exploratory Committee (Justice System Exploratory Committee). <a href="http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm">http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm</a> .		

*Hoped For Benefits.* What the Committee knows is that *Study Design* is a potential alternative that has not been considered as a serious solution in JO CO. It is beyond the adversary model of pro and con arguments during the last four 2012 - 2015 JO CO public safety levies, and one City of Grants Pass proposed city sales tax.

There are a range of possible key outcomes hoped for from a successful *Study*. They are all about the idea of slow long-range incremental changes, and the confidence that there will be an increase in the number of citizens believing in vetted inventories and knowing they are being listened to, starting to show between 2016 - 2026.

- \* *More* People know they are being listened to.
- \* *More* People are better informed.
- \* *More* People trust the vetted baseline facts/inventories (i.e., affected conditions).
- \* *More* People understand that the range of public safety problems/issues and range of alternatives were identified by them, individually, for consideration by the collective public.
- \* *More* People better understand the concerns of their neighbors.
- \* *More* People speak a common language to solve problems.

- \* *More* People agree on a consensus public safety problem/issue.
- \* *More* People agree on a consensus public safety solution.
- \* *More* People have a consensus to also address the causes of problem/issue.

*Perseverance.* The Committee will continue to try and serve a fresh source of accessible public safety facts, painstakingly researched and verified, to help citizens make better decisions and drive better conversations. The camaraderie of being part of a team, knowing defeat if it comes is O.K., as long as they show discipline and dedication with respect and sportsmanship in their drive for the facts. Independence, and perseverance, especially the value of endurance determination, are pleasure-pain genes that drives the Committee forward.

**The seventh, and final chapter, *Potential Research Topics***, addresses research topic goals that the Committee is promoting to be initiated or be completed prior to the contracted Phase 3 *Study*. This chapter includes the highlights, and status of potential research projects. In some ways the coverage is brainstorming and preliminary. In other ways it is detailed and demanding.

“Why support or sponsor a socio-economic impact “*Study*” that purports to represent the citizens of JO CO, Oregon in their efforts to address the county’s public safety problem/issue?” Why support a separate MALPSS research project? The Committee has three summary responses to the questions.

Response 1: In a nut shell *Study Design* proposes an impact *Study*, including several other independent and chronologically proceeding studies, which will be based on formal vetted inventories and an impact methodology model which promotes informed decision-making through a unique decision process, where the citizens identify the problems and potential solutions, and are the decision-makers. A key concept is *how to demonstrate trust and enhance communication between neighbors with different values, and JO CO government.* The approach primarily relies on citizens to provide insight about how to identify problems, and formulate their own goals and solutions for the future (e.g., voting, writing letters to the editor and guest opinions in *The Grants Pass Daily Courier*, writing arguments in voters’ pamphlets, etc.).

Response 2: Vetted *Study* Baseline Facts/Inventories. Understanding is made more difficult with all those noisy facts when truth isn't always something as clear and unquestionable as desired. It is believed that a step in the right direction is for different publics, that don't trust each other to share vetted, or checked, information. This is one of the purposes – for citizens to speak a common language, to solve problems, not to spend valuable time and energy discussing potential conflicting facts. For that purpose, a web page of “*listening*” to baseline information, vetted facts, and disputed facts, has been started for consideration in *Study*: letters-to-the-editor (over 800); guest opinions (10 and adding), media articles (over 650), voters pamphlets (5), and studies & information (24 - e.g., declining federal payments to counties, demographic & population, health, OR reports of criminal offenses and arrests, local crime information, budget, etc.).

Response 3: Key Outcomes. It is difficult when JO CO citizens are polarized over the public safety problem/issue and have not yet found a consensus definition of either the public safety problem, or the solution; and its compelling that a significant number of city and county citizens fear for their family’s and community’s safety because of a decreased number of jail beds, lack of

911 call responses, JO CO rural patrol, etc. How will *Study Design* change the way people live? At this stage the public outreach strategy is to explain *Study Design* with the goal of moving toward a consensus definition of the problem/issue. It is definitely not as simple as “Taxes” versus “Safety.”

