



Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

**2019 Joint Committee on Ways & Means
Public Safety Subcommittee Presentation – Phase 1
March 11-14, 2019**



Mission & Values

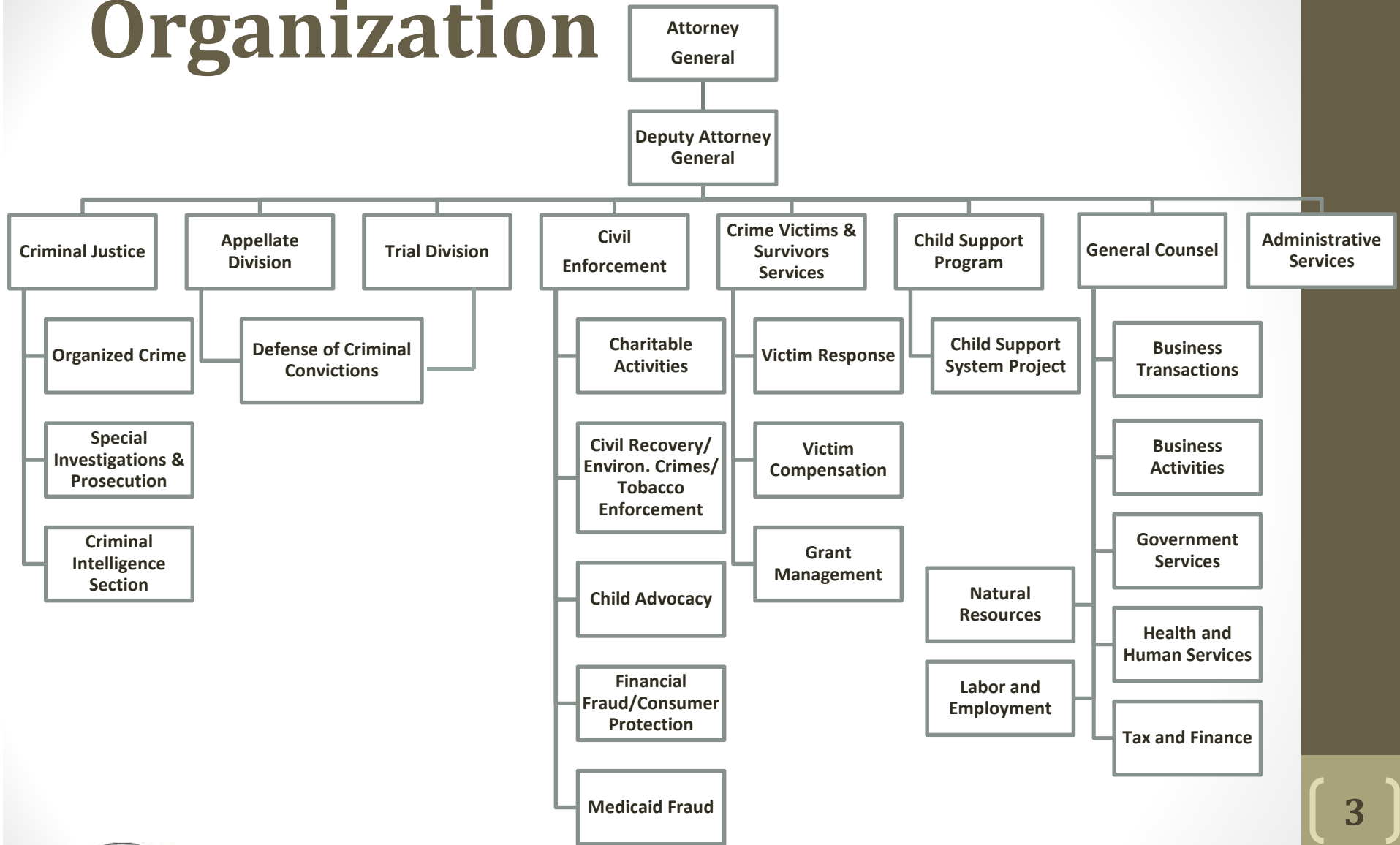
To serve state government and to support safe and healthy communities throughout Oregon by providing essential justice services.

We are dedicated to:

- Providing ethical, independent and high quality legal services to state government;
- Safeguarding consumers from fraud and unfair business practices;
- Fighting crime and helping crime victims;
- Advocating for vulnerable children;
- Supporting families through the collection of child support;
- Enforcing environmental protections;
- Defending the civil rights of all Oregonians; and
- Pursuing justice and upholding the rule of law.

