



PSCC OFFICERS

CHAIR, ERIN REYNOLDS
Florence City Manager

VICE CHAIR, RYAN CENIGA
Reentry Services Representative

VOTING MEMBERS

NANCY PANCE
Community Member

DONOVAN DUMIRE
Community Corrections Manager

SHAWN MCWEENEY
Community Member

PATTI ROBB
Interim Health & Human Services
Youth Services Division Manager

PAULINE GICHOHI
Health & Human Services
Community Mental Health Director

CLIFTON HARROLD
Sheriff

TBD
Community Member

JAY MCALPIN
Circuit Court Presiding Judge

BROOK REINHARD
Public Defender

PATTY PERLOW
District Attorney

ANDREW SHEARER
Chief, Springfield Police
Department

CHRIS SKINNER
Chief, Eugene Police Department

SARAH STEWART
Victim Services Representative

LUCY VINIS
Eugene Mayor

JOCELYN WARREN
Health & Human Services
Public Health Manager (Health)

PAUL SOLOMON/ANNIE HERZ
Reentry Services Provider

NON-VOTING MEMBERS

JASON JONES
Oregon Youth Authority Supervisor

STEVE MOKROHISKY
County Administrator

CHRIS PHILLIPS
Oregon State Police
Representative

PSCC Agenda

Lane County Parole & Probation
2699 Roosevelt Blvd., Eugene, OR
and

PUBLIC and PRESENTERS' MEETING LINK

Meeting Link:

<https://us06web.zoom.us/j/83698593661?pwd=Lb3l7EnSefZu6GXtYmszgLvOOHC5h.1>

Phone: **+1 253 215 8782** Meeting ID: **836 9859 3661** Passcode: **837038**

Thursday, March 21, 2024

3:00 p.m. – 5:00 p.m.

- | | | |
|-------|---|---------|
| I. | Call to Order/Welcome/Introductions – Erin Reynolds | 5 min. |
| II. | Public Comment | 5 min. |
| III. | Minutes February 14, 2024 Minutes (<i>Action</i>) – Erin Reynolds | 5 min. |
| IV. | Committee Reports | |
| | A. Juvenile Committee – Patti Robb | 0 min. |
| | B. Behavioral Health & Criminal Justice Workgroup | 5 min. |
| | 1. Behavioral Health Summit - Pauline Gichohi | |
| | C. Reentry Task Force – Paul Solomon | 0 min. |
| | D. Workplan Workgroup – | 0 min. |
| | G. Budget Committee – | 0 min. |
| V. | Lane County Public Safety Task Force Update | 5 min. |
| VI. | Funding Landscape Update – M110 Reform – Paul Solomon | 20 min. |
| VII. | PSCC Vision – Mo Young/Oblivio Stroyman | 30 min. |
| VIII. | Indian Country 101: Session 1 Debrief - All | 15 min. |
| IX. | Member Round Table - All | 30 min. |
| X. | Grant Update – (see packet) | 0 min. |
| XI. | Adjourn – Chair | |

The 2024 PSCC Meeting Dates are:

**January 18 (rescheduled to February 14), March 21, May 16,
September 19, and November 21**

3:00-5:00 pm



Public Safety Coordinating Council (PSCC)

March 21, 2024

Agenda Item Summaries

V. PUBLIC SAFETY TASK FORCE UPDATE

This will be a standing item so the PSCC is connected to the Task Force work.

VI. FUNDING LANDSCAPE UPDATE – MEASURE 110 REFORM

As the PSCC has discussed Measure 110 reform was a large part of the short session. This item will walk the PSCC through what is embodied in the resultant legislation (House Bill 4002 and House Bill 5204) to create a shared understanding. Additionally, the PSCC will determine the best venue through which to respond to the changes and particularly the establishment of a “deflection program”. Potential venues include the Mental Health Summit (PSCC’s Behavioral Health Criminal Justice work group), PSCC’s Workplan Workgroup, establishment of a M110 Reform specific work group/task force.

To help prepare for the discussion, materials prepared by the Association of Oregon Counties are attached for your review and reference.

VII. PSCC VISION AND MISSION

Since the PSCC last met, the draft mission, vision, values were shared with community members who very generously gave of their time and knowledge. Mo Young and Oblio Stroyman will guide the group through this discussion.

VIII. INDIAN COUNTRY 101 SESSION 1 DEBRIEF

This item is an opportunity for those who were able to participate to share the experience with the full PSCC and help prompt responses to the Burning Questions survey The Whitener Group sent. The Whitener Group will use the information from these survey response to tailor the PSCC second session to our questions, needs, interests. Even if you were not able to attend the first session, you can still take the survey!!!

IX. MEMBER ROUND TABLE

This is a chance to highlight successes, describe current projects/programs, better understand the challenges each member is facing, and/or whatever you feel is important and timely to share. At the last meeting we tried providing a common topic with some prompting questions as optional guidelines. This approach was not a winner, so we are returning to a more broad approach.

Public Safety Coordinating Council Minutes
February 14, 2024 - 9:00 a.m.
859 Willamette Street. Suite 500 Buford Room, Eugene OR
In-person and Virtual Meeting via Zoom

February 14, 2024
9:00 a.m.

