

OPINION

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GUEST COLUMNS

Vote 'yes' for county jail bond

There is never a good time to fund a new jail. Over the past 12 years as a Clatsop County Circuit Court judge, I have observed the many ways our jail no longer serves the needs of our community.

I pose the question: "A new jail? What's in it for me?"

Research shows that immediate and short jail interventions are successful in conforming and redirecting criminal behavior. The use of short jail sanctions as part of a consequence for noncompliance is an essential tool used by Clatsop County's specialty court (treatment, mental health court and drug court) programs. Specialty courts provide an opportunity for high-risk and high-need offenders to remain productive and engaged in community-based treatment, while public safety is provided for with enhanced supervision and accountability.



CINDEE MATYAS

We have observed that "jail avoidance" can be a real incentive and a marker of achievement. We regularly celebrate with a participant the days they do not spend in jail. Without adequate and reliable jail space, we cannot always count on this intervention.

Clatsop County boasts one of the highest rates of drug and alcohol abuse and related deaths in the state. Drug and alcohol abuse often go hand in hand with criminal behavior. For defendants with addictions, the implementation of a short jail sentence — and the confidence that the time will be actually served — is an essential and often life-saving part of our public safety response to criminal behavior spurned by addiction.

The time spent in jail with needed medical support allows a person to "clear" and have more control over the grip of their addiction — making them more amenable and physically able to make better sobriety choices and avoid criminal activity. The occasion spent in jail is often valuable by giving the court, jail staff, probation and treatment providers time to connect the person with local resources and programs.

Each weekday at 1:15 p.m. the court conducts in-custody arraignments where defendants are advised of the charges and their rights. Each day, release decisions are made and the available jail space — or lack of available space — is a primary factor. Each and every day, the system engages in a juggling act to keep people in jail who pose a danger to the public, who do not follow release conditions, who do not show up to the court and who are not compliant with probation conditions. However, every day people are released — not because they are a low risk for these issues, but because the jail is too crowded.

You may have heard the phrase "truth in sentencing." It refers to the process where prosecutors and defense attorneys negotiate in good faith to resolve cases with certain terms, expectations and goals. Jail sanctions, or the threat of a jail sanction, are typically part of any negotiation. Victims rely upon the courts and the system to bring justice.

Whether jail is used "up front" or whether it is held in abeyance and used as a sanction for noncompliance, victims rely upon the court to uphold a defendant's accountability. When a court sanctions a defendant to jail and then we see the person out soon after due to overcrowding, the entire system fails. Victims feel re-victimized and justice loses its meaning.

When offenders chronically fail to appear for court, are picked up on failure-to-appear warrants and then are released from jail due to crowding, efficiency and case resolution fall behind. The courts continue to schedule hearings and if the person does not appear, a warrant is issued and the scheduled court time and the attorney time are wasted. When law enforcement finds the person, serves the warrant and takes the person to jail, another court date is scheduled and the case gears up again.

If the person is released due to crowding and does not show up again ... the cycle continues, burdening law enforcement and court resources. Our ability to keep offenders in jail who chronically fail to appear time and time again would dramatically improve our ability to resolve cases. When cases move forward without these disruptions, they can be settled or trials can occur sooner rather than later. Bringing cases to a speedy conclusion helps the offender move forward too.

The current conditions of our jail are inhumane for both inmates and jail staff. The space is cramped, dark and crowded. A surprising number of inmates have medical issues such as MRSA or even tuberculosis. Holding them in our cramped facility without adequate ventilation endangers other inmates, as well as those who visit and staff the jail.

In addition, there are very few placement options in the jail for those who pose a risk to public safety but have special needs or who may be suffering from a mental health crisis. The current jail is not a place any of us would want their friend or family member to work or to be lodged.

Clatsop County, and the jail that served it 30 years ago, is changing. The jail no longer serves the needs of our community. There is never a good time to fund a new jail, but it is an essential part of our justice system, providing critical public safety benefits for all of us.

I invite you to explore this issue further. If you have questions or want to take a look at our jail, please contact the sheriff or the jail commander. If you want to get a glimpse of how the court system must address the release of offenders due to jail crowding, please stop by the courthouse any weekday at 1:15 p.m. and observe the in-custody arraignments.

Cindee S. Matyas is a Clatsop County Circuit Court judge.

Vote 'no' on new county jail

Yes they have but they do not see; ears they have but they do not hear. (Jeremiah 5:21) Twice in past years a bond issue for a new jail has been presented to the good people of Clatsop County. It was soundly defeated. Now the sheriff and the district attorney have managed to convince the Board of Commissioners to bring a jail bond before the citizens once again.

Not satisfied with a proposal to convert the former Oregon Youth Authority property to a new, modest jail costing \$14 million, they opted for a high-end model to the tune of \$24 million. Of this amount \$20 million would come from the bond measure to be considered by the voters on Nov. 6. The remainder will be financed from that part of the general fund designated for capital improvements, (referred to by some as the "slush fund").

The newer, larger facility will require higher maintenance costs. The county leadership has already provided for this by raising the lodging tax. This increase, coupled with the recent additional tax imposed by Astoria, means tourists will be burdened with a tax of 12 percent. Elected officials of Astoria and Clatsop County seem to have forgotten that old adage, "don't bite the hand that feeds you."

When considering whether to vote for Measure 4-195, a voter must ask if we should

continue to build correctional facilities to warehouse criminals of every sort from shoplifters to murderers. Many people would affirm that this is necessary; some would go so far as to recommend lifetime incarceration for those who break the law. Such people believe they would then be safe and secure with respect to both their property and their person.

