

Hugo Neighborhood Association & Historical Society

P.O. Box 1318
Merlin, Oregon 97532
541-471-8271
Email: hugo@jeffnet.org
Web Page: <http://www.hugoneighborhood.org/>

March 17, 2017 Letter/Email

Kate Brown, Oregon Governor
Office of the Governor
160 State Capitol
900 Court Street
Salem, OR 97301-4047
503-378-4582



Dear Kate:

This is our sixth letter to the Governor of Oregon since 2013 asking for assistance in trying to understand the Governor of Oregon's rules for implementing Oregon House Bill 3453 (signed by the Oregon Governor August 14, 2013), especially for how it would operationally evaluate for a *minimally acceptable level of public safety services* (MALPSS; Appendix A). The background to our MALPSS request is a long-range planning project with the goal to understand Josephine County's (JO CO's) Justice System & Public Safety Services (JS&PSS) problem/issue, and in seeking solutions for it (Appendix B) through information and studies for a more informed public.

Your agent's (i.e., name not given, aka, Constituent Services Team, Office of Governor Kate Brown) September 10, 2015 response to our fifth information request letter recommended we contact the Association of Oregon Counties (AOC) for information. We did on December 23, 2015 and to this date we have not received a response.

1. August 5, 2013 Letter/Email to Oregon Governor John A. Kitzhaber. Subject: Questions about the 2013 Enrolled Oregon House Bill (HB) 3453.
2. August 16, 2013 Letter/Email to Oregon Governor John A. Kitzhaber Representative, Nathan Rix, Strategic Initiatives Project Manager, Office of the Chief Operating Officer. Subject: HB 3453 Inquiry.
3. August 24, 2013 Letter/Email to Oregon Governor John A. Kitzhaber Representative, Nathan Rix, Strategic Initiatives Project Manager, Office of the Chief Operating Officer. Subject: HB 3453 Clarification Questions.
4. September 2, 2015 Letter/Email to Oregon Governor Kate Brown. Subject: Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services.
5. October 8, 2015 Letter/Email to Oregon Governor Kate Brown. Subject: Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services. Committee was recommended to contact Association of Oregon Counties.
- 5b. December 23, 2015 Letter/Email to Association of Oregon Counties. Subject: Access to AOC Public Safety Issue Materials. No response.
6. March 17, 2016 Letter/Email to Oregon Governor Kate Brown. Subject: Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services.

One of the main points of our information requests is an understanding of the operational methodology for determining a *Minimally Adequate Level of Public Safety Services* (MALPSS) that your office has a responsibility to determine (ORS 203.095(2)(b)) if a declaration of fiscal emergency is requested by Josephine County (ORS 203.095(1)(a)).

What are the benefits for an independent educational MALPSS analysis from outside the Governor's Office (i.e., government or private)? This is the simple belief that the benefits of common available 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 tool, a MALPSS analysis (even understanding the rules and standards by which the Oregon Governor would conduct such an analysis) would have significant value for an informed public. For example, citizens would be better informed if they understood a county's MALPSS rationale supporting a declaration request *prior* to the Josephine County Board of County Commissioners requesting a MALPSS, and/or the next public safety levy vote.

We know Josephine County has less revenue 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 MALPSS determination(s) (i.e., as measured by what standards?), beyond historical conditions and comparisons, beliefs, and opinions?

Providing an independent MALPSS analysis to the voters would help answer the question, "Is there a PSS problem?" We need PSS. Lets build a future system based on an analysis of the facts, not the size of annual passthrough federal payments.

During the last three weeks, a significant part of the public safety issue controversy in Josephine County, Oregon revolves around the question of whether the county is providing a MALPSS. This question is reaching the boiling point, at least as evidenced by the recent front page articles in *The Grants Pass Daily Courier* (Appendix A).

