

## WHERE WILL YOU BE RINGING IN THE NEW YEAR?

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## Joint meeting honors Rotary founder McCoy

Cottage Grove's Lions and Rotarians got together Thursday to honor Paul McCoy, who helped found the local Rotary club in 1960, and celebrate his 96th birthday. A video interview of McCoy relating tales of his life before he came to Cottage Grove was one highlight. McCoy is shown here with former business partner Lynn and Linda Ferrin.

## COURT

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"We had an agency that wasn't particularly responsive," he said.

Thus, while the number of cases seen by the Court increased in 2015 and the amount of assessed fines also increased, the amount of outstanding fines increased in similar amounts. Rounsaville has been able to devote more time to aging case files, Fisher said, because she is no longer required to spend part of her time assisting the City's finance department.

"Michelle is now 100 percent dedicated to the Court, and it shows," he said.

Fisher also said that the City had in many cases not been following through on suspending the driver's licenses of those with unpaid fines, which he called a "significant motivator for people who haven't paid." He said the files for such cases amount to a "big stack" and that the suspensions hadn't been happening for "maybe as long as a year and a half."

The judge also pointed out the difficulty of "fining people who have no jobs."

"Many people lack the capacity to pay, even if they had the will," he said. The Court's software also has no way of distinguishing what fines are being paid toward what violations.

"If a person was fined in 2012 and has not yet paid in full, and was then fined again in 2015, any payment made in 2015

would first be applied to the 2012 fine," he said. "So people may well be paying, but some of those payments may not be credited to the current year."

Fisher said he's also frustrated that the options for another alternative form of punishment, community service, are limited to Community Sharing and Cottage Grove Public Works.

"There are a lot of people we would recommend for community service that are quite capable but not a lot of places to do it," he said.

And with regard to female offenders, which cannot be housed in the Cottage Grove Jail and are never held in the Lane County Jail for very long, Fisher was even more frustrated.

"With women, it's pretty much hopeless," he said. "Many of them know it and are starting to take advantage."

### New public defender(s)

The City previously appointed Ryan Gifford as its dedicated public defender, though Gifford resigned this year after deciding to phase criminal defense out of his practice. The position has never been given serious consideration by other attorneys, Fisher wrote, due to its low rate of pay. Attorneys have been appointed to serve as the Court's public defender on a regular basis, but this has increased court costs.

"It remains to be seen what

the overall cost increase will be, but it will be significant," Fisher wrote.

### Less monitoring

For some time, the Court has utilized the services of Advanced Monitoring Professionals to conduct follow-up evaluations of those convicted of crimes in Cottage Grove. Fisher told the Council that, due to insurance liability issues, Advanced Monitoring will no longer be able to conduct electronic monitoring such as using bracelets to monitor those on house arrest or alcohol monitors.

"It's kind of frustrating because it provided us our opportunity of using house arrest as an alternative sanction," Fisher said. "It was useful for people who fit a certain category of offender — those who are not violent, people with steady jobs."

House arrest was also a preferred sentence for female offenders, and without the option, Fisher said Cottage Grove may essentially "have to send them to Lane County Jail and see what happens."

Still, Advanced Monitoring has also worked to bring other types of services to Cottage Grove such as evaluations for alcohol or drug use, anger management or domestic violence. Fisher said having these services available locally "will increase compliance and lessen the need for court involvement

and enforcement."

### The "Ferguson Effect"

Fisher's report also touched on the practices of the Ferguson, Missouri Municipal Court, which was criticized following the Aug. 9, 2014 shooting of Michael Brown for its focus on "revenue generation rather than public safety," including fining those with no capacity to pay, which he said essentially amounted to "jailing people for being poor." The alternative to jailing those who cannot pay fines in Cottage Grove — community service — is already limited, as has been noted.

### The bottom line

Fisher said he believes balancing the Court's need to dispense justice while also generating revenue gets to the "fundamental question" regarding its purpose.

"If these two things are in conflict, where are the priorities?" he said. "Communities have their own courts so that local issues can be dealt with. If they didn't, anyone could steal with impunity. You have to decide that if preventing such a free-for-all loses you money, are you okay with that?"

Still, Fisher said he believes it's possible for the Court to be "financially sound and honest."

"It seems that we haven't always had the options in place to get there just yet," he said.

**We Want Your News!**

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