PRESENT: Patty Perlow, Chair; Paul Solomon, Vice Chair; Ryan Ceniga, Donovan Dumire, Clifton Harrold, Jay McAlpin, Erin Reynolds, Jami Resch, Chris Skinner, Sarah Stewart, Lucy Vinis, Jocelyn Warren, voting members; non-voting members; Greg Rikhoff (for Steve Mokrohisky); Denise Walters, LCOG staff; Carl Wilkerson; Annie Herz, Sponsors.

ABSENT: Pauline Gichohi, Brook Reinhard, Patti Robb, Jason Jones, Chris Phillips.

I. Call to Order/Welcome/Introductions

Ms. Perlow called the meeting of the Public Safety Coordinating Council (PSCC) to order and a quorum was established.

II. Public Comment

There was no one wishing to speak.

III. Minutes November 16, 2023

Sheriff Harrold noted that his title was shown as "Chief" in some sections of the minutes and asked that it be corrected to "Sheriff."

MOTION: Ms. Reynolds, seconded by Mayor Vinis, moved to approve the November 16, 2023, meeting minutes as amended. The motion passed unanimously, 11:0.

IV. Chair and Vice Chair Appointments

Ms. Perlow referred to her email correspondence stepping down as the Chair of the PSCC. Mr. Solomon announced he would be stepping down the Vice Chair and Reentry representative at the end of March. As such it was necessary to appoint a new chair, vice chair and reentry services representative.

NOMINATION: Ms. Perlow nominated Ms. Reynolds as PSCC Chair. With Ms. Reynolds accepting the nomination and there being no other nominations, Ms. Reynolds was unanimously appointed PSCC Chair, 11:0.

Ms. Warren joined the meeting at 9:10 a.m. There was general discussion among members about timing and competing demands in terms of who could/would serve as Vice Chair.

NOMINATION: Ms. Perlow nominated Ryan Ceniga as PSCC Vice Chair. With Mr. Ceniga accepting the nomination and there being no other nominations, Mr. Ceniga was unanimously appointed PSCC Vice Chair, 12:0.

Ms. Walters briefly described the roles of chair and vice chair.

Ms. Reynolds thanked Ms. Perlow and Mr. Solomon for their service to the PSCC.

NOMINATION: Mr. Solomon nominated Annie Herz, the new Executive Director of Sponsors, as the Reentry Services Representative. With Ms. Herz's acceptance of the nomination and there being no other nominations, Ms. Herz was unanimously appointed PSCC Reentry Services Representative, 12:0.

V. Bylaws Amendment

Ms. Walters provided an overview of bylaws changes related to membership composition as discussed and approved at the PSCC's November meeting. The committee voted to increase the number of community members on the PSCC from three (3) to five (5). The changes also addressed the appointment and terms of community members when someone steps away and the seat filled prior to the end of term. The changes increase the PSCC to 24 members, including the three non-voting members, and a quorum would consist of 11 voting members.

Ms. Reynolds determined there were no question and consensus to forward the proposed bylaws amendments to the Lane County Board of Commissioners for approval.

VI. Community Member Appointments

Ms. Walters summarized the committee's previous discussion of community members and areas of representation. The nominating committee had advanced applications from Nancy Pance, Shawn McWeeney and Tabitha (Tab) Davis for appointment recommendations. A decision was delayed until PSCC members had an opportunity to review the applications. Ms. Pance and Mr. McWeeney were recommended based on representation of under-represented and under-served community voices and/or those with lived experience in the criminal justice system. Ms. Davis was recommended based on a connection to the business community, but there was further discussion that clarification of what the PSCC was looking for in a business representative was needed as was discussion as to whether the existing established criteria of under-represented and under-served community voices and/or those with lived experience in the criminal justice system should be applied to consideration of any business representative(s). If Ms. Pance and Mr. McWeeney were advanced to the Board of County Commissioners for appointment, she said that would leave three community member positions still vacant and afford the PSCC an opportunity to focus on recruitment of business representatives with explicit reference to what was being sought/expected: ability to be a PSCC liaison to the broader business community, understanding of how businesses (owners, employees, managers, etc.) are impacted by PSCC relevant topics, thought partner on effective solutions/approaches. Ms. Davis would be asked if she was willing to continue as a candidate for appointment with these specifics articulated by the PSCC.

Ms. Reynolds indicated that there was still the option of recommending appointment of all three applicants and continuing to focus on recruitment of business community representatives.

MOTION: Commissioner Ceniga, seconded by Mayor Vinis, moved to forward PSCC membership applications from Nancy Pance, Shawn McWeeney and Tabitha Davis to the Board of County Commissioners for appointment. The motion passed unanimously, 12:0.

Ms. Reynolds reminded committee members that a session with Mo Young and Oblio Stroyman was scheduled for March 8 and the issue of business community representation could be explored during that meeting.

Mr. Rikhoff said the committee had been discussing business community representation on the PSCC for some time and it was worth focusing on what type of association was desired, such as connection to business organizations instead of individual business owners.