March 15, 2016. *Public Safety Council meets Wednesday to consider lowest acceptable law enforcement services for county.*
March 11, 2016. *Hare doesn't think new taxes, fees needed to match state aid.*
March 10, 2016. *Critics, supporters weigh in on public safety bailout issue.*
March 9, 2016. *Walker drops out of race: Announcement reduces county commissioner races to 18 hopeful.*
March 6, 2016. *Is crime up in Josephine County?*
March 3, 2016. *Walker defends public safety proposal as meeting heats up.*
February 25, 2016. *State bailout question get tabled.*
January 15, 2016. *Walker's 'a la carte' tax levy idea strikes out.*
January 14, 2016. *Board will not turn over public safety operations to the state without a vote.*

In conclusion, we once again ask for the Oregon Governor's assistance in trying to understand the rules/standards for implementing House Bill 3453, especially for how the Governor would operationally evaluate for a *minimally acceptable level of public safety services*.

Sincerely,

Mike & Jon :)

Mike Walker, Chair
JS&PSS Exploratory Committee
Hugo Neighborhood Association & Historical Society
P.O. Box 1318
Merlin, Oregon 97532
541-471-8271
Email: hugo@jeffnet.org
Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>



Jon Whalen, Member
JS&PSS Exploratory Committee
Hugo Neighborhood Association & Historical Society
26 NE Josephine Street
Grants Pass, Oregon 97526
541-476-1595
Email: bear46@charter.net
Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>



Appendices

- Appendix A. *Study Design* Web Publications On Minimally Acceptable Level Of Public Safety Services (MALPSS)
- Appendix B. Hugo JS&PSS Study Design: 2015

Email copies:

- . Kate Brown, Governor of Oregon (email address not provided).
- . Constituent Services Team, Office of Governor Kate Brown (email address not provided).
- . Josephine County Board of County Commissioners (for information only).
- . Josephine County Local Public Safety Coordinating Council, c/o Diane Hoover, Chair (for information only).
- . Josephine County Management Team, c/o Rob Brandes, Contact (for information only).
- . Kevin Widdison, Editor, *The Grants Pass Daily Courier* (for information only)
- . Shawn Hall, Reporter, *The Grants Pass Daily Courier* (for information only)
- . Paul Sieng, Public Safety Policy Manager, The Association of Oregon Counties (for information only).
- . Nathan Davis, 2nd Year Graduate Student, Oregon State University (OSU). His Master's of Public Policy Essay research paper is *What Do Josephine County Citizens Really Think About Public Safety?* (for information only; Appendix B).

Appendix A. *STUDY DESIGN* Web Publications
On Minimally Acceptable Level Of Public Safety Services (MALPSS)
Justice System & Public Safety Services Study Design: 2015 (*Study Design*)
<http://www.hugoneighborhood.org/malpss.htm>

2013. Justice System & Public Safety Services Issue Scope Of Work (Scope)

2013. Br. III.E.1.6.3.3 OR Criminal Justice Commission's & OR Senate Bill 77
2013. Br. III.E.1.7 OR'S Minimally Adequate Public Safety Services Standards
2013. Br. III.E.1.7.1 Oregon Senate Bill (SB) 77: 2009
2013. Br. III.E.1.7.2 Oregon House Bill 4176 (2012)
2013. Br. III.E.1.7.3.1 Enrolled Oregon House Bill 3453: 2013 (1 of 2)
2013. Br. III.E.1.7.3.2 Oregon House Bill 3453 (2 of 2)
2013. Br. III.E.1.8.1 Oregon Administrative Rules (OAR) 213-070-000: 2011
2013. Br. III.E.1.8.2 Oregon Administrative Rules (OAR) 213-070-000: 2013