Observations by the Committee are several.

- Levies. Four JO CO levy attempts from 2012 - 2015, and one City of Grants Pass sales tax, to fund JS&PSS using the property owners model of replacing lost Federal payments failed.
- Citizen Voting. A majority of citizens did not favor the levies, but, averaging the four years of voting found, almost as large a number of citizens favored the levies. The one city vote was crushed by 15 points.
- No Observable Formal Planning: 1. to determine public values; 2. to determine *minimally adequate level of public safety services* (MALPSS); 3. to address public mistrust of government; and 4. other JS&PSS problems/issues.
- Specific documented strategies to listen to the public as decision-makers & partners are worth trying.
- Unique *Study Design* that proposes a *Study* which will be based on formal vetted inventories and an impact methodology, which promotes informed decision-making through a unique decision process, where the citizens are the decision-makers.

The *Study Design* process will be completed in three phases: Phase 1. *Study Design*, Phase 2. Grant Process, and Phase 3. *Study*. There are products of the *Study Design* planning phases.

- Product 1a. Final JS&PSS *Study Design*.
- Product 1b. Independent public safety research proposals.
- Product 2. *Study* Grant Proposal.
- Product 3. Request For Proposals (RFPs) for *Study* – often called grant announcements.
- Product 4. Award of Grant to Independent Third-Party *Study* Team.
- Product 5. Analysis of the Public Situation (APS).
- Product 6. Final JS&PSS *Study*.

Affected Condition Facts/Inventories One of the important steps is to understand the studies and information available, or to be researched, for the area of interest and to identify the affected conditions. This is a description of the existing conditions to be affected by the range of publicly identified alternatives.

Research topics that the Committee is promoting through *Study Design*, prior to the contracted Phase 3 *Study*, follow.

1. Public Opinion Through Content Analysis.
2. MALPSS Standards.
3. Accessible Vetted Public Facts/Inventories.
4. Zero Based Budgeting and JS&PSS Staffing & Standards.
5. Law Enforcement Staffing Standards.



1. The research topic, *Public Opinion Through Content Analysis*, is an unqualified success. On July 15, 2015, the Committee started out with a rough experimental content analysis (CA) of 60 letters-to-the-editor (LTTE) which was 12 percent of the 517 LTTE it had in its archives at the time. The CA analysis identified 11 JS&PSS Problems/Issues.

On November 7, 2015 Nathan Davis, a 2<sup>nd</sup> year graduate student at Oregon State University (OSU), formally settled on tiering his Master's of Public Policy (MPP) Essay research paper to the JO CO JS&PSS public safety issue. Davis is in the OSU School of Public Policy which is part of the OSU Rural Studies Program. The focus on citizens as the decision-makers will be the core of his MPP paper, which is recording and analyzing the public's opinions, pro and con, across their range of values, through a CA research method. The data base for this CA is over 800 LTTE, 10 guest opinions, and five (5) voters pamphlets. The CA project is scheduled for public availability in the Spring of 2016.

2. *MALPSS Standards Identification Is On-going*. The Committee definitely believes in the MALPSS rating system developed by the LC PSCC. Like Lane County, the MALPSS evaluation will be for the entire range of 16 PSS, including appropriate sub-components. The Committee's opinion is that we need to go beyond the valuable work of the LC PSCC in defining a safety rating system, including the methodology and standards by which rating are categorized. Consider the possible MALPSS framework of understanding identified at Table VI-1 (previously provided).

The MALPS analysis should move from comparative analysis toward the concepts of analyzing actual, and/or needed, workloads with the use of zero-based-budgeting. They all must be consistent with the community's ability and inclination to fund PSS. The important difference is that the MALPSS analysis would a professional scientific documented study versus the tradition time-saving method of using professional opinion, without a documented study.