Sheriff Harrold commented that over the past 10 years the business community had recognized the impact of changes in the state that had energized efforts in some cities for business to become involved. He also supported better connections between the PSCC and business organizations.

VII. Committee Reports

A. Juvenile Committee

There was no report.

B. Behavioral Health and Criminal Justice Workgroup

1. Behavioral Health Summit

There was no report

D. Workplan Workgroup

There was no report.

E. Budget Committee

Ms. Walters reported that the Justice Reinvestment Initiative (JRI) competitive grant award had been received, along with formula funds. The competitive funds award was not for the full amount requested. The requests for competitive funds had exceeded the amount available and during the selection process some priorities emerged that applicants were not necessarily aware of prior to submittal nor able to respond to.

Ms. Perlow confirmed that priorities for use of competitive funds were developed after the solicitation was issued. Ms. Walters added that some counties had appealed on that issue, which was why the awards were delayed.

Mr. Solomon said some JRI funds were still unobligated and the grant review committee had recommended using those funds for a supplemental competitive JRI grant process. Lane County would have the ability to request up to an additional \$100,000. He said the legislature was considering adding significant additional funding for specialty court as the need for funds increased each year as counties added more specialty courts. The intent was to make specialty courts whole in the second year of the biennium.

Mr. Rikhoff asked if the current formula would be applied to the Oregon Association of Community Corrections Directors (OACCD) funding request or would it be targeted to counties in crisis. Mr. Solomon said he understood that the formula would be applied, although a work group had been convened to consider making major changes to both the formula and structure during the 2025 legislative session.

Ms. Reynolds recommended committee members review the information packet sent to the Board of County Commissioners as part of the agenda materials for its September 2023 meeting.

C. Reentry Task Force.

Mr. Solomon reported that in partnership with Homes for Good a \$12 million grant application for The Coleman had been submitted to the legislature's Capital Committee.

Ms. Herz said a \$12 million grant application for The Coleman had also been submitted to Oregon Housing Community Services, but OHCS was updating its allocation process and criteria were still unclear.

In response to a question from Mr. Rikhoff, Mr. Solomon and Ms. Herz said the OHCS project criteria was initially very rigid but had been relaxed and The Coleman would now qualify. Shovel-ready projects were now being prioritized.

VIII. Indigenous Series - Preparation for Indian Country 101

Ms. Reynolds recognized the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, the Indigenous people on whose lands the City of Florence now exists. She also noted the sovereign status and separate governance structure and need to have these voices at the table.

Ms. Walters used a slide presentation to preview a primer series on tribal relations, self-determination and sovereignty. Lane County was within the service area of five of the nine federally recognized tribes. She said the PSCC would participate in the Indian Country 101 series with The Whitener Group. She said the series would identify challenges within the current system and historic issues that created barriers, including different standards for tribal enrollment. She reviewed the information and activities that were part of the series and said the first session was scheduled for March 7. She emphasized that everyone was invited to attend and resources were readily available online thanks to The Whitener Group. The Whitener Group is a native-owned consulting group dedicated to the advancement and sustainability of tribes.

IX. Lane County Public Safety Task Force Update

Mr. Solomon said the recent ice storm had delayed task force activities. Ms. Perlow said a request for quotations (RFQ) for a task force facilitator had been issued.

X. Member Round Table

Ms. Walters said this agenda item, previously known as the Intra-system Communication, began as a way to share information with newer members and provide status updates. She reviewed a list of primer questions in the agenda packet to begin the discussion of the topic.

Ms. Reynolds said the agenda item typically took up a significant amount of time during the meeting and the intent was to determine how useful this agenda item was to the PSCC members.

Mr. Rikhoff shared that the numbers served by Lane County's Youth Services Division's Phoenix Treatment program - a residential post-adjudication program for juveniles - had not rebounded after COVID-19. A long-standing request of partners was more pre-adjudicative services for youth. The County was taking a serious look at pausing Phoenix and other post-adjudication services and implementing a 30-day detention hold to help youth stabilize and be better prepared for the next steps in the process.

Ms. Perlow asked if that was prompted by having only 16 beds at Phoenix. Mr. Rikhoff said assessments were determining many youth were maxing out as very high risk. Stabilization

could bring that down substantially. He agreed that for the first time in four years some released had been based on capacity.

Mr. Harrold said the type of information just shared by Mr. Rikhoff was of value to him, as were updates provided by other members.

Mr. Solomon agreed with Mr. Harrold that information provided during member updates about what was happening in other agencies and jurisdictions was very useful.

Ms. Vinis suggested that members could eliminate administrative details from their updates to shorten the amount of time needed on the agenda.

Ms. Herz expressed some concern that the primer questions for updates could be intimidating to community members of the PSCC.

Mr. Skinner said one of the strategies in Eugene's downtown core was built around the recognition that many of the people experiencing behavioral and mental health issues were connected to residents' sense of safety. Those behaviors were then reported as criminal justice issues, when many of them were not. In partnership with the County, dedicated policing teams in the downtown core would use a co-responder model that included a qualified mental health professional (QMHP); teams patrolled on foot instead of in a vehicle. Recruitment was underway for a QMHP, but recognized that the County was struggling to fill its own QMHP positions. He hoped that being embedded with a public safety team would attract qualified applicants. The recently enacted public safety payroll tax was providing financial support for the QMHP positions. The City was recently awarded federal grant funding for a second QMHP and a person with lived experience to the team in 2025 and 2026.