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

Dec. 15, 2015. Appendix B4. Josephine County's Minimally Adequate Level of Public Safety Services Standards
Appx. A. ORS 203.095; ORS 203.100; & ORS 203.105 and County Public Safety Fiscal
Emergencies
Appx. B.2011 OAR 213-070-0000 Revoked
Dec. 15, 2015. Executive Summary Of Appendix B4. Minimally Adequate Levels of Public Safety Services
(MALPSS) Standards (Public Outreach 5.6).
Dec. 15, 2015. Summary Highlights: Minimally Adequate Levels of Public Safety Services (MALPSS) Research
Project (Public Outreach 5.5).
Jan. 12, 2016. Presentation at Public Meeting. JO CO's Minimally Adequate Levels of Public Safety Services
(MALPSS) Research Project.
Jan. 18, 2016. Guest Opinion. Public Safety Study Design Idea was submitted.
Jan. 28, 2016. What's the deal? Minimally Adequate Level Of Public Safety Services was submitted.
Feb. 3, 2016. Letter-To-The-Editor. Look Closely At Levels Of Public Safety Services.
March 4, 2016. Guest Opinion. House Bill 3453/MALPSS was submitted.
March 8, 2016. Guest Opinion. A Search For Public Safety Answers.

Minimally Acceptable Level Of Public Safety Services (MALPSS)

- Appendix B4. Minimally Adequate Level of Public Safety Services Standards. Outreach, Hugo JS&PSS
Exploratory Committee

As members of the Hugo Justice System & Public Safety Service (JS&PSS) Exploratory Committee, we have been trying to understand the 2013 Oregon House Bill 3453 since it became law (signed by the Oregon Governor August 14, 2013), including its previous incarnations (i.e., 2009 Oregon Senate Bill 77 and 2012 Oregon House Bill 4176). Simply stated the law provides that the Governor of Oregon may proclaim a public safety fiscal emergency for a county where fiscal conditions compromise the county's ability to provide a minimally adequate level of public safety services (MALPSS). Our comments and questions follow.

What is a MALPSS? How do you conduct a legal MALPSS analysis (i.e., what is the MALPSS methodology and what are the public safety services' standards to conduct a MALPSS analysis)? What are the required or mandated PSS, and at what levels? Who conducts a MALPSS analysis? We assume both the applicable county and the Oregon governor will conduct analyses. True? Will they both use the same MALPSS analysis? Has a MALPSS analysis, or any element of a MALPSS analysis, been addressed, considered, researched, and/or documented for Josephine County? We ask because Josephine County was identified as a county possibly using the MALPSS analysis process when House Bill 3453 became law approximately 2.5 years ago.

We ask these questions because we believe understanding MALPSS would help the voters of Josephine County address public safety services (PSS) in the county. What is the PSS problem? Or, is there a problem, and, either way, judged by what standards and criteria? A scientific study to determine whether JO CO is providing a minimally adequate level of public safety services (MALPSS) would help answer the question, "Is there a problem." Answering this question is not about implementing the HB 3453 by turning over PSS to the State. It is about MALPSS as an educational analysis tool to assist understanding in a scientific documented way versus relying on comparisons, beliefs, and professional or political opinions.

We have sent numerous letter requests for information on MALPSS to Josephine County representatives and elected officials, including the Josephine County Board of County Commissioners, Josephine County Management Team, and the Josephine County Local Public Safety Coordinating Council. We had meetings with many of them without being able to answer our MALPSS questions. We wrote the Oregon Governor three times in 2013 and two times in 2015 without gaining any answers.

There have been many articles in [The Grants Pass Daily Courier](#) about HB 3453 (see MEDIA). However, they are all about the controversy of the potential for the State to take over the county and provide PSS. None answered our process and analysis questions.

We believe that, from an educational point of view, the potential county advisory question to the voters of "Should the county commissioners request a MALPSS from the Oregon Governor?" would have significant value for an informed public, if citizens understood the county's proposed MALPSS declaration/analysis before the advisory question was put to a vote. For example, how do the different PSS elements work together as a system? Are we above an emergency level of PSS, or below? Are the PSS adequate, or less than adequate? Otherwise, in the Committee's opinion, the people will not really understand some significant points on what they are voting for, except yes or no. They definitely will not know whether there is a PSS problem, or not, and by what standards.

