

CJ Municipal Court has a soft hand

Jason McMillen
IVN Contributing Writer

The Municipal Court of Cave Junction prides itself upon its leniency and compassion as well as its ability to handle issues at a local level with local understanding. Unfortunately, a great many people, after receiving their citations, both fail to pay and show up to court. Because of this, and according to court clerk Becky Patton, the court is forced to suspend five to seven drivers' licenses a month. The court has a session on the third Wednesday of every month but sometimes there isn't enough on the docket and the session can be postponed. "We have what we call a 'Cave Junction Special'; which is a driving while suspended, switched plates and driving uninsured," Patton said, with a hint of

dry legal comedy. Patton further explained that the Cave Junction Special is the most common citation they deal with and comprises the majority of their six to 10 cases a month. In addition to traffic violations, the Municipal Court also deals with various city code violations but if the subject in question is someone living on the street it oftentimes has little to no deterring effect. After failing to show up or pay the citation, the court gives the defendant a generous 30 days to respond to a letter. If they fail to respond yet again, Jack Davis, the 15-year-veteran judge of Cave Junction, signs a notice of court action and sends it to Salem where their license is suspended. However, a suspended license oftentimes has no effect on the defendant because, according to Patton, it's "not unheard of" for some drivers to have as many

as 15 citations. "It barely pays for itself," Patton said, regarding the income brought in to the city by traffic and municipal citations. Off the top of every citation the Department of Revenue takes \$60 and the court gets the rest. If there's any money left over, after paying all expenses, it goes directly into the law enforcement fund. In addition to the cost of a citation the defendant is also charged at \$15 processing fee which, according to Patton, is to help the court break-even. "One of the reasons I'm a big supporter of continuing Municipal Court in Cave Junction is because our judge is compassionate to the environment that he's working within so his focus here is to keep people on the streets legal," Patton said. In one such case of compassion they had a man who was cited for driving without an operator's

license. The man came in and explained that he was driving because the person under his care had to get to the hospital because of a medical emergency. Judge Davis, after hearing his case, gave the man until the next court session to get his driver's license with the promise that his fine would be reduced. After appearing in court twice more to report that he had failed the driver's test, with proof, Patton went to the Department of Motor Vehicles (DMV) to investigate. Patton was then informed by a DMV worker that the man couldn't read and arranged for him to take a verbal test which he passed with flying colors. The man is now driving legally after paying the minimum fine for the offense and waves to Patton whenever he sees her. "If you go to Grant's Pass you're not going to get that kind of attention," Patton concluded.

LEVY ...

Continued from A-1

The levy is for 93 cents per \$1,000, but we've also heard the figure of 80 cents. Can you explain that?

"We are in the last year of paying off a jail construction bond at 13 cents per \$1,000. In 2018 that goes away, at which time county taxpayers will be left with only an additional 80 cents to pay."

What's the significance of having a deputy reside in the Illinois Valley?

"The resident deputy will be on call 24/7. His regular on-duty hours will depend, based on need. Because the city of Cave Junction pays for its own special assignment deputy, that will allow for extra coverage."

You're very passionate about the importance of having adequate

jail beds. What is it about your experience that contributes to that passion?

"I have worked in several areas in law enforcement, as a 911 dispatcher, parole officer, and reserve deputy volunteering on patrol and special events. Every aspect of law enforcement depends on a functional jail, whether before someone is convicted or after. Currently, when the Oregon State Police and sheriff arrest people, some of them have to be let go with just a ticket to appear for trial. Nobody wants someone to break into their house and just be given a ticket."

You are also passionate about the importance of re-opening the juvenile jail. Please explain that.

"My hope is that if a child gets into trouble we can get them the services they need to not make that a lifetime thing. It's important we remove them from the risk situation

and require restorative justice of them. This goes beyond just making them accountable, to making them actually part of restoring what was taken from victim.

"Using Douglas County, with only three beds, means we don't have the ability to take kids out of their risk environment while we work with them. And we have to decide the three most needy cases. With the levy we can re-open juvenile detention. Juvenile justice includes multiple functions: detention, probation, treatment and shelter. Right now we only have funds for the three beds in Douglas County and probation and treatment. We had to close the shelter, which served youth in at-risk situations. The levy may free up enough other funds so that we can re-open it.

"But re-opening juvenile detention is the top priority."



(Photo by Dan Mancuso, Illinois Valley News)

Mike Clemenson (top left), Cheryl Knopsnyder and Brian Holsclaw celebrated the pro-marijuana day of "420" with discounted merchandise and free drinks and hot dogs to PAPA customers.

"Bud Tender" Shane McCarthy (bottom) weighed a few buds at Bud Bros also on Thursday, April 20.

Why can't we take the money from the county assessor's office?

"That is on the table. But if we de-fund the assessor's office that means the fire district and school districts won't be getting the benefit of re-assessments, when property values go up. But if the levy fails, that's something we'll be looking at."

What about taking the 2 million dollars of reserve funds from the Public Works budget?

