

## **STRENGTHS**

### **JOSEPHINE COUNTY 911 AGENCY**

Our Josephine County 911 Agency has earned the respect of Association of Public-Safety Communication Officials (APCO), the National Emergency Number Association (NENA) and the 9-11 Agency leadership and staff are professionally trained and certified by the Oregon Department of Public Safety Standards and Training (DPSST). The 911 call center and dispatch operations is operated on a 24-hour basis providing all 911 call-taking services for Josephine County. The center dispatches for the Grants Pass Department of Public Safety, American Medical Response (AMR), Rural Metro Fire Department, Wolf Creek Fire Department, Williams Fire Department, Illinois Valley Fire Department, and occasionally to the Oregon Department of Forestry.

### **JOSEPHINE COUNTY EMERGENCY MANAGEMENT**

Josephine County Emergency Management coordinates county-wide planning, mitigation, response, and recovery from natural and man-made disasters. Josephine County Emergency Management coordinates with local and state agencies as well as community partners on both preparedness activities and disaster response.

### **ROGUE VALLEY FIRE CHIEFS ASSOCIATION**

The Rogue Valley Fire Chiefs Association (RVFCA) is the coordinating body for collaborative emergency response organizations in Josephine and Jackson County. Coordination and collaboration are key ingredients to successfully respond to emergencies. Members include fire agencies, EMS, emergency management, law enforcement, United States Forest Service (USFS), Bureau of Land Management (BLM), Oregon Department of Forestry (ODF) and dispatch centers.

RVFCA represents a unified voice to local government, the Office of the State Fire Marshal (OSFM), Department of Public Safety and Standards and Training (DPSST), and Oregon Fire Chief's Association. The RVFCA fosters strong collaboration among federal, state, regional, and local fire and emergency service providers.

The RVFCA houses the Josephine and Jackson County mutual aid agreements. Mutual aid agreements are written agreements between organizations, agencies and jurisdictions. In short, it codifies lending assistance by way of people, equipment, supplies and expertise in a specified manner for a prescribed period of time. It includes the operational policies and guidelines for managing a comprehensive mutual and automatic aid system. Some of these policies and guidelines include:

- common radio and communications plan
- mobilization guidelines for local, in-state, and out of state deployments
- equipment standards
- operating practices for incident command and communications

### MOMENTUM FOR CHANGE

The Board of County Commissioners placed an advisory ballot measure concerning formation of a Fire District in a recent election. The measure passed in favor of a District. The Board took further steps by forming a Fire Protection Task Force, which attracted a fair number of highly qualified volunteers. This Task Force is currently engaged in developing recommendations for actions addressing fire protection in the under protected area of the county, including this SWOT analysis.

### CURRENT FREE- MARKET CONDITIONS

Current conditions allow unfettered competition to set rates to the advantage of some consumers, who are able to not only choose different cost levels, but different levels of protection associated with those costs.

## **WEAKNESSES**

### **TRANSPARENCY**

Anyone that wants, can become a private “fire service” provider (PFSPs) in the Unprotected Area of the County with virtually no requirements or standards placed on them by a government organization with the exception of labor laws and OSHA policies.

Any private company can sell subscriptions and potentially give residents a false sense of security with regard to fire protection. Josephine County’s large senior, disabled, and low-income population makes it an easy opportunity for a scam operation to succeed here. Subscribers to private fire services may also falsely assume that all fire services are operating under the authority and watchful eye of Josephine County government.

Many know the premiums charged by PFSPs are vastly different. Yet, with no real transparency, neither the County nor potential or current subscribers can easily evaluate the level and type of services being delivered by a PFSP. This includes types of types of firefighting services provided, rescue services, emergency medical services, fire prevention services, public education programs, and more.

Many citizens assume that any firefighting personnel responding to their call for service have passed a background check and drug testing. Yet in our County, there are no requirements for a private fire business to conduct either background checks or drug testing. This opens up the possibility of convicted felons, drug users, identity thieves, and other criminals finding their way into our private homes. In the case of evacuations, the homeowner or business owner is not there to protect themselves or their property.