Press Releases, Hugo JS&PSS Exploratory Committee

- Press JS&PSS Press Release 2015-1. What Do Josephine County Citizens Really Think About Public Safety?

OREGON GOVERNOR: 2013 - 2015

The JS&PSS Exploratory Committee wrote the Oregon Governor three times in 2013 and two times in 2015 without gaining any understandable answers for how the Oregon Governor would proclaim a public safety fiscal emergency for a county where fiscal conditions compromise the county's ability to provide a minimally adequate level of public safety services (MALPSS). It never received a response from the Oregon Governor.

1. August 5, 2013 Letter/Email to Oregon Governor John A. Kitzhaber. Subject: *Questions about the 2013 Enrolled Oregon House Bill (HB) 3453.*
2. August 16, 2013 Letter/Email to Oregon Governor John A. Kitzhaber Representative, Nathan Rix, Strategic Initiatives Project Manager, Office of the Chief Operating Officer. Subject: *HB 3453 Inquiry.*
3. August 24, 2013 Letter/Email to Oregon Governor John A. Kitzhaber Representative, Nathan Rix, Strategic Initiatives Project Manager, Office of the Chief Operating Officer. Subject: *HB 3453 Clarification Questions.*
4. September. 2, 2015 Letter/Email to Oregon Governor Kate Brown. Subject: *Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services.*
5. October 8, 2015 Letter/Email to Oregon Governor Kate Brown. Subject: *Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services.* Committee was recommended to contact Association of Oregon Counties.
- 5b. December 23, 2015 Letter/Email to Association of Oregon Counties. Subject: Access to AOC Public Safety Issue Materials. No response.

OREGON GOVERNOR: 2016

- March 17, 2016 Letter/Email to Oregon Governor Kate Brown. Subject: *Understanding Operational Definition of a Minimally Adequate Level of Public Safety Services.*

MEDIA

GUEST OPINIONS FOR Public Safety Study Design Idea

- 2016 Guest Opinion On Public Safety: What's The Problem? March 8, 2016. by Jon Whalen. *A Search For Public Safety Answers*.
- 2016 Guest Opinion On Public Safety: Reasons For Supporting Study Design. March ? 2016. Author?. Reasons For Supporting Study Design (Guest Opinion) - To be submitted.
- 2016 Guest Opinion On Public Safety: *House Bill 3453*. March 4, 2016. Mike Walker. House Bill 3453/MALPSS was submitted.
- 2016 Guest Opinion On Public Safety Study Design Idea. Jan. 18, 2016. Jon Whalen & Mike Walker. *Public Safety Study Design Idea* was submitted.

REPORTER ARTICLES: MINIMALLY ACCEPTABLE LEVELS OF PUBLIC SAFETY SERVICES (2013 House Bill 3453)

(See Guest Opinion Web Page, especially for March 3 - March 11, 2016)

- March 15, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Public Safety Council meets Wednesday to consider lowest acceptable law enforcement services for county.*
- March 11, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Hare doesn't think new taxes, fees needed to match state aid.*
- March 10, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Critics, supporters weigh in on public safety bailout issue.*
- March 9, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Walker drops out of race: Announcement reduces county commissioner races to 18 hopeful.*
- March 6, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Is crime up in Josephine County?*
- March 3, 2016. Shaun Hall. Front Page Reporter Article. TGPDC. *Walker defends public safety proposal as meeting heats up.*
- Feb. 25, 2016. Jeff Duewel. Front Page Reporter Article. TGPDC. *State bailout question get tabled.*
- Jan. 15, 2016. Eder Campuzano. Front Page Reporter Article. TGPDC. *Walker's 'a la carte' tax levy idea strikes out.*
- Jan. 14, 2016. Eder Campuzano. Front Page Reporter Article. TGPDC. *Board will not turn over public safety operations to the state without a vote.*
- Jan. 7, 2016. Eder Campuzano. Reporter Article, p. 3A. TGPDC. *State of the County Address, Some improvements, but trouble ahead.*

