

House Bill 3453 (Guest Opinion)

Mike Walker

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What is Josephine County's (JO CO's) Justice System and Public Safety Services (JS&PSS) problem? Or, is there a problem, and, either way, judged by what standards? A scientific study to determine whether the county is providing a *minimally adequate level of public safety services* (MALPSS) would help answer the question. MALPSS is the House Bill (HB) 3453 topic that is continually in this paper. This study would not replace PSS funding options the government and citizens may put in front of voters. It is concurrent fact finding with the on-going political debate, and its answers will be viable for many years, regardless of future ballot results.

Since the 2000 Secure Rural Schools Act, Congress had repeatedly sent messages that federal payments would be phased out, and this was intended to give counties time to plan for the change. In light of the message and the local need, it is significant that information generated from a formal public planning process has not been tried. Why not? Probably because serious long-range planning involving the public requires time, and is not a quick fix. On the other hand, it has been over 15 years since the message. How many more years are to go by before we have answers?

In JO CO there have been 10 PSS proposed for increased funding in five tax proposals over four years. Six PSS have been the focus of interest: 1. Adult Jail; 2. Juvenile Justice; 3. District Attorney; 4. Rural Patrol; 5. Criminal Investigations and Related Sheriff's Office Support Services; and 6. Animal Protection.

JO CO's Board of County Commissioners' (BCC) recent position was that, if the county handed the adult jail operations over to the State through the mechanisms of HB 3453, it would do so only after an advisory vote of the people. The HB provides that the Governor may proclaim a public safety fiscal emergency where fiscal conditions compromise a county's ability to provide a MALPSS. The BCC's advisory vote idea for funding the adult jail is part of its fact-finding, but is a public opinion vote more important than knowing if the county is providing a MALPSS? These are two different questions. As you know the BCC has now delayed the advisory vote.

Under the HB process, with its many largely untried technical elements, the BCC must first provide to the Governor, a request for a declaration of a public safety fiscal emergency because it "believes" the county's fiscal conditions compromises the county's ability to provide a MALPSS. Next, the State conducts an analysis. Then, the Governor can declare a declaration of fiscal emergency if it determined a MALPSS could not be provided. If a declaration is issued, a fiscal assistance board must be established with responsibility to develop a recovery plan, which means the State would be in charge of providing any needed PSS.

How would the county come to "believe" a declaration is necessary? This could be simple, but pretty tricky, as "believing" is to have confidence in the truth, the existence, or the reliability of

something, without proof. How would the county document its HB “belief” versus how the state would conduct a MALPSS analysis? Can other non-HB 3453 analyses be conducted independent of government? What are the required or mandated PSS, and at what levels of service? The importance of these questions is about the answers. And, just as important it is about a neutral documented analysis process with accessible transparent study results that can be publicly debated before a government decision is made.

Further, answering the question of whether to turn over PSS through an advisory vote by the people would miss a major point. For me knowledge is not so much about implementing HB 3453 through turning over PSS to the State as it is about a sound analysis tool to assist voters’ understanding. It is a way to become more informed in a scientifically documented way . . . versus relying on professional, or political opinions.

What are the benefits for an educational MALPSS analysis (i.e., HB or non-HB)? This is the simple belief that the benefits of common accurate facts, to better explain the county’s public safety issue, is worth the effort. Strategies to combat misinformation are worth trying, within the framework that all citizens, voters, votes, and values are legitimate. Legitimacy has powerful hopes.

As an educational issue, the delayed advisory question to the voters would have significant value for an informed public, if citizens understood the county’s MALPSS belief rationale supporting a declaration request, before the advisory question was put to a vote. For example, we know we have less than the historical pre-2012 PSS program. However, are we above an emergency level of PSS, or below? Are the PSS adequate, or less than adequate? How do the different PSS elements work together as a system, and how efficient are they? And, just as important, what are the facts supporting the adequacy determination(s), beyond the limbo of historical conditions, beliefs, and opinions?

Providing an analysis to the voters before an advisory vote would help answer the question, “Is there a PSS problem?” However, without having explained how the MALPSS analysis works, and the results of an operational application, the people will not really understand significant elements on what they are voting for, except yes or no, not whether there was a PSS problem, or if so, by what standards. We need PSS. Lets build a future system based on the facts, not the amounts of pass-through federal payments without public debate.

In conclusion, professional and political opinions have been offered, but in my opinion, the voters have not been provided vetted information to understand the public safety issue, including the positive and negative impacts from a range of publically identified alternative solutions.

Mike Walker is a retired planner and co-author, with Jon Whalen, of *Justice System & Public Safety Services Study Design: 2015*.

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