Some County residents may perceive that there is a public “County” fire department to provide fire protection, as much of Josephine County is one of a very few areas in the State without a fire district. Due to the name of a local private fire service, residents may believe that they are a public entity.

### **TRAINING**

There are no requirements for private fire services to have any training per the Oregon Department of Public Safety Standards and Training (DPSST).

In the absence of required training and any professional fire standards, it is a case of “buyer beware” when it comes to subscribing to a private fire service. This creates an unnecessary safety risk for both citizens and firefighters.

Neither County government nor the community has the ability to determine what training, certifications, or accreditation the private fire services and their personnel have as they have no access to current personnel rosters or training records.

For example, the public in many instances do not have any idea if private fire services have the equipment, resources, training, and certification required to enter a burning building and rescue occupants, while complying with OSHA’s mandatory “two-in, two-out” policy. In addition, not all private fire services in Josephine County have personnel with Basic Life Support (BLS) training

nor the proper equipment. First responders often encounter medical needs on a call and may be unqualified to deliver life saving critical services.

## DOCUMENTATION

With PFSPs, there are no requirements to maintain the same official documentation. Neither our County government nor our citizens have any insight into important and factual data regarding the performance of our PFSPs such as response times, deployment of appropriate equipment and personnel actions taken and services provided. In contrast, City and County fire agencies and Fire Districts require documentation requirements on services provided, response and performance data, after action reports, training documentation and certification, equipment maintenance and certification data, as well as State mandated documentation.

Documentation is critical to proving lack of liability in court. Without it, significant liabilities will most likely be incurred by the responsible governing body and the service providers. Attorneys and courts can subpoena 911 telephone and radio dispatch recordings, CAD/RMS data, fire and police incident reports, training and personnel records of all personnel from every dispatcher, supervisor, manager, law enforcement officer, firefighter, and EMS personnel who were even remotely involved in an incident.

## POTENTIAL LOSS OF INSURANCE COVERAGE

Structural fire protection ratings used for much of the residential insurance industry are provided by the Insurance Services Organization using a scale of 1 to 10, with 1 being the best and 10 being the worst. In a rural area a rating of 6 is about as good as can be obtained, usually within 5 miles of a fire station. Ratings drop quickly beyond 5 miles. A rating of 10 says there is essentially no viable fire protection for insurance purposes. Needless to say, the loss of insurance coverage could make it difficult or impossible to finance a home. An uninsured fire loss could be financially devastating.

## INSURANCE LIABILITY

Private fire services are not recognized by the State of Oregon and are therefore not required to carry firefighting-specific insurance that Fire Districts are required to carry. As a result, there are no requirements of private fire services to carry liability insurance above vehicle liability coverage. In contrast, member fire services in the Rogue Valley Fire Chiefs Association all voluntarily agree to carry appropriate types and standard limits of liability insurance.

As there is a larger pool of participants in the Special District Association of Oregon, Fire Districts enjoy lower insurance costs. Private companies however, have a much higher cost for Liability Insurance and are not protected under the Oregon Tort Law limits.

## POTENTIAL CIVIL AND CRIMINAL LIABILITY

County government might possibly be held responsible to some degree via vicarious liability for the actions of private fire services operating in the Unprotected Area of the County for which the County Board of Commissioners have oversight responsibility.

It is possible that our 911 Agency might unknowingly dispatch non-DPSST certified and qualified resources to public requests for assistance, the 911 Agency might possibly be held

liable as a result of a private fire service's failure to respond or if they are negligent in their actions. Additionally, our 911 Agency might be held liable for sending responders whose criminal backgrounds have not been checked nor subjected to a drug testing.

The Oregon Department of Transportation Safety Division oversees Emergency Vehicle Designation. Without transparency, the public can see neither the maintenance records, nor the State emergency vehicle inspection records. Emergency vehicles - fire engines included - are required to be maintained by specialty mechanics in accordance with ODOT regulations. The public has no way to easily determine if a PFSP is adhering to State standards.

Current understanding is that not all of our private fire services are authorized to operate as emergency vehicles (lights and siren) within the Grants Pass City limits and are not in compliance with ODOT regulations with regard to operating an emergency vehicle.