Mr. Solomon asked if there were plans to expand the co-responder model beyond the downtown core. Mr. Skinner said the City wanted to develop the model in the downtown core, but saw potential to deploy it outside the downtown area.

Mr. Harrold said the County held a meeting to discuss mobile crisis response and had hired a person to facilitate the process and work with other jurisdictions.

Mr. Skinner said the PSCC needed to be prepared for Ballot Measure 110 and would need to be fully engaged with partners.

Mr. Solomon observed that it was challenging to attract qualified applicants for behavioral health and law enforcement positions, even high-paying positions. Mr. Harrold agreed that it was difficult to find staff to meet the demand for treatment services.

Ms. Vinis said there should be a better connection with the education and academic communities to encourage students toward those career paths and grow the local workforce to meet the demand for those professionals.

XI. Grant Update

Ms. Walters reported said there was a Grow Your Own educator program and K-12 was trying to replicate that for behavioral health. A grant application was submitted, but not awarded funding; however, the local application scored in the high 90s out of 100 points when competing with many community colleges (post secondary institutions). She briefly reviewed the written report included in the agenda materials.

Mr. Solomon said the Ballot Measure 110 reform conversations included robust discussion of increasing the impacts grant funding. Because it was an existing grants program, any additional funding provided by the legislature could flow more quickly to counties.

Mr. Harrold announced that there was a new desk in the jail lobby to provide peer support for those who were released.

XII. Adjourn

Ms. Reynolds adjourned the meeting at 11:00 a.m.

(Recorded by Lynn Taylor)

PSCC 2023-25 Grant Update – March 21, 2024

In Progress

1. Improving Criminal Justice Response (Office on Violence Against Women)

Community Justice and Rehabilitation Services

Amount: \$500,000

This grant will support a Victim Advocate housed at Parole and Probation, support victims in preventing and addressing cyberstalking and other use of technology to cause harm, as well as to potentially improve supervision, prosecution and sentencing of such crimes and violations with training.

2. Justice and Mental Health Collaboration Grant (Bureau of Justice Assistance)

TBD

Amount: \$500,000

Awarded

3. 2024 Youth & Family Behavioral Health Grant¹ (Lane Community Health Council)

Native Youth Wellness Program (Lane Education Service District)

Requested: \$499,000

Awarded: \$483,602

Funding will add two (2) FTE to the program allowing service to all 16 Lane County school districts, provides funds for Community Culture Nights, supports curriculum development, and delivery of Professional Development for Lane County teachers conducted by Native Youth Wellness program director.

Pending

Not Awarded

None at this time.

Other – On the Horizon

A. **COPS Hiring Program** – City of Florence Police Department

B. **Comprehensive Opioid, Stimulant and Substance Use Program (COSSUP)** Grant – LCSO
(tentative depending on State legislation)

C. **State Homeland Security Grant** – State Bomb Teams¹ (Eugene, Salem, Portland, and Oregon State Police)

Other – Status Update

Cybercrimes Enforcement – TABLED UNTIL NEXT YEAR

Office on Violence Against Women

Amount: TBD/Max. \$500,000

This grant is in the concept development and vetting phase with partners and builds on the Improving Criminal Justice Response grant. The primary purpose of the funds is to provide training for law enforcement personnel, prosecutors, judges, and judicial personal relating to cybercrimes against individuals including:

Law enforcement

1. training such personnel to identify and protect victims of cybercrimes against individuals, provided that the training is developed in collaboration with victim service providers;
2. training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals;
3. training such personnel to identify and investigate cybercrimes against individuals;
4. training such personnel to enforce and utilize the laws that prohibit cybercrimes against individuals;
5. training such personnel to utilize technology to assist in the investigation of cybercrimes against individuals and enforcement of laws that prohibit such crimes; and
6. the payment of overtime incurred as a result of such training;

State, Tribal, or local prosecutors, judges, and judicial

1. training such personnel to identify, investigate, prosecute, or adjudicate cybercrimes against individuals;
2. training such personnel to utilize laws that prohibit cybercrimes against individuals;
3. training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals; and
4. training such personnel to utilize technology to assist in the prosecution or adjudication of acts of cybercrimes against individuals, including the use of technology to protect victims of such crimes

¹ Grant Writing funded by partners, not PSCC

MEMO

| | |
|-----------------|---|
| Date: | March 11, 2024 |
| To: | Public Safety and Veterans Steering Committee Health and Human Services Steering Committee |
| From: | Co-Chair Jeremey Gordon, Co-Chair Dave Henslee Co-Chair Nafisa Fai, Co-Chair Steve Kramer |
| Staff: | Jen Lewis-Goff, legislative affairs manager, AOC Jessica Pratt, legislative affairs manager, AOC |
| Subject: | 2024 Session Joint Public Safety and HHS Portfolio Report |

SUMMARY

AOC 2024 Public Safety Priority

Elevate the county voice in Measure 110 reform, supporting policy modifications that prioritize engagement in substance abuse treatment, provide sufficient funding for county services, and strengthen tools the criminal justice system can use to fight illegal drug use and sales.