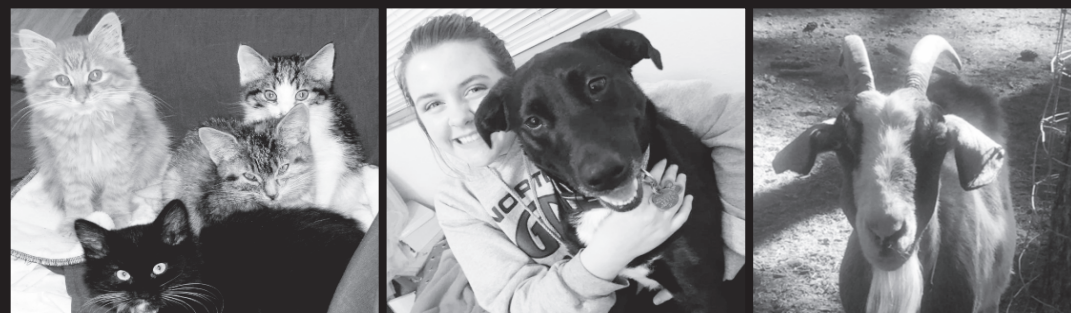
"In January alone we had storm systems that cost \$2.6 million in damage. And not all of the repairs are

eligible for FEMA reimbursement. In comparison, Klamath County has almost \$100 million in their road reserve."

How can we know that the county commissioners won't take some of the money for themselves?

"We are required by law to spend money as stated in the voter statement on the ballot. We are taking the board of county commissioners out of the Internal Service Fund. That guarantees the commissioners will not receive a single penny from the levy."

Vote "YES" on the ANIMAL SHELTER CONTINUATION LEVY



What Does Your \$1 per Month Get You?*

- Adequate response for dangerous, abused and lost animals
- Someplace to report your lost pet; people working to find it
- Pets to adopt that have been vaccinated, wormed and "fixed"
- Caring, professional staff serving public 6 days per week
- More adoptions, less euthanasia (down by 42% since last levy passed)

Not a New Tax...VOTE YES May 16th!

* cost to average County homeowner is less than \$1 per month

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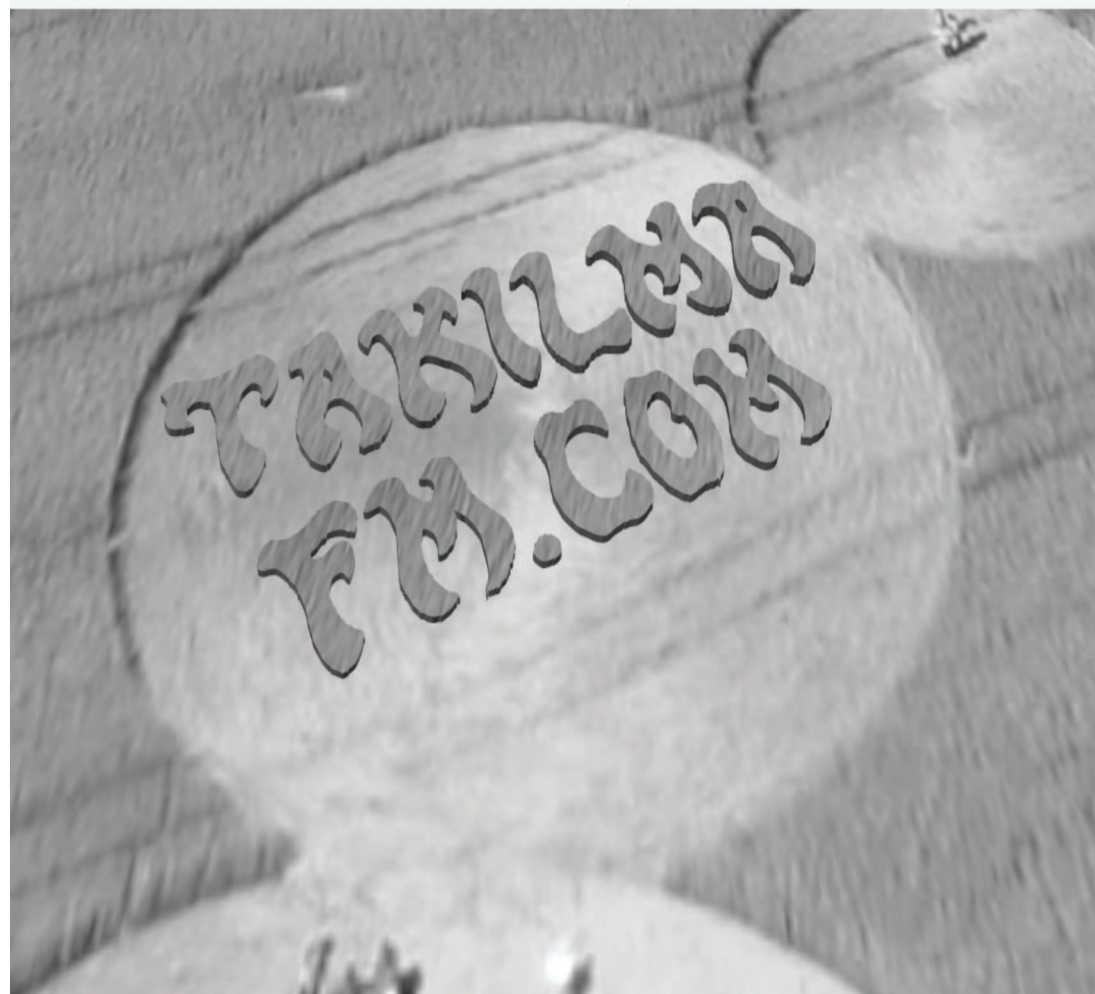
Sunday May 7th 11am-6pm
Jubilee Park in Cave Junction

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