The Committee also feels strongly that there must be an identified MALPSS evaluation methodology that addresses the analysis process elements in a scientific, documented, public accessible way: 1. affected conditions – conditions evaluated by MALPSS indicators and standards, 2. indicators, 3. standards, and 4. significance.

3. *Accessible Vetted Public Facts/Inventories Program Has A Good Beginning* in the Committee's web publications. Understanding is made more difficult with all those noisy facts when truth isn't always something as clear and unquestionable as desired. It is believed that a step in the right direction is for different publics, that don't trust each other to share vetted, or checked, information. This is one of the purposes of *Study Design* – for citizens to speak a common language, to solve problems, not to spend valuable time and energy discussing potential conflicting facts. For that purpose, a web page of “*listening*” to baseline information, vetted facts, and disputed facts, has been started for consideration in *Study*: letters-to-the-editor (over 800); guest opinions (10 and adding), media articles (over 650), voters pamphlets (5), and studies & information (24 - e.g., declining federal payments to counties, demographic & population, health, OR reports of criminal offenses and arrests, local crime information, budget, etc.).

The Committee's web page is actually much more comprehensive than public facts/inventories, and includes many other data elements applicable to the JS&PSS Problems/Issues.

- Justice System & Public Safety Services Study Design: 2015
- Public Outreach
- Appendices to Study Design
- Press Releases
- Letters-To-The-Editor
- Guest Opinions
- Media Articles
- Voters Pamphlets
- Studies & Information

4. *Zero Based Budgeting and Agency Staffing Are Just Being Explored.* Law enforcement to population ratios and why they should not be used as a basis for staffing decisions. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions. Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data.

Zero-based budgeting is an approach to planning and decision-making that reverses the working process of traditional budgeting. In traditional incremental budgeting, departmental managers justify only variances versus past years based on the assumption that the "baseline" is automatically approved. By contrast, in zero-based budgeting, every line item of the budget, rather than only the changes, must be approved. Law enforcement staffing standards from a zero based workload analysis?

5. *Law Enforcement Staffing Standards Are Just Being Explored.* Staffing decisions, particularly in patrol, must be made based upon actual workload and very few police agencies have the capability of conducting that analysis. Once an analysis of the actual workload is made, then a determination can be made as to the amount of discretionary patrol time should exist, consistent with the community's ability to fund.

**In summary**, a scientific study of the standards used to proclaim a public safety fiscal emergency when fiscal conditions compromise JO CO's ability to provide a *minimally adequate level of public safety services* would help answer the "Is there a problem." question. When is a county in a state of fiscal distress that compromises the county's ability to provide MALPSS? Locally professional opinions have been offered, but the public has not been provided a scientific vetted document study of the MALPSS standards.

The Committee believes the Oregon Legislative identified MALPSS concept is sound as an educational methodology tool to assist counties in fiscal distress, whether it is actually implemented by the Oregon Governor, or not (i.e., educational tool for public to have the opportunity to understand in a scientific documented way versus relying on professional opinions alone).

The Committee believes that, even with its limitations, the original MALPSS concept has just started to be understood and valued as an educational tool, as well as its original and present legal role as an operational action plan.

Research topics that the Committee is promoting through *Study Design*, prior to the contracted Phase 3 *Study*, follow.

1. Public Opinion Through Content Analysis.
2. MALPSS Standards.
3. Accessible Vetted Public Facts/Inventories.
4. Zero Based Budgeting and JS&PSS Staffing & Standards.
5. Law Enforcement Staffing Standards.

Two of the promoted research topics are already being implemented (i.e., public opinion through content analysis, and accessible vetted public facts/inventories). The highest priority is the early identified MALPSS standards project. Two variations of the MALPSS project became about because of the MALPSS analysis: 1. zero based budgeting and JS&PSS staffing & standards, and law enforcement staffing standards.