Outcome

[House Bill 4002](#): Measure 110 Reform Package – passed

[House Bill 5204](#): Measure 110 Reform Funding Package – passed

AOC successfully elevated the county voice within Measure 110 reform conversations by being in the room, sharing how potential changes would affect counties, advocating for appropriate funds, and maintaining the integrity of counties' local mental health authority. HB 5204 allocates more than \$110,000,000 to counties and county-related programs for infrastructure projects, standing up deflection programs, supporting specialty courts, funding community corrections, and more. HB 4002A creates a new PCS-U misdemeanor for possession of a controlled substance, and offers pathways to expungement, dismissal, or no charges filed. Deflection programs will be created and coordinated at the county level, with public safety and behavioral health partners working together. Access a visual flowchart of how deflection works [here](#).

A full summary of key provisions within HB 4002A and HB 5204A are attached to this report.

Additional portfolio highlights

[House Bill 4001 \(specialty court task force\)](#) - passed

Interim task force will create recommendations for specialty court system improvements and sustainability for consideration in the 2025 session; two seats for county government.

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[House Bill 4003 \(Medical examiner study\)](#) - pending

Requested by Washington County, HB 4003 directs the Oregon State Police (OSP) to study the causes of and ways to address the shortage of medical examiners within the state. HB 4003B specifies that the study should examine strategies for funding, expanding educational opportunities, and expanding the use of the Conrad 30 waiver program for J-1 foreign medical graduates. Further, HB 4003B directs OSP to consult with district attorneys, public health providers, the Oregon Association of Chiefs of Police, the Oregon State Sheriffs' Association, and all counties.

[House Bill 4023-B \(siting of residential treatment facilities\)](#) - pending

Requires local governments to allow siting of a residential treatment facility, as defined in ORS 443.400, without requiring a zone change or conditional use permit, if the property is within the urban growth boundary and is owned by a public body or is zoned for residential use.

[House Bill 4074 \(lower bar to civil commitment\)](#) - not passed

An informational hearing on civil commitment was held in the House Committee on Judiciary on February 29 in preparation for work in the 2025 session. President Bethell testified.

[House Bill 4081 \(EMS modernization\)](#) - passed

Establishes the Emergency Medical Services Program and Emergency Medical Services Advisory Board within the Oregon Health Authority. Directs the authority to designate emergency medical services regions within the state. Directs the authority to designate emergency medical services centers for the provision of specific types of emergency care. Requires the program to establish and maintain an emergency medical services data system. Becomes operative on January 1, 2025.

[House Bill 4120 \(Medication assisted treatment in jails program\)](#) - passed in [HB 4002 A](#)

Establishes Jail-Based Medications for Opioid Use Disorder Grant Program within the CJC. Requires at least 10 percent of total grant awards to be awarded to facilitates in rural areas. \$10M allocation to fund medically assisted treatment in jail programs.

