



City of St. Helens

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MUNICIPAL COURT REPORT

January 11, 2021

1. Operations During COVID-19 Pandemic

The municipal court continued operations throughout the COVID-19 pandemic. As I reported in May, 2020, the court managed to operate remotely with attorneys and defendants appearing through video or telephone appearances. During the summer, the court transitioned back to in person appearances and took strict measures that complied with CDC and OHA guidelines. For example, prior to entering the courtroom, each person was asked screening questions, temperatures were taken, and hand sanitizer was required. Only a limited number of people were allowed into the courtroom to allow for proper social distancing and clear barriers were installed to protect the court staff. Also, accommodations for virtual or telephone appearances are provided for anyone who is in a high-risk category who requests the accommodation in advance. In December, the court briefly went virtual again after Governor Brown's recent executive orders but is now back in session with the same safety measures in place.

Due to the large number of people required for jury trials, the court has been unable to schedule any jury trials. All jury trials have been rescheduled to the Summer of 2021.

2. Ballot Measure 110

During the last election, Ballot Measure 110 passed which decriminalized possession of drugs. It goes into effect February 1, 2021. The measure created a new classification of a "violation" for the offenses, a Class E Violation. The maximum penalty is \$100. This represents a significant change in the law and the types of cases that the municipal court will handle. Prior to the enactment of BM 110, municipal courts did not have jurisdiction over drug-related misdemeanor offenses under ORS 221.339(3). Now that the offenses are "violations" instead of "misdemeanors," the municipal court will now handle them.

In order to prepare, court staff will work with Tyler and create the new offenses in the court management software. If a person appears in court and pleads no contest, the presumptive fine of \$100 will be imposed. According to BM 110, in lieu of the fine, a defendant who pleads no contest can participate in a drug assessment. I am in contact with Columbia Community Mental Health to work out the details of the drug assessments.

3. Truancy Court

I am working with Jennifer Johnson, the new School Safety & Prevention Specialist with Northwest Regional ESD to establish a truancy program. Sadly, during a recent meeting she reported St. Helens School District had not submitted any referrals for truancy this year. She estimated that it may take about a year to set up a truancy program and have district and teachers trained on it. The court's role will be very limited because – in most cases – once ESD reaches out to a family and offers resources, the truancy issues are resolved. We will be reviewing and modeling the program based on other districts like North Clackamas School District.