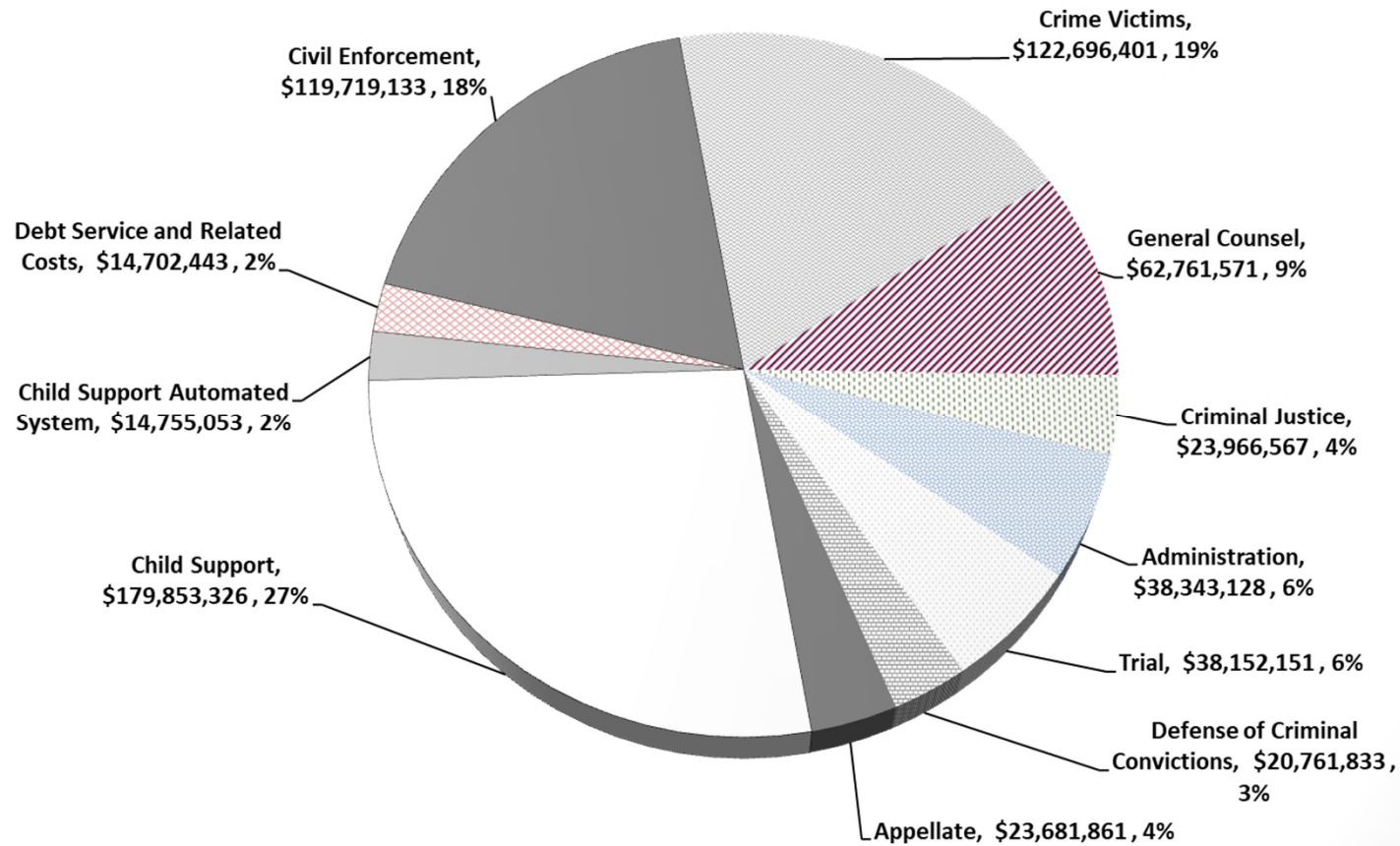


Organization



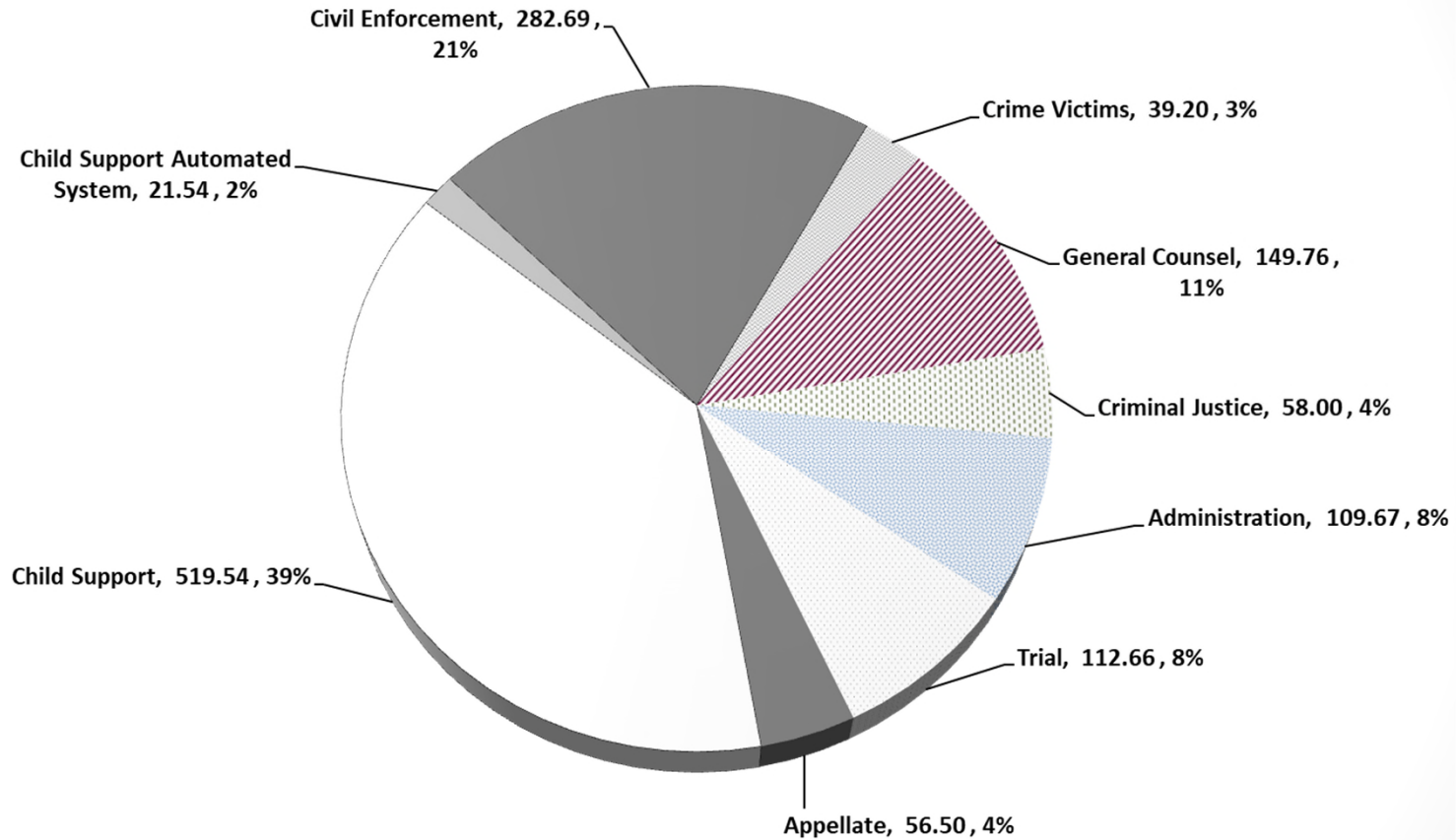
2019-21 Governor's Budget

DOJ Expenditures \$659.4 million



2019-21 Governor's Budget

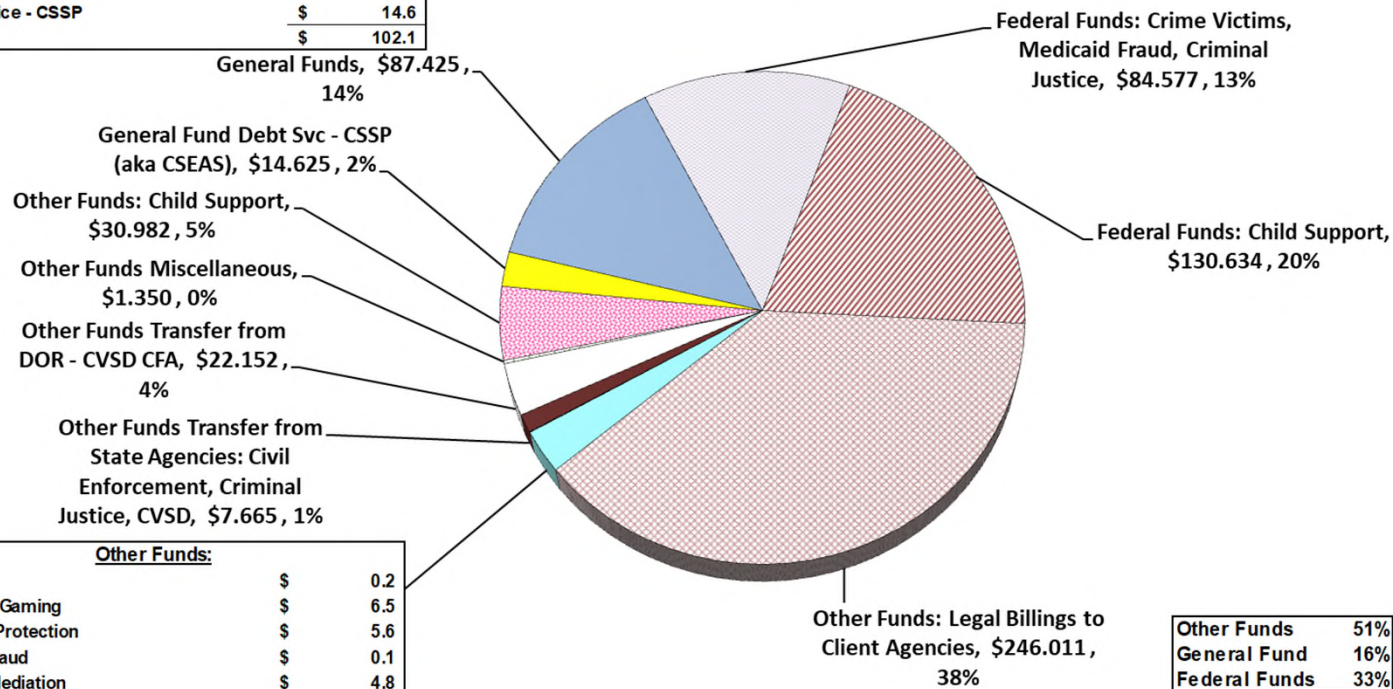
Full-Time Equivalents



2019-21 Governor's Budget

General Fund:	
Child Support	\$ 32.9
Defense of Criminal Convictions	\$ 20.8
Ballot Titles	\$ 0.3
Legal, Civil Rights	\$ 0.7
Administration	\$ 2.3
Criminal Investigation and Prosecution	\$ 16.2
ODSVS, ACP, CAMI	\$ 14.3
Debt Service - CSSP	\$ 14.6
	\$ 102.1

Department of Justice 2019-21 Governor's Budget Total Revenue* \$644.1 (\$ in millions)



