



OREGON COMBINED CHAPTERS OF:  
*The Association of Public Safety Communications Officials (APCO)*  
*& National Emergency Number Association (NENA)*  
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**2021**  
**BOARD of DIRECTORS**

**Testimony regarding OEM 9-1-1 Workstation Funding**  
**House Committee on Veterans and Emergency Management**  
**April 29, 2021**

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The Oregon Association of Public Safety Communications Officials and National Emergency Number Association (APCO/NENA) are professional organizations representing the 911 centers in Oregon. I am writing to you today on behalf of the APCO/NENA State 9-1-1 Advisory Committee (AC) as well as on behalf of the City of Portland, Bureau of Emergency Communications, (911 center).

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We would like to express our concerns in how this process was conducted by OEM and to highlight what APCO/NENA believes is an unfair, inequitable, and dangerous outcome of the final policy related to CPE funding.

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OEM notified the Advisory Committee in the Spring of 2018 that they had opened the above referenced OAR to create new language intended to make clear what type of CPE would be eligible for reimbursement to the 911 centers, known as Emergency Communication Centers (ECCs). OEM indicated this was needed because the subaccount monies were in a deficit and were not sustainable into the future. Additionally, prior to this time, OEM had acknowledged they did not have a clear picture as to what was reimbursable or had been reimbursed by the fund up to that time.

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The 911 community fully supported, and still supports the creation of structure around these issues as we have significant vested interest in ensuring the sustainability of the subaccount. We appreciated being asked to participate in this process and looked forward to creating a process that would be more predictable in application as well as being financially responsible.

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**Our Vision:** *"Embrace a vibrant and growing organization characterized by member support, professional development and stakeholder education."*

Unfortunately, the significant amount of time spent on this effort proved only to strengthen the distrust of the 911 community towards OEM.

At the first meeting, OEM came prepared with a proposed formula known as Erlang and submitted it as a recommended path forward. The committee recognized immediately that the formula, which is based on call volume, became more inequitable for centers processing the largest amount of 911 calls. This means ironically, that the largest centers with the heaviest call load, faces the largest cuts to our CPE funding.

As a committee, we did agree that having a formula that could be relied upon to demonstrate CPE need, would be the best path forward and agreed to work on this formula to make it equitable and functional for our state's ECCs. (California also uses an Erlang formula but recognized these inequities as well and through policy and additions to the formula itself, they've created methods to overcome the inherent inequities produced by the formula.)

OEM and the Advisory Committee met regularly over the 180-day period in which the Administrative Rule was open. We worked to finalize the necessary changes to the language within the Administrative Rule, but focused far more heavily on reaching agreement on factors that could be applied to the Erlang formula that would allow it to function in a manner that was not as likely to cause place significant financial burdens solely on the largest ECCs.

There was a fundamental difference in approach from the start in that OEM wanted to cut CPE from the centers to bring subaccount costs down regardless of the outcome, whereas the AC wished to utilize the formula to demonstrate actual CPE *need* in each ECC to meet desired service level outcomes. An option at one point was to then, based on the subaccount financial ability, place a percentage on those numbers across all ECC's to determine how much would be paid/reimbursed.

Over the months of work, the Advisory Committee recognized OEM's reluctance to move away from their proposed Erlang formula and did present a formula that met their desire for a set number of allotted CPE per ECC. However, this option was not considered by OEM as it did not create the necessary monetary savings. When asked what the savings goal amount was, the AC was never given a specific dollar amount, only that "additional" savings was needed. Again, if a monetary savings amount was known, this could be accomplished by applying a percentage to the CPE allotment, but this was not accepted either.

In the end, the Advisory Committee spent nearly 6 months with OEM and was not able to move them from their initial proposal. For every proposal brought forth, the Advisory Committee was sent back and asked to provide justifications for data points that even their own proposed formula did not provide.

The 180-day window by which changes to the Administrative rule needed to be submitted was due to close and OEM stated that we needed to vote on the language that would be submitted. The Advisory Committee stated that we could agree to the proposed language changes, but that we could not agree to the Erlang formula in its current state. OEM stated that would only refer

to Erlang in the Administrative Rule but leave the actual formula itself out, and that we, as a group would continue to meet “for as long’ as it takes” to find a resolution. With that assurance, we agreed and voted to move forward. That was, by all true measure, that last time we had OEM at the table seemingly working with us to find a solution. All work done to find a better solution from that point forward was left to the Advisory Committee and, as outlined above, no work submitted was ever approved. There were many hoops, but no engagement.

What this means today is that the largest ECCs in the state, undoubtedly where the largest tax 911 tax revenues are collected, are taking the largest cuts in CPE funding. Over 85% of the CPE cuts made by this formula, are being taken by the 7 largest ECCs in the state. Unless an alternative funding source is found to maintain these “additional” workstations, ECCs will have fewer workstations in which to put certified 911 call answering staff. As a real-life example, according to the formula submitted by OEM, my center, which processes over a million calls per year, over half of which are emergency 911 calls for service, needs only 19 positions. Our center currently has, and utilizes 36 positions on the Operations floor and I have watched as 911 calls have been on hold while I have certified staff standing idle because we don’t have an available console for them to plug in to. The idea that we could do away with 16 of these positions is reckless.

It should be known that it is felt by many in the 911 community, and most certainly by those involved in this process that the invitation to participate by OEM was made only to meet the requirements of opening and revising an Administrative Rule. OEM did invite us to the table, they did hold a public hearing, (although they did not attend it,) to receive feedback. But at no point were our voices heard or our positions considered. Boxes were check-marked where needed, but in the end, critical decisions were made by members of OEM who have little to no 911 background, and who, despite repeated invitations to come visit our centers to gain a better understanding have failed to take interest enough to do so.

We are asking that OEM engage with the State Advisory Committee once again to jointly find a solution for CPE funding that best benefits the public we are here to serve. We would like to have an equal voice and we would like any final decision regarding a path forward to be voted on by members of OEM and the Advisory Committee with equal weight. Additionally, we would like this effort to be required to report back to this committee with our progress and ultimately, our final decision in a path forward.

Respectfully,



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Oregon APCO/NENA Legislative Chair  
City of Portland, 9-1-1 Operations Manager