LETTERS TO THE EDITOR. LETTERS DIRECTLY "RELATED" TO GUEST OPINIONS (See Guest Opinion Web Page)

- March 6, 2016. Sandi Cassanelli. *Commissioners want to relinquish local control*
- February 3, 2016. Mike Walker. *Look Closely At Levels Of Public Safety Services*

WHAT'S THE DEAL? ARTICLES DIRECTLY "RELATED" TO GUEST OPINIONS (See Guest Opinion Web Page)

- January 28, 2016. Mike Walker & Jon Whalen. *Minimally Adequate Level Of Public Safety Services* (What's the deal?) was submitted.

APPENDIX B. Hugo JS&PSS STUDY DESIGN: 2015

Hugo Justice System Exploratory Committee, HNA&HS
Justice System & Public Safety Services Problem/Issue
<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

I. *Justice System & Public Safety Services Study Design: 2015*

- What's The Problem?
- Arguments For Supporting Study Design
- Publicly Identified Problems/Issues
- Publicly Identified Range of Alternative Solutions
- **Appendix A. Issues, Supporting Study Design: 2015**
- **Authority: 2013 Justice System & Public Safety Services Issue Scope Of Work**

II. **Studies & Information: 2015 - 2016**

Justice System & Public Safety Services Study Design: 2015
http://www.hugoneighborhood.org/JSPSS_Studies.htm

A. **Citizen Opinions On Public Safety Through Content Analysis: 2015 - 2016**

http://www.hugoneighborhood.org/JSPSS_Studies.htm

- Davis, Nathan. Spring 2016. Title Unknown: Master's of Public Policy Essay Research Paper On Public Opinion of JO CO Residents. Josephine County Justice System & Public Safety Services Public Safety Issue. Oregon State University, School of Public Policy, part of the OSU Rural Studies Program. Corvallis, OR.

The Exploratory Committee is pleased to announce one of *Study Design's* 2015 projects is bearing fruit. On November 7, 2015 Nathan Davis, a 2nd year graduate student at Oregon State University (OSU), formally settled on tiering his Master's of Public Policy (MPP) Essay research paper to the public safety issue. Nathan is in the OSU School of Public Policy which is part of the OSU Rural Studies Program. He is scheduled to complete his MPP research paper in the next couple of months. It addresses the question: *What Do Josephine County Citizens Really Think About Public Safety?*, by analyzing public opinions (i.e., letters to the editor, guest opinions, and arguments in voters' pamphlets. JS&PSS Press Release 2015-1).

Davis is scheduled to make a presentation on his MPP's findings to the Josephine County Commissioners in June 2016.

B. **Outreach 5.5. Summary Highlights: JO CO's MALPSS Research Project Independent Of Government: 2015 - 2016**

http://www.hugoneighborhood.org/JSPSS_Outreach.htm

- Mike Walker & Jon Whalen, Members JS&PSS Exploratory Committee, Hugo Neighborhood Association & Historical Society. December 15, 2015. *Summary Highlights: JO CO's Minimally Adequate Level Of Public Safety Services (MALPSS) Research Project* (Public Outreach 5.5). Hugo, OR.

The Exploratory Committee has been proposing a Josephine County MALPSS Research Project since 2015. It believes the MALPSS concept is sound as an educational methodology tool to assist counties in fiscal distress, whether it is actually implemented, 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). 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, *prior* to the Josephine County Board of County Commissioners requesting a MALPSS, and/or the next public safety levy vote. Are we above an emergency level of PSS, or below? Are the JO CO's PSS adequate, or less than adequate? And, just as important, where is the science and/or facts supporting the professional opinions of adequacy?