*Excludes beginning balance

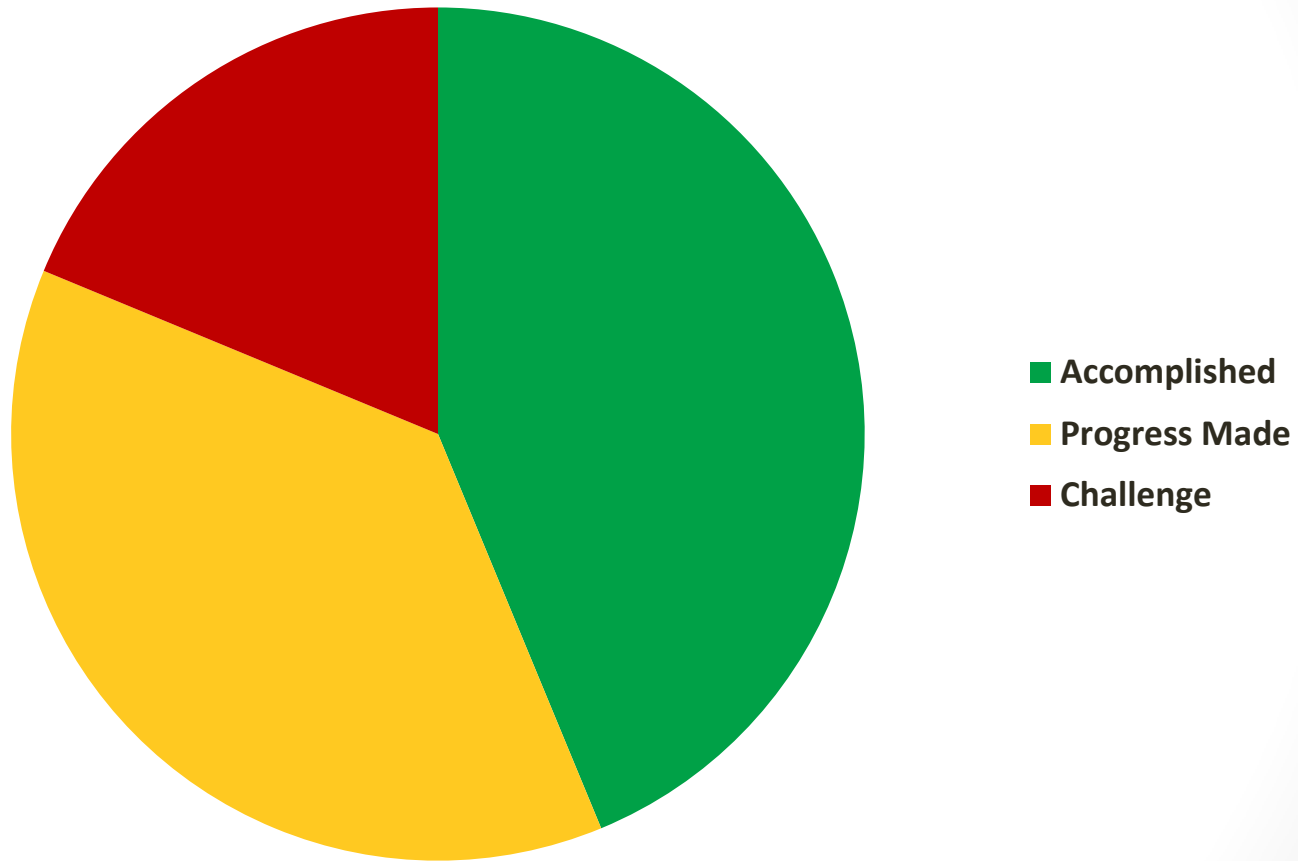


Performance Measures

- 1 % of legal cases in which the state's position is upheld
- 2 % of appropriate litigation resolved through settlement
- 3 Amount of monies recovered for the state divided by the cost of recovery
- 4 Average time from receipt of contracting document to first substantive response to agency
- 5 Percent of legal billing receivables collected within 30 days
- 6 % of timely and complete charities' reports submitted relative to total charities registered
- 7 % of customers rating agency's customer service as "good" or "excellent"; overall customer service
- 8 % of Criminal Justice Division cases resolved successfully
- 9 % of crime victims compensation orders issued within 90 days of receipt
- 10 % of support collected by the Child Support Program (CSP), which is distributed to families
- 11 % of current child support collected relative to total child support owed
- 12 % of CSP cases paying towards arrears relative to total CSP cases with arrears due
- 13 % of CSP cases with support orders relative to total CSP cases
- 14 % of adult victims leaving Domestic Violence shelters with a safety plan after a stay of five days or more
- 15 % of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)
- 16 % of Defense of Criminal Convictions (DCC) cases briefed within 210 days

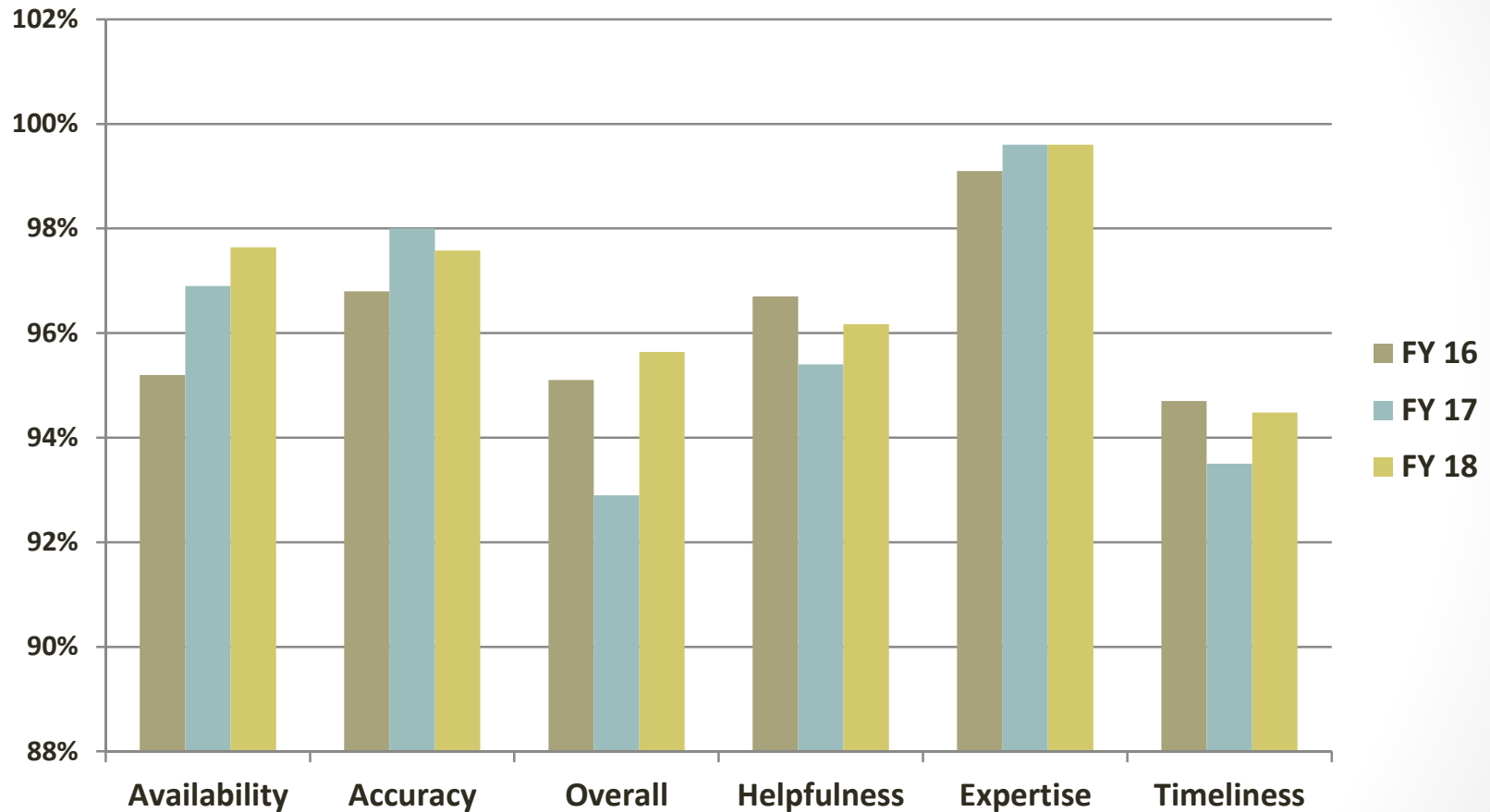


Performance Measures



Performance Measures

Key Performance Indicator – DOJ Service Rating by Agencies



Budget Priorities for the 2019-21 Biennium

Included in Governor's Budget:

Package #	Division	Title
100	Multiple / Agency-Wide	Reconcile Intra-Agency Charges
104	Multiple / Agency-Wide	Essential Costs for Information Technology*
151	Trial, Administration	Defend Oregon Statutes
202	Civil Enforcement	Increase in Child Support Legal Caseload
203	Civil Enforcement	Tobacco Criminal Investigator
250	Criminal Justice	Ongoing Grants (UASI & SHSG)
252	Criminal Justice	Change Criminal Justice Funding Source
300	Crime Victims & Survivors Services	Victims of Crime Act Limitation
351	General Counsel	Four Limited Duration Positions to Permanent
400	Trial	Transportation Package Condemnation Work
450	Division of Child Support	Backfill Other Funds Revenue Shortfall*
451	Division of Child Support	CSEAS / Origin Hosting During Operation
453	Division of Child Support	Child Support Fee Increase
475	Division of Child Support	CSEAS / Origin Development & Implementation

**Partially funded in Governor's Budget*



Budget Priorities for the 2019-21 Biennium

Additional Requests:

- Aligning Budgeted and Actual Attorney Positions Agency-Wide
- Funding of Costs for Information Technology Agency-Wide
- Backfilling Revenue Shortfall in the Division of Child Support
- Funding for Increased Caseload for the Division of Child Support
- Support for the Criminal Analysis Team
- Funding for the Public Law Conference and Trainings
- Legal Tools Case Management Project
- Grants Management Coordinator Position
- Funding to support state agencies: Water Resource Issues, Business Oregon & Affordable Housing Work, Business Activities, ODFW Anti-Poaching Campaign
- Renewal of HB 2101 Sunshine Committee Staff
- Inclusion and Equity Initiatives
- Resolution of double-fill in Government Services
- Federal Data Security Compliance & Auditing
- Criminal Information Services Section Manager
- Warehouse Re-location



Attorney General billing rates for the 2019-21 Biennium

<u>Attorney General hourly billing rates</u>	<u>2017-19</u>	<u>2019-21</u>
Assistant Attorney General	\$182	\$208
Investigator	\$125	\$126
Paralegal	\$91	\$92
Law Clerk	\$55	\$55
Clerical	\$49	\$49

Rates are calculated to cover all legal divisions' projected expenses and leave a sufficient ending balance.





Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Office of the Attorney General



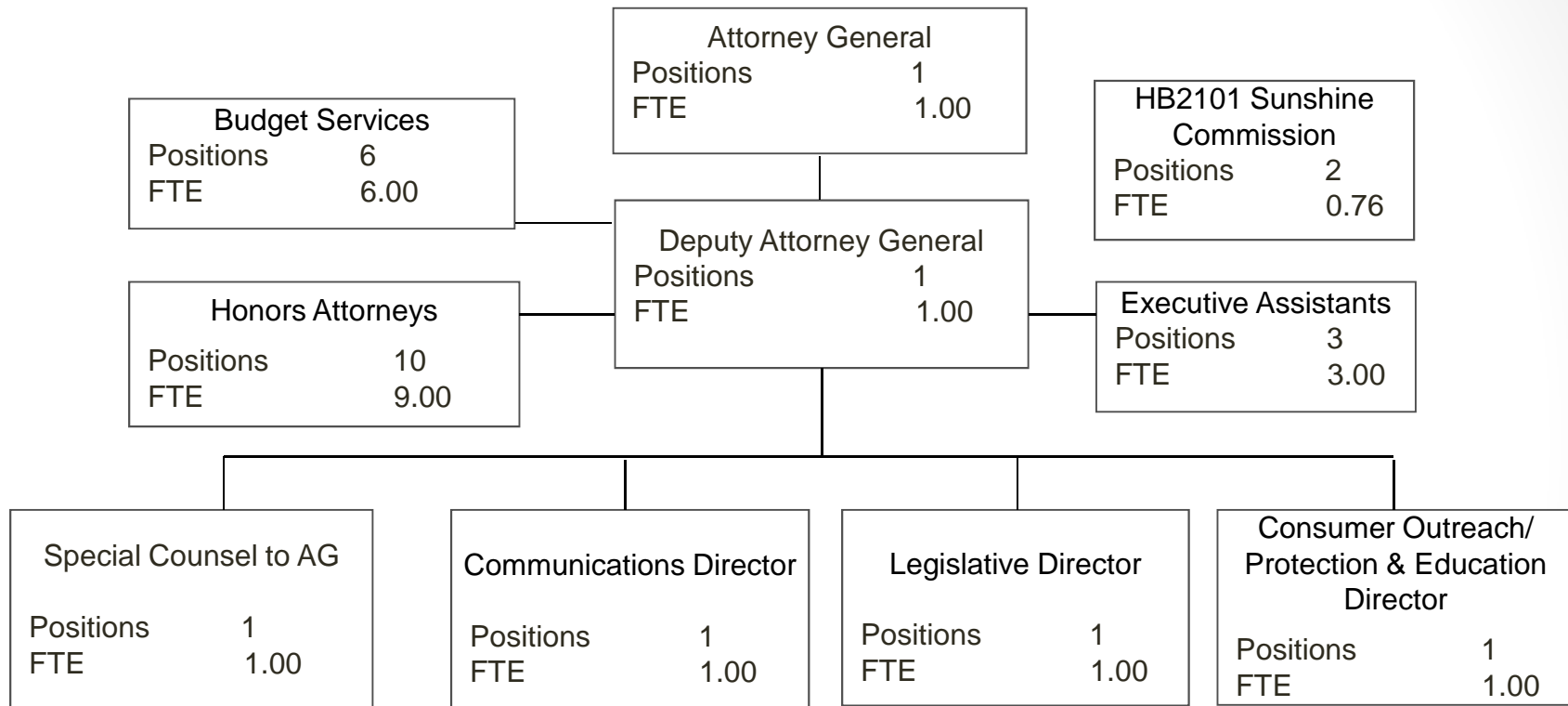
Department of Justice - Attorney General

Office of the Attorney General

- Oversees the operations of the Department of Justice
- Establishes the State's legal policy
- Manages all legislative, media and constituent activities
- Oversees consumer education and civil rights outreach to all Oregonians
- Chairs the internal audit function
- Manages the department's budget
- Issues public records orders
- Oversees ballot title reviews



Organization



2017-19 Legislatively Approved Budget*	
Positions	27
FTE	24.76

*Addition of 2 positions / 0.76 FTE for HB2101



Policy Packages

	<u>Agency Request</u> <u>Budget</u>	<u>Governor's</u> <u>Budget</u>
Package 090 - Analyst Adjustments Add Internal Auditor, 1 position/0.75 FTE	Not Included	\$0.3M GF
Package 100 - Reconcile Intra-Agency Charges Align budgeted Intra-Agency Charges with the Administration Division budget, eliminating needed mid-biennium adjustments	\$2.4M GF \$7.2M OF \$1.8M FF	Not Included \$5.4M OF \$0.7M FF
Package 102 - Reconcile Attorney Position Classifications Resolve mismatch of attorney positions agency-wide	\$3.5M OF	Not Included
Package 105 - Grants Management Coordinator Position Improve oversight of DOJ's federal grant practices	\$0.2M OF	Not Included
Package 150 - Renew HB 2101 Sunshine Committee Staff Permanently fund the Committee in carrying out its charge	\$0.3M GF	Not Included
Package 151 - Defend Oregon Statutes Provide funding to pursue legal actions in defense of state statutes and the Oregon Constitution	\$2.0M GF	\$2.0M GF



Department Priorities

- Quality legal services to state government
- Expanding legal representation for Department of Human Services caseworkers
- Preserving benefits for victims of crime
- Protecting Oregon consumers
- Protecting state resources





Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Criminal Justice Division



Department of Justice – Criminal Justice Division

Criminal Justice Division

Our mission is to enhance the safety and well-being of all Oregonians by utilizing our unique structure of prosecutors, sworn investigators, and criminal analysts to provide statewide expert trial and investigative services, combat organized crime and public corruption, and to facilitate information sharing and cooperation among local, state, tribal, and federal law enforcement agencies.



Chief Counsel
 Positions 1
 FTE 1.00

Deputy Chief Counsel
 Positions 1
 FTE 1.00

Organized Crime Section
 Positions 7
 FTE 7.00

Special Investigations and Prosecutions Section

Administration
 Positions 10
 FTE 9.86

Criminal Information Services Section

Election Law Violations
 Positions 1
 FTE 0.63

District Attorney Assistance Program
 Positions 10
 FTE 10.00

Internet Crimes Against Children (ICAC)
 Positions 6
 FTE 6.00

Cooperative Disability Investigations Unit (CDIU)
 Positions 4
 FTE 4.00

Watch Center
 Positions 4
 FTE 4.00

Fusion Center
 Positions 6
 FTE 6.00

Elder Abuse
 Positions 3
 FTE 3.00

DUI Resource Prosecutors
 Positions 2
 FTE 2.00

High Intensity Drug Traffic Area (HIDTA)
 Positions 5
 FTE 5.14

**2017-19
 Legislatively Approved Budget**
 Positions 60
 FTE 59.63



Program Summary

- Prosecute criminal cases at request of district attorney or governor
- Conduct criminal investigations
- Assist and advise the district attorneys
- Promote information sharing and cooperation among law enforcement agencies
- Investigate and prosecute criminal violations of the election laws



District Attorney Assistance Program

- **Investigative and Trial Services**
 - Major felonies
 - Financial crimes
 - Resource prosecutors
 - Gubernatorial appointment
- **Around the clock legal advice**
 - The uniform application of state law and criminal procedure aids in ensuring the integrity of convictions and in protecting the rights of defendants.
- **Training**
 - Over 270 trainings conducted (July 1, 2017- December 31, 2018)
 - Week long training for new or incoming prosecutors (49 years)
 - Advanced training for seasoned prosecutors (49 years)