### COMMAND AND CONTROL

The Josephine County 9-1-1 Agency utilizes a sophisticated Computer Aided Dispatch (CAD) system and public safety radio system to dispatch and maintain status of a number of public safety services in Josephine County. These include the Grants Pass Department of Public Safety (Police and Fire), American Medical Response (AMR), Rural Metro Fire Department, Wolf Creek Fire Department, Williams Fire Department, Illinois Valley Fire Department, and occasionally to the Oregon Department of Forestry.

The exception is that the 9-1-1 Agency is using basic text paging to "notify" one of the PFSPs in the Unprotected Area. Text notification is potentially a liability as there is no positive acknowledgment that a text was actually received by the PFSP and is responding to the emergency call for service. This communications process could also result in ineffective Fire Command and Control and places both fire fighters and the public at risk.

In addition, confusion on the fire ground can result if all responding emergency services are not properly dispatched, do not have compatible communications, and do not operate under the Incident Command System (ICS) and participate in the Rogue Valley Fire Chiefs Mobilizations Plan and related mutual aid agreements.

### MUTUAL AID AND AUTOMATIC AID AGREEMENTS

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### NO UNIVERSAL FUNDING

Without a Fire District, universally funding fire protection and other emergency services, support for these services is voluntary and currently provided by private companies offering very different levels of service. As a result many emergency services are only paid for by people subscribing with one of the existing companies. A District would provide universal funding for services received. Without such stable funding, the availability of services at any level cannot be assured from private services.

### RESCUE AND MEDICAL AID CALLS

The existing Fire Districts in Josephine County report that between 50% and 90% of their calls for service include a medical element requiring the delivery of Basic Life Support (BLS) services. Nationally, the percentage of fire calls with a medical element, is over 68% (NFPA).

A new Rural Fire District or other fire service delivery system must address and be able to respond to medical, hazmat, extrication, vehicle and industrial accidents, and other rescues.

### CURRENT FREE MARKET CONDITIONS

The current “free market conditions” allow unfettered competition to set rates to the advantage of some consumers, who are able to not only choose different cost levels, but different levels of protection associated with those costs. However, without self-governance, the setting of prices and determination of services available remain in the control of others. With fire protection provided only by PFSP subscription, the public has no control over costs. Their only choice is to subscribe or not, and at whatever rates are offered.

### UNFAIR FINANCIAL BURDEN

Fire services are not only first responders to fire incidents, they also respond to major emergencies such as heavy rainstorms/flooding, landslides, snowstorms, windstorms, hazardous material incidents, and major disasters such as an earthquake. For example, Rural Metro Fire Department maintains a “State of Readiness” at all times. Their personnel have specialized equipment and materials and are trained and prepared to respond to all of these events 24 hours a day, 365 days a year. They also perform technical rescues such as water rescues, confined space rescues, low/steep angle rescues, and assist with emergency evacuations.

The cost of this “readiness” to respond and handle these emergencies is funded solely by current subscribers to RMFD. Yet many non-subscribers will potentially receive life saving services in these emergencies. Although non-subscribers may be required to pay for the services received, they will have paid nothing for RMFD’s maintaining a “state of readiness” that is paid for only by their subscribers.

### PFSP BILLING ISSUES

Currently if a private fire company responds to a non-subscriber call for service, there may be issues regarding the PFSP receiving payment for the services provided.

Many PFSP subscribers are understandably resentful towards the 30% of non paying residents in the Unprotected Area who benefit from the fire protection and emergency services whenever needed in their area, without bearing the financial burden.

### CODE ENFORCEMENT

TBD

### FIRE INVESTIGATION

In the absence of official and thorough fire investigations, the crime of arson may go undetected. PFSPs are not allowed nor required by statute to investigate the cause of fires. In fact, once an emergency is mitigated at the scene of a fire, a PFSP could be directed off the property involved.

## NO ACCESS TO GRANTS AND SURPLUS EQUIPMENT

Private fire protection companies do not qualify for public safety related government grants or government surplus equipment.