The United States constitutes 5 percent of the world's population and 25 percent of the world's prison population. States and the federal government are bereft of implementing alternatives to incarceration. Local governments, however, have no need to follow suit.

The key argument for building a new jail is the fact that the present jail is overcrowded. Before spending millions of taxpayer and tourist dollars for a facility, perhaps reducing the jail population should be considered.

About 65 to 75 percent of inmates confined in a county jail are awaiting trial. The great majority of these accused will never have a trial. So why are they taking up jail space for six months to a year or more? Because it is in their interest to do so, even if they are innocent. It is not surprising that after an inmate has spent considerable amount of time in jail, she/he is ready to cop a deal. The other players — judge, prosecutor and defense attorney — are more than willing to have them do so. Because lawyers are always hesitant to

put the fate of their clients in the hands of a jury, they do whatever is necessary to have the accused meet and plead.

No one involved in this broken justice system hesitates to have a client waive the right to a speedy trial, as provided by the U.S. and Oregon constitutions and by state statute. In my law practice I was often appointed by the court to represent criminal defendants. Thus, I can understand that sometimes the defense or prosecution needs more time to prepare for trial. But the speedy trial provisions should not be routinely cast aside. Under the leadership of the judges, criminal defendants could be brought to trial much quicker than they are now. This would alleviate jail overcrowding to a large extent.

It has also been argued that a new jail is needed to provide space for the mentally ill. Those of us who suffer from a mental illness shudder at the thought of ever being confined to jail. A person who has a serious physical illness goes to a hospital for treatment. In most communities the hospital is where people with severe mental illness go. Locally, both Lutheran and Catholic hospitals, founded on the Gospel, turn their back on mentally ill people.

Twenty-five percent of the Clatsop County correctional population is on prescribed medication for the treatment of mental disorders; 50 to 60 percent are in jail for criminal offenses stemming from their dependence on illegal drugs or alcohol. The criminal charges against them are secondary to the real problem. Building a larger jail only fosters the error in treating the symptoms of this pathology rather than the cause.

Passage of Measure 4-195 will have widespread negative financial impact on the good people of Clatsop County. The supporting document in the voters pamphlet claims the bond will only result in an estimated \$42 increase in property tax for an owner of a \$230,000 home. On the contrary, the median price of homes currently listed in Clatsop County is \$385,000 — a property tax increase of \$81. For persons at the high end of the economic scale, \$81 is spare change. For seniors on a limited income, however, or working families living from hand to mouth just to pay their mortgage, any tax increase will adversely impact their budgets.

It is well-settled that a vast number of service workers employed in jobs that do not pay a living wage are unable to find affordable housing in the area where they work. Passage of Measure 4-195 will raise rents even more. Whether a single-family house or a multimillion-dollar apartment complex, rest assured the landlady or landlord will pass along the tax increase to the tenants. Once again the number of working homeless will increase.

There are many more positive alternatives in lieu of building a new jail. Clatsop County voters have said "no" to a jail bond twice before. Hopefully voters will see the wisdom to say "no," once again.

George McCartin of Astoria is a retired attorney who has run for both City Council and county commissioner.



GEORGE McCARTIN



Colin Murphey/The Daily Astorian

Officials hope to convert the former Oregon Youth Authority facility in Warrenton into a new county jail.

LETTERS TO THE EDITOR

Vote Swedenborg for Cannon Beach council

I am writing in support of Greg Swedenborg, who is running for City Council in Cannon Beach. Greg has stated interesting, positive and creative ideas for many of the issues that our community faces. I think his presence on the council will be a breath of fresh air, and if you are in doubt, please read his statement in the voter's pamphlet that is available for the upcoming election.

His intelligent assessment of "manage the future, respect the past" reflects his deeper understanding of the Cannon Beach he grew up in, and is now raising how own children. Please vote for Greg Swedenborg.

LINDA SWEENEY
Cannon Beach

Vote 'yes' on Measure 102

Passing Measure 102 could help the coast in the future. At first glance, it might seem like Measure 102 doesn't apply to those of us living and voting in Clatsop County. After all, we don't have a housing bond on the ballot.

But the purpose of Measure 102 is to give cities as many tools as possible to maximize their funds and help as many people as possible, and Measure 102 could definitely help us here on the coast in the future, as the need for more affordable housing tops the agenda at nearly every public meeting and candidate forum.

Currently, Oregon law does not allow local governments to use bond funds in partnership with private groups or nonprofits. Instead, local municipalities are required to work in a silo to create affordable housing. They're cut off from the resources and expertise available at local nonprofits.

Making this small change to the Oregon Constitution will empower local choice across the state to more effectively combat housing instability and get our neighbors into permanent and stable housing.

The housing crisis is something we will have to contend with for years, or decades, to come. We need to utilize as many resources as we possibly can. Voting yes on Measure 102 will give folks throughout the state the opportunity to not only build more housing than they would otherwise be able to, but it will enable us to follow suit when we decide to build more affordable housing in Clatsop County.

KATE ALLEN
Astoria

Embrace change for our future

After looking at the proposed redesign for a new hotel, I am troubled that we seem

to deny change which would result in jobs and tourism increases. I looked at the Holiday Inn Express this morning, and could not believe that it, and the addition, were approved while this new property, which mimics the Cannery Pier Hotel, was denied.

Does the Design Review Committee think closed-up store fronts on Commercial Street will lead to an increase in tourism, and therefore, jobs? This seems to be at best shortsightedness, or worst case, the good old boy club out in full force.

It appears now the developer may leave the entire project. Not the way to deal with a changing economy, in my view. We should move on from fishing and timber, while still providing good jobs and an economic contribution to the area, and embrace change for our future.

BOB JENSSEN
Astoria