District Attorney Assistance Program

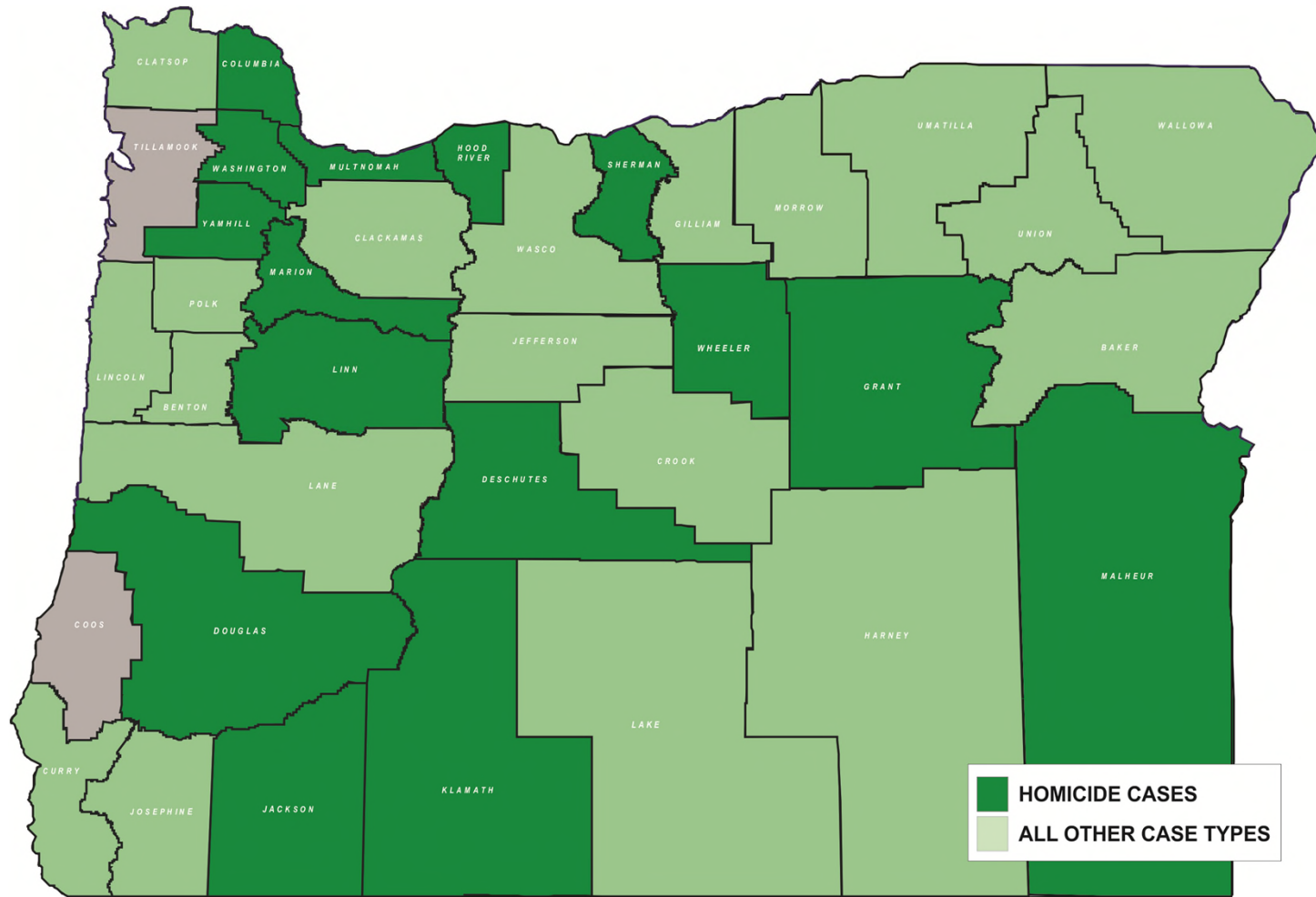
Resource Prosecutors

- **Driving Under the Influence of Intoxicants (DUII)**
 - Resource Prosecutor
- **Domestic Violence**
 - Resource Prosecutor
- **Elder Abuse**
 - Resource Prosecutor
 - Financial Special Agent
 - Special Agent



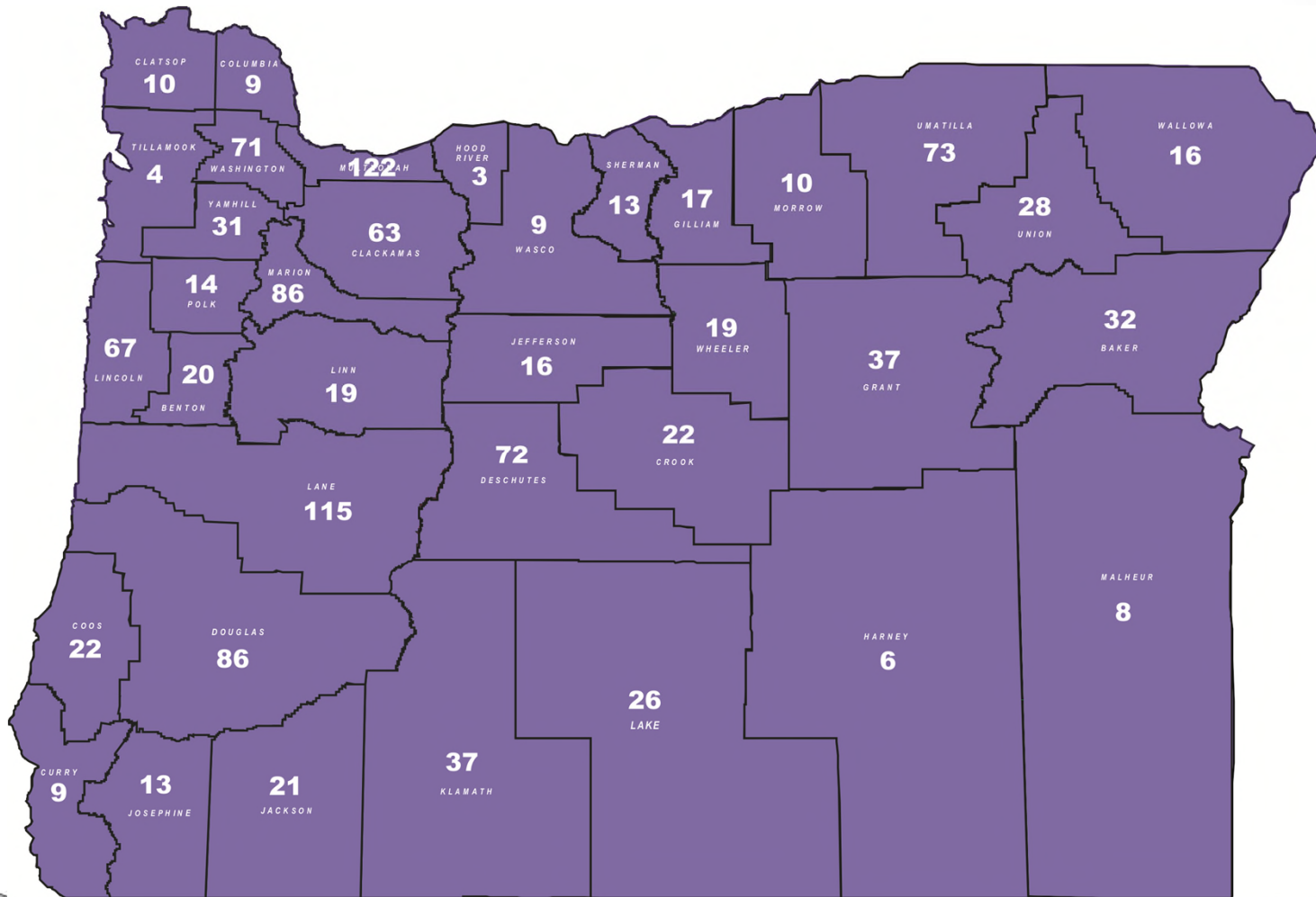
District Attorney Assistance Program

Investigation/Prosecution Cases



District Attorney Assistance Program

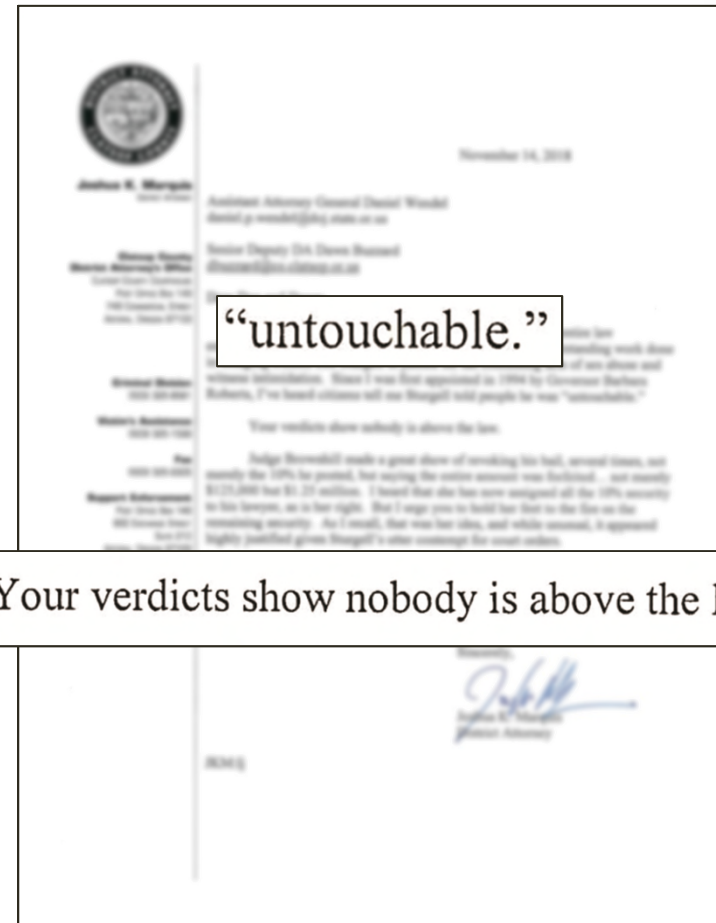
Case Advice and Assistance



District Attorney Assistance Program

State v. Dennis Sturgell (Clatsop County)

- Dennis Sturgell, a prominent community member, sexually assaulted the victim and tried to bribe her to prevent her testimony
- State presented expert testimony to explain victim's "counterintuitive" behavior
- A jury convicted Sturgell of multiple sex offenses, bribery, and witness tampering