## GEOGRAPHY OF THE COUNTY UNPROTECTED AREA

The potential quality of fire protection, and therefore the related ISO ratings and insurance costs, are heavily impacted by distance from the nearest fire station. The shape of the under protected portion of Josephine County does not conveniently conform to any ideal 5 mile radius station placements. Additional stations might be required to improve these conditions.

## VOLUNTEER POOL

According to a 2017 National Fire Protection Association (NFPA) survey, the number of volunteer firefighters is diminishing to unsustainable numbers. The volunteer firefighter numbers for 2016 and 2017 are the lowest recorded levels since the NFPA began the survey in 1983.

The report, which is based on data collected via a national survey of fire departments, estimated that there were 682,600 volunteer firefighters in the United States in 2017. That is down significantly from the 814,850 and 729,000 volunteer firefighters that the NFPA estimates were active in the U.S. in 2015 and 2016, respectively.

There are many factors to account for this. Years ago, volunteers had concerns about getting burned or falling off the trucks or buildings, but today there other major risks, such as responding to dangerous technical rescues, being exposed to power line arcing, heart attacks, PTSD and/or ever increasing hazardous materials (butane honey labs, for example), which may cause cancer, permanent lung damage, and other debilitating conditions. With the legalization of recreational marijuana, departments are finding it increasingly more difficult to find volunteers that are 1) able to pass a drug test and 2) motivated to serve their communities. Economic necessities, new and more restrictive training and safety standards as well as insurance costs continue to reduce the availability and use of volunteers in our area.

It's not uncommon these days to find rural firefighters in their 60's or 70's. According to the National Volunteer Fire Council, about a third of small town volunteer firefighters are now over 50. That's double the number in the 1980's. Baby boomers are aging out of service and replacements are not lining up.

The steadily shrinking pool of potential volunteer fire fighters threatens our ability to adequately staff fire organizations. This has caused fire agencies to reevaluate the service delivery model.

Some fire departments have placed permanent "help wanted" signs in their windows to recruit volunteers. According to Illinois Valley Fire Chief Dennis Hoke, "We are still plagued with an extreme lack of volunteer firefighters...we are not alone in this dilemma as it is a nationwide problem." The IVFD management team has taken significant efforts to increase volunteer recruitment but has seen little success.

## **OPPORTUNITIES**

### **MANDATORY STANDARDS**

There are currently no requirements for operating a private fire service in Josephine County, with the exception of adhering to OSHA regulations and labor laws. This is in direct contrast to how Americans are protected by standards in the food industry, building trades, emergency medical services, healthcare and more. Standards even exist for tattoo parlors, nail salons and hairdressers.

When it comes to fire protection, a lack of professional fire standards puts everyone in the community at risk. Citizens need to have confidence in their public safety responders in the Unprotected Area of Josephine County with whom we entrust with the welfare of our loved ones and the safety of our homes. The lack of standards also leaves consumers unable to fairly compare competing fire subscription services and prices.

For over 30 years, the County Board of Commissioners have been unwilling to establish professional standards for private fire services operating in the Unprotected area of Josephine County, to protect over 35,000 citizens who are at great risk.

These standards could also provide the opportunity for a private fire service to meet the minimum eligibility standards for mutual aid assistance established by the Rogue Valley Fire Chiefs Association. Currently, one of the two private fire services in the Unprotected Area is a party to the RVFCA Mutual Aid Agreement.

### **THE PROTECTION OF A FIRE DISTRICT**

The formation of a Fire District would prevent the possibility of our County reverting back to providing substandard levels of fire protection this community has suffered with for decades.

### **ACCESS TO GRANTS AND SURPLUS EQUIPMENT**

The formation of a tax funded Fire District would provide the opportunity to apply for government grants and to acquire government surplus equipment.

### **POTENTIAL DEDUCTIBILITY OF FIRE DISTRICT TAXES**

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## CODE ENFORCEMENT

Fire and life safety improvement through code enforcement. With the establishment of a Fire District, the Oregon Fire Code can be enforced, improving fire safety in the community. This allows for Fire Code enforcement, fire investigation, burning regulations enforcement, access and water supply input on new construction (need more services listed)

## FIRE INVESTIGATION

TBD

## THREATS

### HAZARD THREATS

Specific threats to our area have been identified in the Josephine County Multi-Jurisdictional Natural Hazard Mitigation Plan (2017). These include: wildfires in the Wildland Urban Interface, winter storms, windstorms, flooding, and earthquakes.