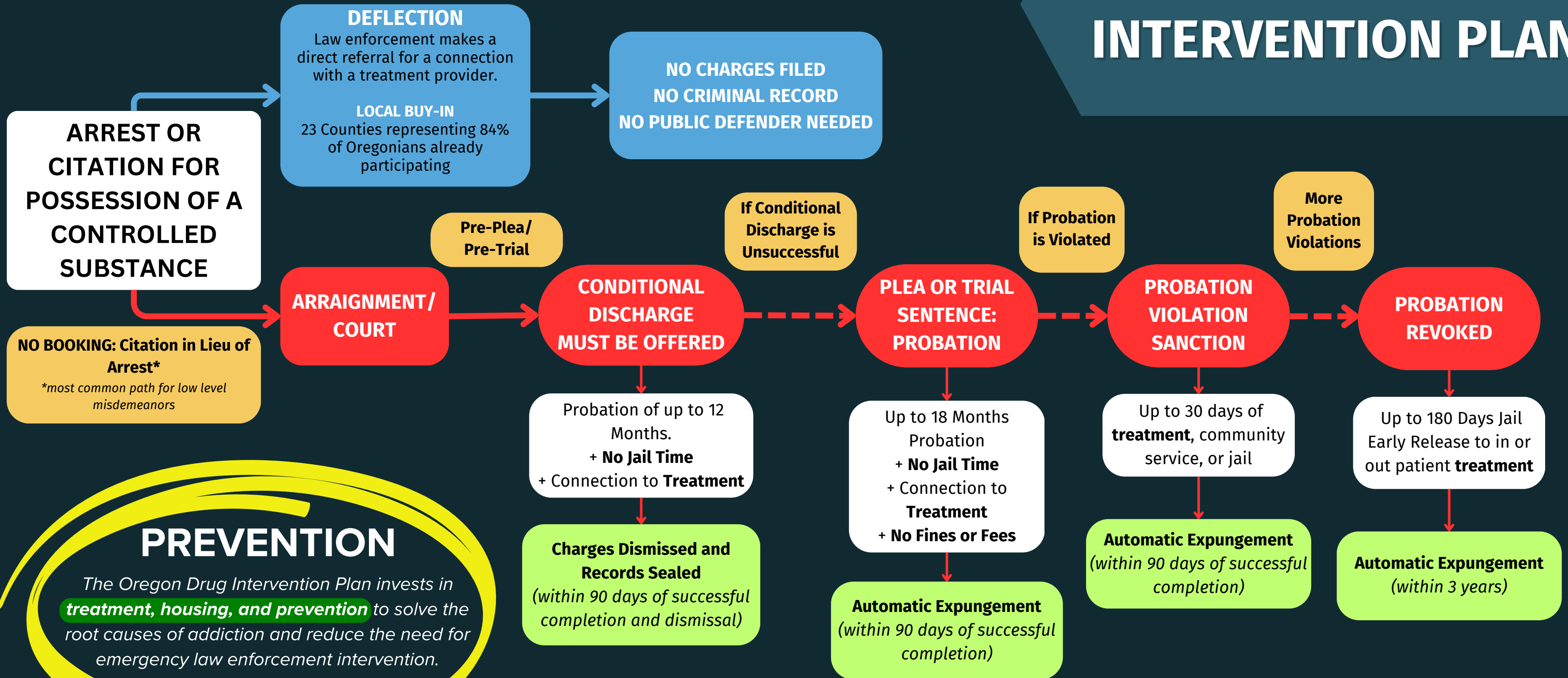
MEASURE 110 REFORM PACKAGE: COUNTY WINS

| 2024 AOC ADOPTED PRIORITY OR PRINCIPLE | POLICY OUTCOME |
|--|--|
| ✓ Elevate the county voice in Measure 110 reform, supporting policy modifications that prioritize engagement in substance abuse treatment, provide sufficient funding for county services, and strengthen tools the criminal justice system can use to fight illegal drug use and sales. | AOC was in the room! AOC engaged with legislative leadership frequently, advocating for county needs and advancing AOC priorities and principles. |
| Support aligning the siting of residential and secure residential facilities with the requirements in the Fair Housing Act. | (pending) |
| ✓ Support Measure 110 reforms to create a sustainable complete continuum of substance abuse disorder prevention, treatment, and recovery capacity that matches community need and is subject to the statutory planning and oversight of Local Mental Health Authorities. | HB 4002 ensures counties maintain local control and oversight as the Local Mental Health Authority. |
| ✓ Advocate for counties to have decision making authority, oversight, and coordination for deflection programs operating within counties. | HB 4002 designates counties and tribes as the applicants for deflection program funding. As the applicants for funding, counties will maintain oversight and coordination functions. Some funding was allocated directly to CMHPs through the current CFAA with OHA. The balance of the allocation for deflection programming will flow through counties from the CJC. |
| ✓ Advocate for counties' ability to hold publicly funded service providers accountable for outcomes. | As the coordinator, HB 4002 designates that counties will be at the center of the deflection work, partnering with and holding partners accountable. |
| ✓ Advocate for leveraging existing programs and county infrastructure where appropriate. | HB 4002 utilizes existing CMHPs, BHRN networks, and law enforcement agencies to implement the new deflection programs and services. |
| ✓ Advocate for counties to be appropriated continuous funds for new programmatic requirements. | One-time funds were allocated, but legislators and agencies have signaled commitment to ensuring funds are stable moving forward. |

| 2024 AOC ADOPTED PRIORITY OR PRINCIPLE | POLICY OUTCOME |
|---|--|
| ✓ Advocate for non-competitive funding to counties and ability to partner regionally as appropriate for communities. | HB 4002 allows for counties to partner regionally as appropriate to set up and implement deflection programs and services. The first round of fast-tracked funding is non-competitive for counties who opted in early. Other counties who opt in soon are also slated to get a formula-based minimum allocation if their application meets statutory requirements. |
| ✓ Ensure counties and employees have sufficient statutory immunity for related new provisions. | AOC successfully advocated for immunity provisions for staff acting under the authority of a mobile crisis intervention team (Section 80a). |
| ✓ Advocate for Class A-Misdemeanor for possession of a controlled substance (to support the stated public safety needs of law enforcement). | AOC joined law enforcement partners in successfully advocating for a new PCS-Unclassified Misdemeanor, which affords many of the tools associated with a Class-A Misdemeanor, while also prioritizing access to treatment versus jail. |
| Stress the importance of using the term diversion over deflection as currently defined by industry standards within health care treatment and law enforcement policies. | AOC successfully advocated for the importance of using evidenced-based practices. Deflection programs began growing in 2015 in response to the opioid overdose crisis and were featured in Police Chief Magazine that same year. A 2021 survey found there are now hundreds of deflection programs in operation across the country. |