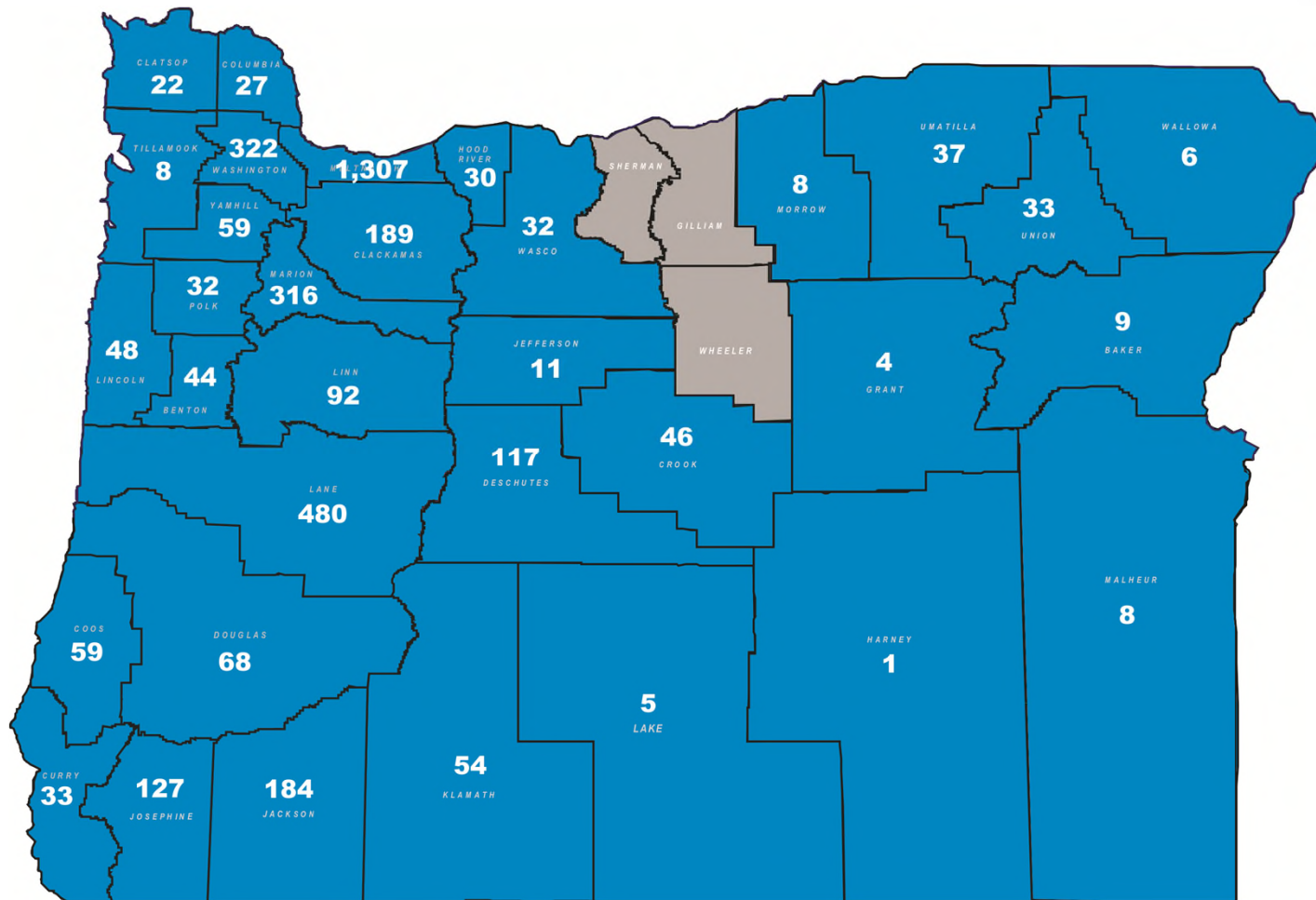
Internet Crimes Against Children (ICAC)

- Nationwide law enforcement network engaged in investigating the online sexual exploitation of children
- From July 1, 2017, through December 31, 2018, ICAC was responsible for 2,944 Cybertips



Internet Crimes Against Children (ICAC)

Cybertips



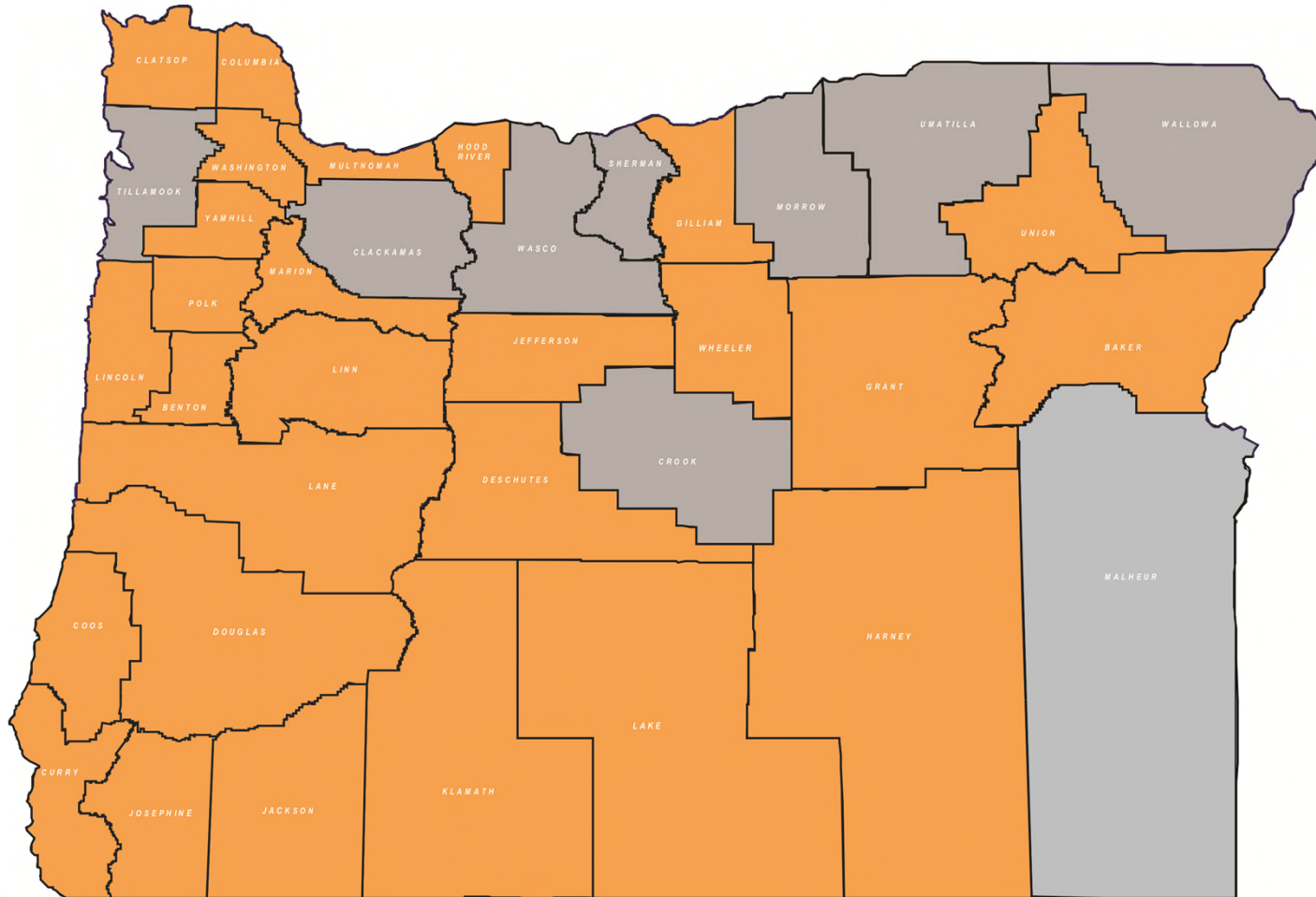
Department of Justice – Criminal Justice Division

Organized Crime Section

- Investigate long-term, complex cases involving multiple counties
 - Racketeering
 - Complex financial/investment schemes
 - Advanced electronic surveillance techniques
- Investigate allegations of public corruption and malfeasance
- Election Law Crimes
- OSP Forfeiture Counsel



Allegations Involving Public Officials



Organized Crime Section: Public Corruption

State v. Shain

State v. Colello

- Multimillion-dollar fraud and bribery conspiracy involving the Business Energy Tax Credit Program (BETC)
- Martin Shain, an energy consultant, forged documents to secure \$11.8 million in tax credits for an Oregon University System solar panel project
- Joe Colello, a Department of Energy employee, took bribes to falsely credit Shain with brokering BETC deals



Criminal Information Services Section (CISS)

CISS supports law enforcement agencies by:

- Ensuring critical public-safety information is shared in a timely and informative manner
- Providing strategic and tactical criminal analytical services



Criminal Information Services Section (CISS)

- **Watch Center**
 - Investigation-related inquiries
 - Deconfliction of law enforcement operations
- **High Intensity Drug Trafficking Area (HIDTA)**
 - Strategic analysis and information sharing regarding drug trafficking trends
 - Analytical case support (HIDTA counties only)
- **Fusion Center**
 - Criminal and terrorism-related information sharing among local, state, and federal law enforcement agencies.
 - Officer-safety bulletins
 - Risk and vulnerability assessments and threat assessments
 - Analytical case support (statewide)



Criminal Information Services Section (CISS)

State v. Randy Roden (Clatsop County)

- Randy Roden moved in with Dorothy Wing and her three children, ages two, three, and five.
- Over a two-month period, Roden tortured and abused all three children and ultimately murdered 2-year-old Evangelina Wing.
- A Fusion Center analyst created a timeline detailing key events and text communications between Roden and Wing.