Josephine County unfortunately finds itself at the number one position on several lists of high fire risk in the Unprotected areas of the State. Recent years have exhibited increasing wild fire frequency and severity. The State as a whole is seeing more frequent drought conditions than it did decades ago, not to mention the decreases in logging, an overgrown/poorly mitigated forests. These known facts are contributing factors to our local fire growth problems. The County has 23,000 housing units under a high risk of wildland fire. The combination of urban interface with the drought stricken forests and lack of logging has created a situation that will overtax existing federal, state and local resources in the event of any conflagration.

### POTENTIAL LOSS OF CRITICAL PUBLIC SAFETY SERVICES IN THE UNPROTECTED AREA

The mere existence of fire protection is not guaranteed. By relying completely on private fire services there is always a threat that they may go out of business, declare bankruptcy, liquidate assets or in the event of malfeasance leaving the community without fire suppression without notice.

### LACK OF SELF-GOVERNANCE WITH RESPECT TO COST, SERVICES, STANDARDS AND OVERSIGHT

Without self-governance, setting of prices, determination of services available remain in the control of others. The mere existence of fire protection is not even guaranteed. With a PFSP left in control and free to leave the area at anytime, subscribers could be left without fire protection in the event a PFSP declares goes out of business, declares bankruptcy, liquidates assets or in the event of malfeasance.

### LACK OF PROFESSIONAL STANDARDS FOR PRIVATE FIRE SERVICE PROVIDERS

Earliest documentation including previous fire studies and local media reports available reveal that since 1979 numerous County Board of Commissioners, including the current sitting Board have been unwilling or unable to establish standards for private fire services operating in the Under Protected area of Josephine County, to protect over 35,000 citizens who are at great risk.

#### RESIDENTIAL AND BUSINESS INSURANCE

With fire protection provided only by private company subscriptions, the public has no control over costs. Their only choice is to subscribe or not at whatever rates are offered.

Structural fire protection ratings used for much of the residential insurance industry are provided by the Insurance Services Organization (ISO) using a scale of 1 to 10, with 1 being the best and 10 being the worst. In a rural area, a rating of 6 is about as good as can be obtained, usually within 5 miles of a fire station. Ratings drop quickly beyond 5 miles.

A rating of 10 says there is essentially no viable fire protection for insurance purposes. Needless to say, the loss of insurance coverage could make it difficult or impossible to finance a home. An uninsured fire loss is usually financially devastating.

Failure to form a Fire District in Josephine County's Unprotected Area increases the chance that insurance agencies will consider fire risk factors in the area and increase insurance rates or drop coverage. Under the current system, many residents in the Unprotected Area of Josephine County have changed fire service providers only to find that they have been canceled by their home owners' insurance carrier because the two private fire services do not necessarily have the same ISO rating or meet insurance providers' minimums This is not only a hardship on residents but to insurance businesses of the County as well.

#### ECONOMIC IMPACT

Limited public safety services could be an impediment to economic development in the County. Investors and developers tend to be very concerned more than ever, about the safety of their businesses and their employees. Higher commercial fire insurance rates could be a factor in deciding whether to establish a new business in our community.

#### CULTURE OF THE COMMUNITY

The historical culture of the community, with a strong "No New Taxes" bias, has served as a deterrent for decades to the development and provision of critical public safety services.

#### MISINFORMATION

Lack of factual data allows mistrust of government to fester and grow. It also encourages resistance to change, even if in the best interest of the collective community. Efforts to have voters approve a fire standards and a fire district in the past have been rife with blatant and intentional disinformation campaigns.

#### INACTION

If the Weaknesses are not addressed, many may become Threats. If the Opportunities are not explored, we risk being unprepared for our community's future. If we ignore the Threats, we lose public trust in our County government and most important, risk our quality of life in our

community. Failure to place the Fire District issue on the ballot, or placing a ballot initiative that does not pass will be viewed by many voters as a leadership failure and result in a loss of trust of the Board of Commissioners.

