



**GARY MILLIMAN**  
Municipal Court Judge  
City of Brookings

898 Elk Drive, Brookings, OR 97415

Office: (541) 412-1114

gmilliman@brookings.or.us

Credentialed City Manager  
Life Member  
International City/County Management Association

Board of Directors  
Oregon Municipal Judges Association

Portland State University, Mark Hatfield School of Government, Senior Fellow

ICMA Career Excellence Award  
ICMA Management Innovation Award  
Azalea Festival Grand Marshal

Oregon City/County Management Association  
Senior Advisor

Oregon State Senate  
Committee on Education

March 3, 2023

**RE: SB 48**

**The purpose of this letter is to express my support for Senate Bill 48**, which would restore the potential monetary penalty for violation of the State's mandatory school attendance law.

I apologize for not being able to testify in-person as I have a full court schedule on March 7, 2023.

I currently serve as the Municipal Court Judge in Brookings, and previously served as City Manager there for 11 years.

The City of Brookings, in cooperation with the Brookings Harbor School District, established a "truancy court" in 2019 as a part of a comprehensive plan to deal with chronic absenteeism at Brookings Harbor High School.

The School District developed an internal system of outreach and counseling to gain school attendance compliance. By adding the "truancy" or "attendance" court, the community became involved in this matter. The City enacted the mandatory attendance provisions of the Oregon Revised Statutes into its Municipal Code. The goal was to gain compliance and assist students in securing their high school diploma as a basic foundation for their economic future and personal growth.

In that first...and only...year of the new court, 25 cases were processed through the Municipal Court. As Judge, I worked with all of the parties...School District staff, parents and the students...to identify and resolve barriers to school attendance. While I imposed monetary penalties on some of the adults involved, most often those penalties were waived after good progress was shown. In most instances, the court was able to open fresh communication between school staff, students and parents that resulted in solutions.

The word quickly circulated in the community that there were consequences for failure to comply with mandatory attendance. Overall, school attendance improved by over 20 per cent

that first year. The School District was planning to extend the program to the middle and elementary school the following year.

It is important to note the following:

1. No students are required to pay a monetary penalty.
2. The focus is on getting the student's responsible adult engaged in assisting the student resolve attendance issues.
3. The court gained information about circumstances negatively impacting student attendance that were not disclosed in the internal school district process, and the court actively pursued solutions involving all parties.

Only those few parents or responsible adults who refused to engage in helping their student received a monetary penalty that was not later waived. Two examples:

- A father who required his high school senior son to work in a job for up to six hours per day after school and on weekends...as late as 10:00 p.m... His response to his son being too tired in the morning to get to school was that his son should simply "man-up."
- Foster parents whose attitude was that they were being paid to provide food and shelter for their student, and that their responsibility did not include encouraging their student to attend or finish high school.

In closing, I will share two anecdotal success stories.

A female student was skipping school on a regular basis and told me in court that her parents "didn't care" if she finished school and that "besides, my (older) boyfriend says he will take care of me." We had some nice chats about life during my visits with her in court over a period of several months. I encouraged her to finish school, emphasizing the importance of education as a basis for her economic future and wellbeing. I even subpoenaed the boyfriend and we had a chat about life and his role as a responsible adult, and he got on board with encouraging her to finish school. She graduated. I attended the graduation.

About 18 months later during the height of COVID I was in a local appliance store searching for a new stove. Wearing a mask, I was greeted by a young sales person, also wearing a mask. This sales person...who I recognized immediately...was very helpful. As we moved to the check-out counter, she asked me for my name so she could insert it into the warranty card. As she wrote my name she looked up and asked "Are you Judge Milliman?" I acknowledged that we had indeed met before in court. She then told me "Oh, I have been hoping to run into you. You know that if it had not been for your encouragement, I would not have finished high school and would not have gotten this job." She thanked me for my persistence and encouragement.

In the second case, the student was missing the first class of the day. It was revealed in court for the first time that the root cause of the absenteeism was bullying. The student was afraid to disclose this information to the school administration or their single parent.

**These and other cases were only in community truancy/attendance court because of the potential monetary penalty.** I am convinced that this intervention would not have happened had there been no truancy or attendance court. A few short months later, State Law was passed that essentially eliminates the incentive for parents to become engaged with their student.

Respectfully,



Ray Hillman