| 2024 AOC ADOPTED PRIORITY OR PRINCIPLE | FUNDING OUTCOME |
|--|---|
| ✓ Create adequate stabilization, detoxification, and treatment capacity in jurisdictions throughout Oregon by making sustainable investments in sobering center/stabilization and treatment bed capacity for adults and juveniles. | To address behavioral health facility capacity, HB 5204 appropriates a total of \$85,408,000 to various shovel ready projects, many of which are run by counties. |
| ✓ Advocate for sufficient funds to backfill current service levels gaps in impacted county services such as aid and assist community restoration, specialty courts, community corrections, prison beds, etc. | HB 5204 allocates \$8 million for specialty courts, \$16 million for community corrections, and \$7.5 million for aid and assist community restoration. |
| ✓ Funding: Ensure counties receive sufficient, stable, and predictable funding to support current and new programmatic requirements. | \$30 million was allocated to counties, tribes and CMHPs to set up and coordinate new deflection programs and provide jail diversion services. The allocation to CMHPs is expected to be rolled into the OHA "continuing service level" budget. |

OREGON DRUG INTERVENTION PLAN



Measure 110 Reform: HB 4002 and HB 5204

[House Bill 4002 A: Measure 110 Reform Policy Package](#) – passed.

[House Bill 5204 A: Measure 110 Reform Funding Package](#) – passed

AOC successfully elevated the county voice within Measure 110 reform conversations by being in the room, sharing how potential changes would affect counties, advocating for appropriate funds, and maintaining the integrity of counties' local mental health authority. HB 5204 allocates more than \$110,000,000 to counties and county-related programs for infrastructure projects, standing up deflection programs, supporting specialty courts, funding community corrections, and more. HB 4002A creates a new PCS-U misdemeanor for possession of a controlled substance, and offers pathways to expungement, dismissal, or no charges filed. Deflection programs will be created and coordinated at the county level, with public safety and behavioral health partners working together. 23 counties indicated interest in establishing deflection programs and are identified in the legislation to receive initial fast-tracked funding. Access a visual flow chart of how Deflection works [here](#).

HB 4002A Section by Section Overview

Payment for Substance Use Disorder Treatment (Sections 1 – 5)

- Prohibits health insurers and coordinated care organizations (CCOs) from imposing prior authorization or other utilization review for reimbursement of covered medications prescribed to treat substance use disorder (SUD)
- Requires health insurers and CCOs to reimburse the cost of refills of SUD medications
- Permits insurer to use prior authorization or other utilization management for opioids prescribed for purposes other than SUD treatment and for purposes of auditing claims or periodic redeterminations for need for continuing care

Pharmacist Dispensing of Opioid Use Disorder Medication Refills (Sections 6 – 9)

Alcohol and Drug Policy Commission Study (Sections 11 – 12)

Certified Community Behavioral Health Clinic Program (Sections 13 – 15)

Task Force on Improving the Safety of Behavioral Health Workers (Sections 18 – 19)

- AOC successfully advocated for a county seat on the task force

United We Heal Medicaid Payment Program (Section 20)

Delivery of Controlled Substances (Section 24) (Delivery Definition Based on State v. Boyd)

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- Expands the definition of “deliver” or “delivery” to include the possession of a controlled substance with intent to transfer to another person.

Delivery in Certain Locations (Section 25)

- Adds delivery enhancements for any conviction for delivery of a controlled substance (DCS) made within 30 ft of a public park, within 500 ft of a temporary residence shelter or within 500 ft of a treatment facility.

Reevaluation of Release Guidelines (Sections 26 and 27)

- Directs the Chief Justice’s Criminal Justice Advisory Council to reevaluate and update the pretrial release criteria for persons arrested for delivery or manufacture of controlled substances.

Possession of Controlled Substances (Sections 34 and 35)

- Establishes a drug enforcement misdemeanor crime of possession of a controlled substance (PCS-Unclassified Misdemeanor)
 - New pathways created, based on availability of deflection program, use of arrest or citation.
 - Court discretion to waive all fines and fees; excludes restitution.
 - [Visual of new pathways.](#)

Deflection Programs (Sections 36-38)

- **Deflection/Pre-Arrest Diversion**
 - Encourages DA and Law Enforcement to refer or divert a person to a deflection program in lieu of arrest or prosecution.
 - Defines “deflection program” as a collaborative program between law enforcement and behavioral health systems that assist individuals who may have substance use disorder, another behavioral health disorder or co-occurring disorders, to create community-based pathways to treatment, recovery support services, housing, case management or other services.
 - CJC data collection to develop best practices from Oregon programs to help inform future development/execution.
 - Permissive language to delay arraignment citation more than 30-days to allow participation in a deflection program.

Supervision Duty and Funding (Sections 47- 50)

- Directs the Department of Corrections (DOC) to assume responsibility for community-based supervision (community corrections) for offenders on conditional discharge agreement for a drug enforcement misdemeanor.

Conditional Discharge (Sections 51 - 53)

- Specifies requirements and terms for conditional discharge.
- Requires a court, at the request of a person charged with a drug enforcement misdemeanor constituting PCS, to defer further proceedings and place the person on probation.

Expungement (Sections 54 - 56)

- Requires the sealing or expungement of records related to the PCS drug enforcement misdemeanor under certain conditions.
- The Deflection Program coordinator is responsible for providing written documentation of successful deflection program completion.