Policy Packages

		<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<ul style="list-style-type: none"> Package 090 – Analyst Adjustments – GF reductions including elimination of one attorney position 		Not Included	(\$807K) GF
<ul style="list-style-type: none"> Package 091 – Statewide Adjustment DAS Chgs – State Government Service Charge adjustment 		Not Included	(\$45K) GF (\$50K) OF (\$0K) FF



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<ul style="list-style-type: none"> Package 250 – Ongoing Grants (UASI & SHSG) - Urban Area Security Initiative and State homeland Security Grant 	\$569K OF	\$569K OF
<ul style="list-style-type: none"> Package 251 – Strengthen Criminal Analysis Team – Add permanent analysts to service all state law enforcement and prosecutors. 	\$1,391K GF (\$212K) OF	Not Included
<ul style="list-style-type: none"> Package 252 – Change Criminal Justice Funding Source – Shift all non-grant supported staff to direct General Fund support. 	\$2,005K GF (\$9,120K) OF	\$1,578K GF (\$9,120K) OF



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<ul style="list-style-type: none"> Package 253 – Additional PERS Costs of Police & Fire – Adjustment for contracted benefit 	\$50K GF \$175K OF \$25K FF	Not Included
<ul style="list-style-type: none"> Package 254 – CIA 1% Bonus for Bachelor's Degree – Adjustment for Contracted benefit 	\$ 9K GF \$31K OF	Not Included
<ul style="list-style-type: none"> Package 256 – Criminal Info Svcs Section Manager – Adds analyst supervisor previously funded by HIDTA grant 	\$259K GF	Not Included



10% General Fund/Criminal Fine Account Reductions

Program	CSL Budget (in millions)	Source	1st 5%	2nd 5%	Total
Crime Victims Law Center	\$ 0.34	GF	(0.02)	(0.02)	(0.04)
Address Confidentiality Program	\$ 0.14	GF	(0.14)	-	(0.14)
Appellate	\$ 0.35	GF	(0.02)	(0.02)	(0.04)
Civil Legal	\$ 0.74	GF	(0.04)	(0.04)	(0.07)
Child Abuse Multidisciplinary Intervention Program	\$ 1.39	GF	(0.08)	(0.08)	(0.17)
Other Crime Victims Assistance and Compensation	\$ 1.86	GF	-	-	-
Oregon Domestic and Sexual Violence Services	\$ 10.16	GF	(0.48)	(0.61)	(1.09)
District Attorney Assistance/Organized Crime & Other	\$ 15.45	GF	(0.77)	(0.77)	(1.55)
Defense of Criminal Convictions	\$ 26.24	GF	(1.31)	(1.31)	(2.62)
Division of Child Support	\$ 28.00	GF	(1.40)	(1.40)	(2.80)
Sexual Assault Victims Emergency	\$ 0.45	GF	-	-	-
Total	\$ 85.13	GF	(4.26)	(4.26)	(8.51)
Child Abuse Multidisciplinary Intervention	\$ 11.99	CFA	(0.60)	(0.60)	(1.20)
Crime Victims Assistance (DA VAP)	\$ 5.57	CFA	(0.28)	(0.28)	(0.56)
Crime Victims Compensation Program	\$ 4.59	CFA	(0.23)	(0.23)	(0.46)
Total	\$ 22.15	CFA	(1.11)	(1.11)	(2.22)
Combined Budget	\$ 107.28		(5.36)	(5.36)	(10.73)



10% Legal Fund/Other Reductions

Program	CSL Budget (in millions)	Source	1st 5%	2nd 5%	Total
Administration	\$ 35.12	OF	(1.76)	(1.76)	(3.51)
Appellate	\$ 22.68	OF	(1.13)	(1.13)	(2.27)
Civil Enforcement - Legal	\$ 60.32	OF	(3.02)	(3.02)	(6.03)
Criminal Justice - Legal	\$ 8.69	OF	(0.43)	(0.43)	(0.87)
General Counsel	\$ 59.24	OF	(2.96)	(2.96)	(5.92)
Trial	\$ 35.88	OF	(1.79)	(1.79)	(3.59)
Total Legal	\$ 221.94	OF	(11.10)	(11.10)	(22.19)
Consumer Protection and Education	\$ 16.35	OF	(1.21)	(1.21)	(2.42)
Non-Participating Manufacturers	\$ 1.94	OF	(0.10)	(0.10)	(0.19)
Total	\$ 18.29	OF	(1.31)	(1.31)	(2.61)
Combined Budget	\$ 240.24	OF	(12.40)	(12.40)	(24.81)





Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Civil Enforcement Division



Department of Justice – Civil Enforcement Division

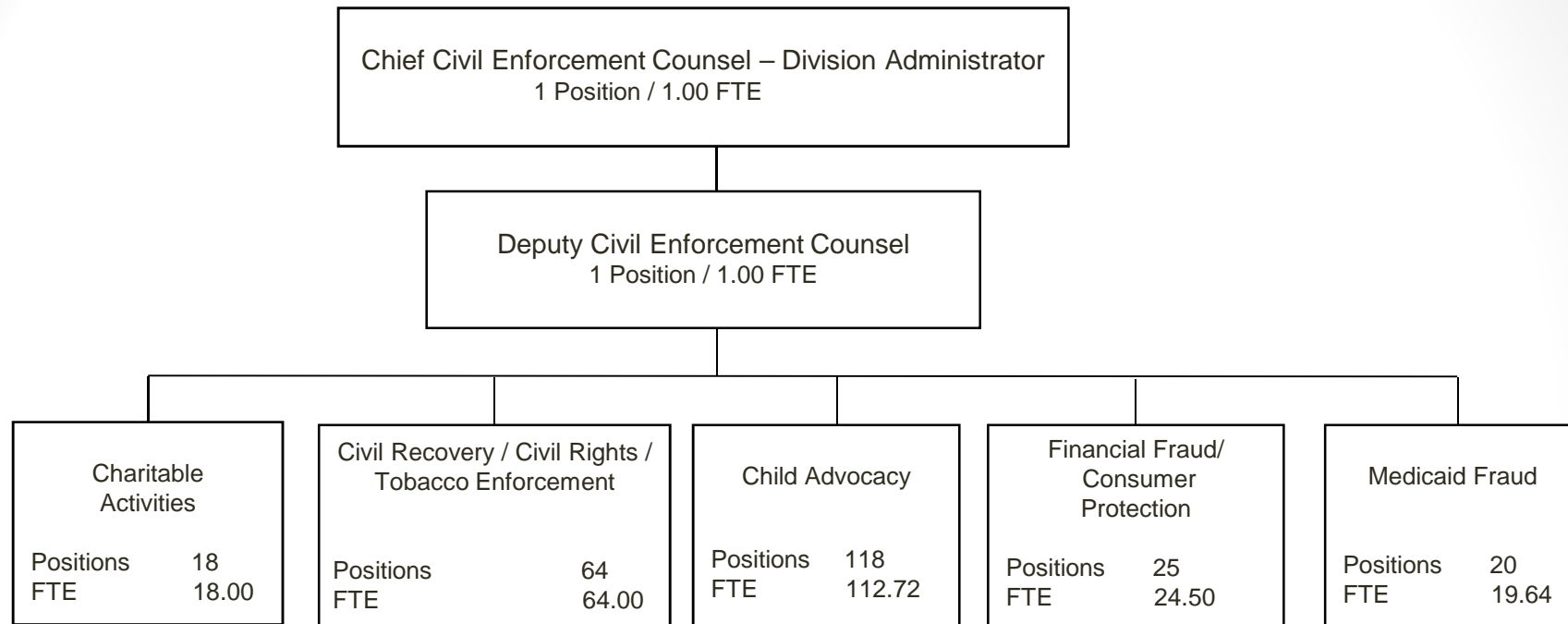
Civil Enforcement Division

Overview

- Preserve state resources
- Advocate for children and families
- Assist Oregonians by providing education, enforcement, and regulation:
 - Consumer Transactions
 - Charitable Giving and Gaming
 - Medicaid Program



Organization



2017-19 Legislatively Approved Budget	
Positions	247
FTE	240.86



Financial Fraud/Consumer Protection Section



Consumer Protection

- Funding: 100% Self-Funded
- Goals:
 - Protect and Assist Oregon Consumers
 - Promote Competition/Protect Marketplace
- Methods:
 - Consumer Hotline: 40,000 calls each year
 - Written Complaints: 7,000+ each year
 - Education and Outreach
 - Enforcement and Litigation
- Workload Factors:
 - Volume
 - Complexity



1-877-877-9392
CONSUMER HOTLINE



Consumer Protection – Top Ten List

1. Imposter Scam Calls
2. Telecommunications
3. Motor Vehicle Sales
4. Financial Services
5. Fraudulent Entity
6. Investment Opportunity
7. Health Related
8. Auto Repair
9. Travel Accommodations
10. Home Ownership Issues



Protection and Education Account – Other Work

- Antitrust
 - Price discrimination, price fixing, monopolies
- False Claims
 - Recovery of funds paid by state agency based false or fraudulent information
- Environmental Crimes and Cultural Resources
 - DA Assist: State and federal environmental laws
 - Work with tribes to protect cultural history



Civil Recovery Section



Civil Recovery

- Plaintiff lawyers for the State
 - Recover money/property owed to state agencies
 - Fire Suppression Costs
 - Overpayment of Benefits
 - Highway Damage
 - Breach of Contract
 - Protect state's interest in bankruptcy/lien foreclosure
 - Handles cases in which state agency seeking relief
 - Civil Commitments
 - Conservatorships/Guardianships
 - Injunctive Relief
 - Workload Factors: Number/Complexity of Cases



