

Washington County Sheriff's Office Latino Advisory Commission
December 1, 2021
Meeting Minutes

Commission Members Present: Olga Acuña, Maria Caballero-Rubio, Pat Garrett, Joann Hoffman, Ricardo Moreno

Commission Members Absent: Daniel Guzman-Catarina, Fernando Lira, Nansi Lopez, Fernando Pantoja, Pablo Valenzuela

Guest Speaker: Jail Commander Tristan Sundsted

Guests attending: Undersheriff John Koch

Held via Zoom

CALL TO ORDER

Olga called the meeting to order at 4:06 p.m.

Introductions

Approval Meeting Minutes

The members present did not constitute a quorum.

Public Comment

No public comments

Reflection of Jail Discussion

Note: Commissioner Rubio-Caballero had emailed questions regarding Forced Releases and Measure 11 offenders and those in Drug and Mental health court prior to today's meeting. The information below are the answers to those questions.

Commander Sundsted responded the decision not to allow forced release is based on certain criteria. For example, those charged with Measure 11 crimes are exempt from forced releases due to overcrowding as are those scheduled for Drug and Mental Health Court (they are out-of-custody once participating in drug and mental health court). If an adult in custody (AIC) is scheduled to be sentenced with a treatment option pending, releasing them before the treatment option/program begins likely removes them from the rehabilitation program because history has shown those with substance use disorders return to using and cannot be located. The Jail also wouldn't force release someone that's on a parole violation or someone that has already been sentenced. While each county has their own specific release criteria, Multnomah and Clackamas counties have a similar process.

Our process was modelled after Multnomah County, then modified to meet our county's needs. Washington County Jail only "force releases" a person in custody when a bed is needed.

The question was also raised regarding mandatory arrests during a domestic violence incident.

Sheriff Garrett responded that the law requires an arrest in a Domestic Disturbance setting if probable cause exists for Assault in The Fourth Degree or if one person places the other in imminent fear of serious physical injury. This law still applies even if the victim does not want to press charges. If someone is arrested on a domestic violence charge, and that person posts bail, then they re-offend by assaulting that same victim, this disqualifies them from being force released due to their pattern of repeat offenses and risk to the victim.

Sheriff Garrett also mentioned that Senate Bill 48 goes into effect July 2022. Senate Bill 48 repairs some inequities of posting bail and moves Oregon away from the current bail structure. A criminal justice review committee is working towards relying more on a judge's decision and less on the current bail structure, building guidelines and criteria for a new release system. In July 2022, Senate Bill 48 becomes completely operative, however Washington County's presiding judge will begin work on a new general order after the new year.

Washington County is also considering revamping the Electronic Home Detention Program (EHD). The program allows certain adults in custody to be out of jail with conditions that include a GPS monitored ankle bracelet. This is currently a self-funded program (by the AIC) which is restrictive. We would like to see some funds put towards the EHD program so that this release option is more equitable across the board. Commissioner Moreno asked if the EHD program is less costly than custody in jail. Commander Sundsted said the EHD program is more cost effective than jail detention. The EHD program has been used primarily for post-convictions. There is always a risk to using EHD on a pre-trial release program, but the analysis that the courts provide to allow someone EHD vs Jail is very extensive.

Commissioner Moreno didn't find any major discrepancies between the data that was presented. He did suggest the commission revisit the same data in six months to start looking at trends. Can we start by educating our youth and change the trends two or three years from now?

Sheriff's Updates

The Sheriff presented results from Oregon Criminal Justice Systems STOP program. The STOP program was the result of Oregon House Bill 55 from 2017. Every Law Enforcement agency must report their stop data. This is the first year that every Law Enforcement agency in the state has reported data. The metrics from this report is based on the last two years (instead of one), so there would be enough relevant statistical data analysis of the five major racial groups (White, Black, Hispanic, Asian, Middle Eastern).

The Washington County Sheriff's Office (WCSO) reported in one of the three subjects that suggests a disparity. The three subjects are:

- 1) Veil of darkness Analysis (This is based on the assumption that it is easier for an officer to discern race/ethnicity during the day when it is light versus the night when it is dark.)
- 2) Predicted Disposition Analysis (What happens after the stop?)

3) Hit-Rate Analysis (This compares relative rates of successful searches across racial/ethnic groups)
The report showed the WCSO took enforcement action and conducted searches of Latinos at a higher rate than Caucasians, based on the Predicted Disposition Analysis.

Sheriff Garrett asked who should be our next Sheriff's Office commission member? Commissioner members discussed the benefits of line-staff vs. command staff.

Sheriff Garrett invited everyone to join tomorrow's Board of County Commissioner's Budget Equity Focused Town Hall. The Town Hall is scheduled for 6 PM.

Finalize P.O.P.

Commissioner Acuña shared her screen, and the members present worked together to finalize the P.O.P. document.

Training Overview

The Commission agreed to start our next discussion topic of Training with a broad overview. Once more is known about the basics of Training at the Sheriff's Office, we can narrow our discussion topics at later meetings.

Commissioners Acuña and Caballero-Rubio both want to hear more about sensitivity training.

Commissioner Moreno suggested we begin with a bulleted list of the basic training received by certified staff. Everyone agreed this would be a good starting point.

Commissioner Acuña also asked to what degree does the Office of Equity, Inclusion and Community Engagement contribute or support the equity lens in training? Are they a resource or are they not there yet?

Next steps

Should we invite someone from the Mexican Consulate to the LAC as a Commission Member when the next community-member vacancy occurs?

The Commission would like to see the jail data presented again in six to 12 months to compare this data with future numbers.

Meeting adjourned at 5:29 PM