Data Tracking (Section 75)

Requires the Criminal Justice Commission (CJC) to collect and analyze data and demographics concerning deflections, arrests, charges, and convictions for unlawful possession of a controlled substance and delivery of a controlled substance.

Oregon Behavioral Health Deflection Program (Sections 76-79)

- Defines “deflection program” as a collaborative program between law enforcement and behavioral health systems that assist individuals who may have substance use disorder, another behavioral health disorder or co-occurring disorders, to create community-based pathways to treatment, recovery support services, housing, case management or other services.
- Counties, county designee, or tribe, are the convener and applicant for deflection program grants.
- County allowed to submit multiple program requests under what grant application.
- Outlines required partners with whom counties must work: DA, LE, CMHP, BHRN provider and additional permissive partners.
- Grants approved by CJC IMPACTS Grant Review Committee
- Directs CJC to monitor and evaluate program outcomes
- Grant funds may be utilized for:
 - Deflection program expenses
 - Law enforcement employees, deputy district attorneys and behavioral health treatment workers, including peer navigators and mobile crisis and support services workers
 - Behavioral health workforce development
 - Capital construction of behavioral health treatment infrastructure
 - Planning
- \$20,708,200 allocated to the Oregon Behavioral Health Deflection Account for counties and tribes to develop Deflection Programs (HB 5204)
- \$9,825,000 distribution to Community Mental Health Programs to provide deflection program coordination and jail diversion services (HB 5204)

Expansion of Welfare Holds (Section 80)

- Extends authority provided in ORS 430.399 for a director of a treatment facility to hold an individual from up to 48 hours to up to 72 hours.

Opioid Use Disorder Medication Grant Program (Sections 81 – 89)

- Establishes Jail-Based Medications for Opioid Use Disorder Grant Program within the CJC.
- Requires at least 10 percent of total grant awards to be awarded to facilities in rural areas
- \$10M allocation to fund medically assisted treatment in jail programs

Over \$110 Million allocated directly and indirectly to county programs and services via HB 5204A

- \$16,000,000 Community Corrections funding to backfill county costs, mitigating personnel actions due to reduced population caseload
- \$9,825,000 Distribution to Community Mental Health Programs to provide deflection program coordination and jail diversion services
- \$20,708,200 Oregon Behavioral Health Deflection Account for counties and tribes to develop Deflection Programs
- \$10,000,000 Oregon Jail-Based Medications for Opioid Use Disorder Fund (funds available to “local correctional facilities”, including county jails)
- \$6,919,141 Additional funding for previously submitted specialty court grant applications that were wait-listed
- \$4,000,000 Restorative Justice grant program (counties can be an applicant)
- \$7,500,000 for aid and assist community restoration services
- \$9,696,843 Stabilization funding for existing specialty courts and invest in new specialty courts
 - General Fund appropriation of \$3.9 million and the establishment of 23 permanent full-time positions (12.81 FTE) to fund either unstaffed or understaffed specialty courts beginning March 1, 2024, in the following circuit courts/counties: Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook/Jefferson, Lane, Lincoln, Linn, Marion, Malheur, Multnomah, Tillamook, Umatilla/Morrow, Washington, and Yamhill
 - General Fund appropriation of \$1.3 million and the establishment of six permanent full-time positions (3.75 FTE) to fund treatment court coordinator positions and related costs that are currently on a CJC funding waitlist in the following circuit courts/counties: Jackson, Lane, Marion, Multnomah, Umatilla, Baker, Malheur, Union, Klamath, Josephine, Coos, Douglas, Lincoln, Clatsop, Columbia, Washington, Jefferson, Crook, Linn, Harney, and Tillamook.

- General Fund appropriation of \$4.5 million and the establishment of 25 permanent full-time positions (12.69 FTE) to stabilize funding for existing specialty courts by providing permanent funding for treatment court coordinator positions that are currently funded through Oregon Criminal Justice Commission grants beginning March 1, 2024. Budgetarily, this is accomplished through a fund shift that moves specialty court coordinator position funding from Other Funds (i.e., CJC grant) to General Fund. This would stabilize specialty court coordinator positions in the following circuit courts/counties: Columbia, Crook, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Multnomah, Umatilla, Union, Wallowa, Washington, and Yamhill. The 2025-27 biennium cost is \$6.9 million General Fund and 25 position (20.30 FTE).
- \$5,000,000 Benton County Health Department Behavioral Health Division to relocate Children and Family Services
- \$4,000,000 Clackamas County for the construction of a crisis stabilization center
- \$500,000 Clatsop Behavioral Healthcare to acquire detox and substance use disorder treatment residential beds
- \$1,500,000 Deschutes County Community Mental Health Program to support the Deschutes County Stabilization Center
- \$3,500,000 Lincoln County Health and Human Services Department to support the Lighthouse Village Apartments Mental Health Housing project
- \$10,000,000 Multnomah County to support the construction of a behavioral health drop off center
- \$8,000,000 Wasco County to support the development of the Mid-Columbia Center For Living Campus
- \$8,900,000 Washington County Behavioral Health Division to support the development of the Center for Addictions Triage and Treatment project