

Oregon State Police

| | 2015-17 Actual | 2017-19 Legislatively Adopted | 2017-19 Legislatively Approved * | 2019-21 Current Service Level | 2019-21 Governor's Budget |
|--------------------|--------------------|-------------------------------------|--|-------------------------------------|------------------------------|
| General Fund | 280,102,391 | 269,292,257 | 296,977,384 | 309,033,782 | 302,945,886 |
| Lottery Funds | 7,740,839 | 8,069,250 | 8,145,961 | 9,073,617 | 9,035,781 |
| Other Funds | 101,465,180 | 136,707,491 | 158,371,032 | 146,073,822 | 168,980,557 |
| Federal Funds | 6,420,284 | 12,249,830 | 12,274,226 | 12,639,865 | 12,638,622 |
| Total Funds | 395,728,694 | 426,318,828 | 475,768,603 | 476,821,086 | 493,600,846 |
| Positions | 1,314 | 1,345 | 1,370 | 1,363 | 1,398 |
| FTE | 1,268.08 | 1,321.62 | 1,346.62 | 1,342.08 | 1,379.01 |

* Includes Emergency Board and administrative actions through December 2018.

Program Description

The Oregon State Police (OSP) enforces traffic laws on state highways, investigates and solves crimes, conducts forensic analysis and post-mortem investigations, and provides background checks and law enforcement data. Key programs include patrol, criminal investigations, fish and wildlife law enforcement, and enforcement of tribal gaming laws and the Lottery. OSP is the only provider of certain specialized public safety and criminal justice system services in Oregon, including forensic lab services, the State Medical Examiner, criminal justice information systems, and the State Fire Marshal.

CSL Summary and Issues

OSP's General Fund current service level increase is 4.06% over its 2017-19 legislatively approved budget; its all-funds budget is just 0.22% higher than 2017-19. CSL includes the costs of 29 trooper positions - which includes seven troopers for the Capital Mall Patrol Unit and two for the Oregon State University Patrol Unit - added to the 2017-19 budget; as well as roll-up costs for 49 position reclassifications and 25 positions established to resolve agency double-fills undertaken in HB 5201 (2018). The 2017-19 budget shifted approximately \$27 million of General Fund program costs in the Criminal Investigations Division onto marijuana tax revenue funding on an ongoing basis and with no net reduction to the program. The 2017-19 legislatively approved budget contains \$19.4 million General Fund appropriated to the agency through December to cover extraordinary costs to fight wildfires in 2017 and 2018; this amount is one-time-only for the current biennium. *(See below for more on wildfire costs.)*

Policy Issues

The agency's focus in the current biennium and in its agency request budget is on realigning its budget and workforce with its operations, in order to embark on a ten-year plan to rebuild its trooper force starting in the 2021-23 biennium. OSP reports it has nearly the lowest trooper-to-citizen ratio of any state, and that the ten-year goal of reaching 15 troopers per 100,000 Oregonians would bring the agency's

trooper force back to where it was in 1980. The agency's past practice of holding trooper positions harmless in the face of budget reductions has resulted in an organization with too few support positions in areas such as information technology, fleet maintenance, dispatch, and payroll to support the number of budgeted troopers. Re-balance actions taken in 2017 and 2018, as well as proposed actions in 2019-21 policy option packages strengthen those support functions that troopers need in order to be effective and allow vacant trooper positions to be filled.

OSP operates the state's forensic laboratories and has received both state and federal (grant) support to reduce the backlog of sexual assault forensic evidence (SAFE) kits. The agency reports that the backlog has been retired, and that the labs have turned their focus to a dismaying and growing backlog of toxicology requests and to a large volume of felony property crime evidence. Other forensic lab issues include space requirements in the Portland lab, new space for the Pendleton lab, and providing adequate morgue space for the Central Point lab.

HB 2355 (2017) created the requirement that law enforcement agencies in Oregon record certain information about all traffic and pedestrian stops, including the race and gender of the person stopped, starting on July 1, 2018. The resulting program is now known as the Statistical Transparency of Policing (STOP) Program. OSP developed, procured, and implemented the data collection system required to be used by all law enforcement agencies in the state, and transferred ownership and the contract for the data collection system to the Criminal Justice Commission in October 2018.

Other Significant Issues and Background

Wildfires

The cost of responding to wildfires has grown exponentially in 2017 and 2018, straining resources statewide. The Oregon State Fire Marshal (OSFM), a division within the Oregon State Police, has incurred \$33.2 million of expense responding to conflagrations this biennium. This represents an unbudgeted cost to the agency and has drained cash from the appropriation containing four OSP divisions. About \$20 million of the expense is eligible for reimbursement from the Federal Emergency Management Agency (FEMA), which has taken, on average, about 30 months to pay over the past several years. To date, the legislature has provided \$3.2 million from the General Fund and \$16.2 million from the Emergency Fund to partially reimburse the agency for fire costs and to provide resources for cash flow. The Legislative Fiscal Office anticipates additional funding requests of up to \$7.5 million from the agency in order to meet its cash flow requirements through the end of the biennium.

Law Enforcement Data System

OSP operates the Law Enforcement Data System (LEDS), which is the state's computerized criminal history system used by local, state, federal, and international law enforcement; the courts; firearms dealers, and non-criminal justice agencies authorized to conduct criminal background checks. The system is required to be fully operational at all times. The agency is midway through a replacement of this database system, estimated to cost \$14.1 million and to be completed in October 2020, and reports that the project is on schedule, within its budget,

and that no change orders have been required. OSP has funded this project with a \$2.5 million federal grant that ends this biennium and with Criminal Justice Information Systems fee revenues. A full written status report was provided to the Joint Legislative Committee on Information Management Technology in December 2018.

The agency's policy option packages for 2019-21 are comparatively modest, and continue the agency's rebuilding efforts by seeking resources for a variety of positions, as well as forensic laboratory and morgue space, evidence storage (including evidence storage for vehicles), technology and radio replacements, and completing the agency's six-year effort to achieve a 1:1 ratio of troopers to patrol vehicles.

Governor's Budget

The Governor's total funds budget for OSP is 3.5% higher than CSL; the General Fund budget is 2% (\$6.1 million) lower. Overall, it is comparatively generous to OSP, adding ten new trooper positions and funding a number of other policy packages by shifting \$10.2 million General Fund onto ODOT's Transportation Operating Fund (the "lawnmower" fund) and by increasing the agency's Marijuana Tax revenue by \$8.0 million per the October 2018 revenue forecast and shifting \$8.0 of General Fund expenditures onto that funding source. These fund shifts make up the bulk of the \$20.1 million in General Fund reductions. The \$14 million in General Fund budget increases includes:

- \$2.6 million to resolve 19 double-filled support positions and reclassifications
- \$2.5 million of one-time funds to replace mobile data terminals in patrol vehicles
- \$3.0 million for ten new trooper positions and patrol vehicles
- \$750,000 to establish two medical examiner positions and one forensic anthropologist position
- \$1.0 million to complete patrol vehicle purchases for a 1:1 ratio of patrol vehicles to troopers
- \$4.1 million to replace radios statewide and to establish a capital replacement fund for radio equipment