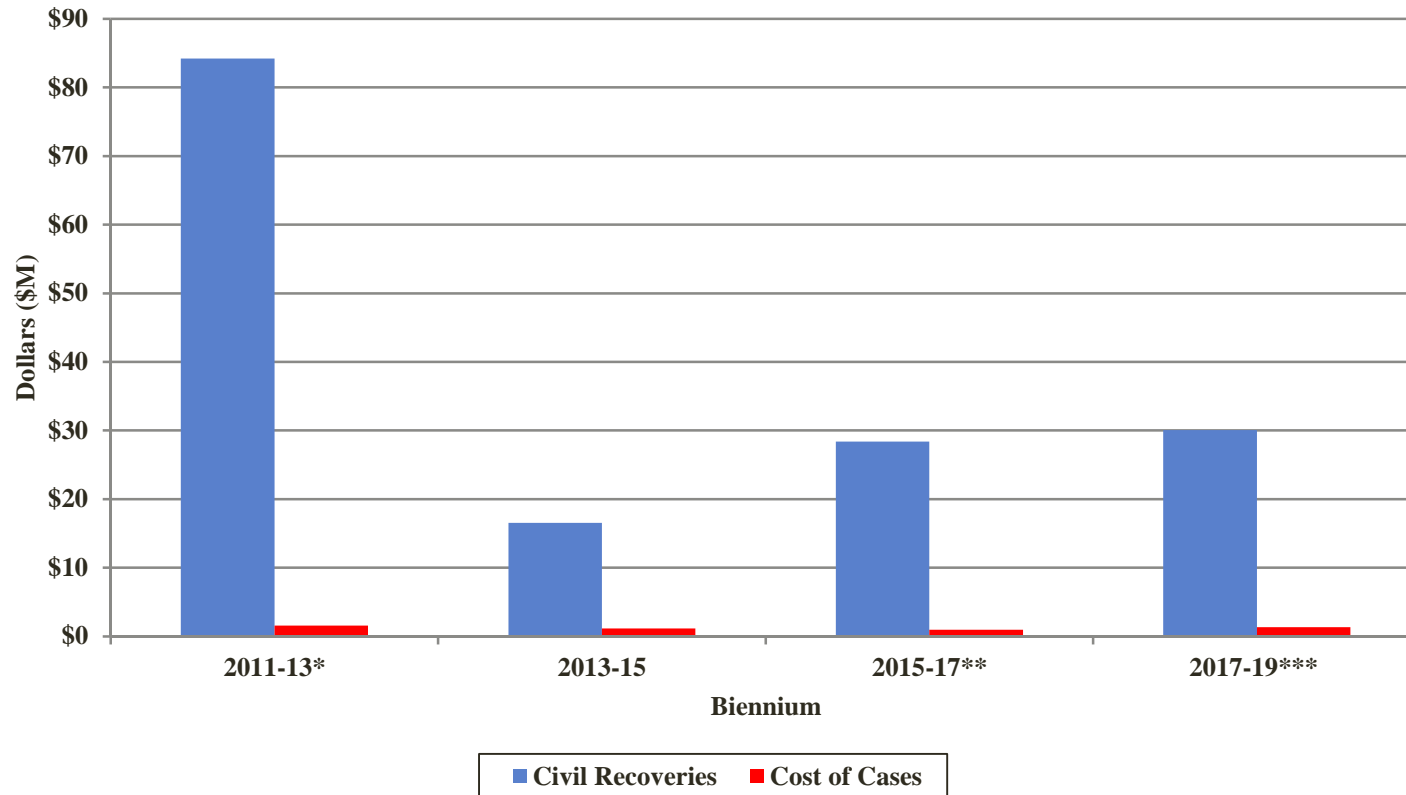
Civil Recovery - Tobacco

- Protect Tobacco MSA Income Stream
 - \$140-\$160 million to State Treasury each biennium
 - \$1.5 Billion to date
 - Payment obligation into perpetuity
 - Prior Litigation: Settled through 2017
- Regulation of Cigarette Sales in Oregon
 - Obligation to enforce “NPM Escrow Statutes”
 - Maintain directory of products approved for sale
 - Request for Criminal Investigator



Civil Recovery

Amount Recovered vs. Cost of Cases



*2011-13 – This sum reflects unusually large recoveries in the Williams v. Philip Morris and Strawn v. Farmers Insurance litigation.

**2015-17 – This sum reflects \$11 million punitive damages recovered in Schwarz v. Philip Morris.

***2017-19 – Estimated.



Civil Recovery – Child Support

- Assist Oregon families and children by representing Division of Child Support
 - Establish, modify and enforce child support orders
 - Establish paternity
 - Pursue contempt actions when obligor does not pay required support
- Recoveries
 - Significant increase in payments after contempt actions filed
- Workload Factors/Request
 - Transfer of county caseloads
 - Additional resources to assist with increased caseloads



Civil Recovery – Child Support

DOJ Contempt Program: Active Cases

Number of cases: 989

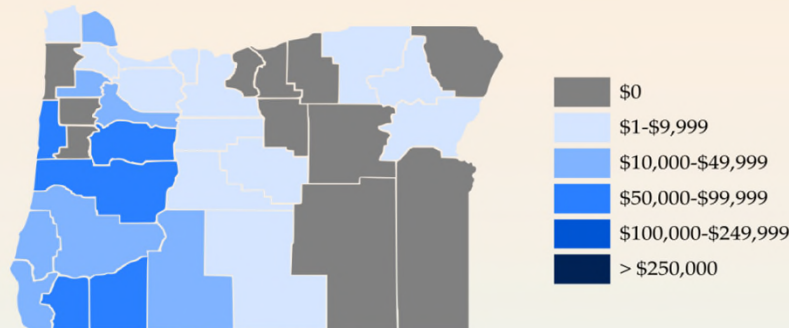
Arrears at filing: \$22,084,260.90

Amount paid prior to filing: \$444,989.64

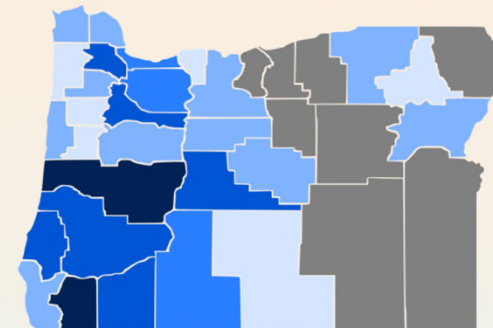
Amount paid after filing: \$2,499,341.28

↑ 561%
*increase in collections
after filing contempt*

Amount paid prior to filing



Amount paid after filing

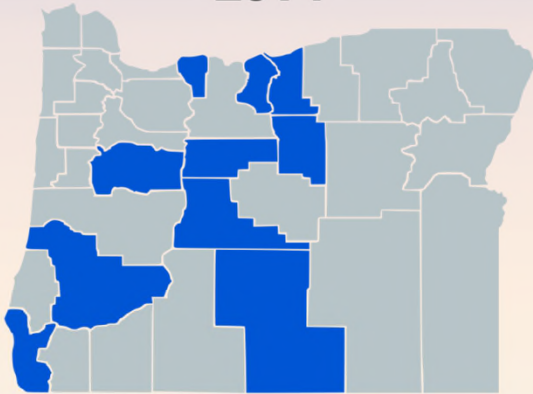


Civil Recovery – Child Support

Counties with DOJ Management of Entire Child Support Caseload

(No DA Involvement)

2014

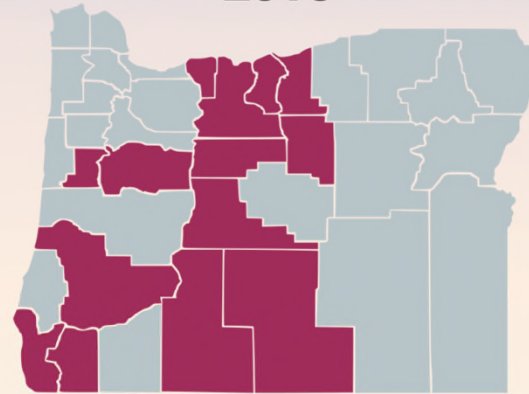


10 Counties had all support orders enforced by DOJ

Combined population of those counties: 492,725

(Source: Oregon Blue Book, 2016 estimate)

2018



14 Counties had all support orders enforced by DOJ

Combined population of those counties: 762,830

(Source: Oregon Blue Book, 2016 estimate)

Counties added since 2014:



Klamath
Jan. 1
2015



Josephine
Apr. 17
2017



Benton
Oct. 1
2017



Wasco
Nov. 1
2017



Medicaid Fraud Control Unit



Medicaid Fraud

- Federally-mandated program to address:
 - Fraudulent practices in Medicaid Program/Oregon Health Plan
 - Physical or financial abuse and neglect of:
 - Persons by Medicaid/OHP providers
 - Residents of long-term care facilities
- Provide training and education
- Funding:
 - 75% federal match
 - 25% penalties and settlements
- Workload Factors:
 - Complexity of Cases (data driven and records intensive)



Medicaid Fraud

Oregon MFU's Production over the Last Two Years
(with similarly-sized MFUs comparable for the last-available FFY17 figures)

Federal Fiscal Year 2017 (per OIG report)		
State	Authorized MFU Staffing (FTE)	Criminal Convictions
Alaska	12	8
Colorado	16	7
Hawaii	15	3
Idaho	8	4
Montana	8	6
Nevada	17	15
New Mexico	23	3
Oregon	15	45
Utah	13	6
Washington	37	5



Charitable Activities Section



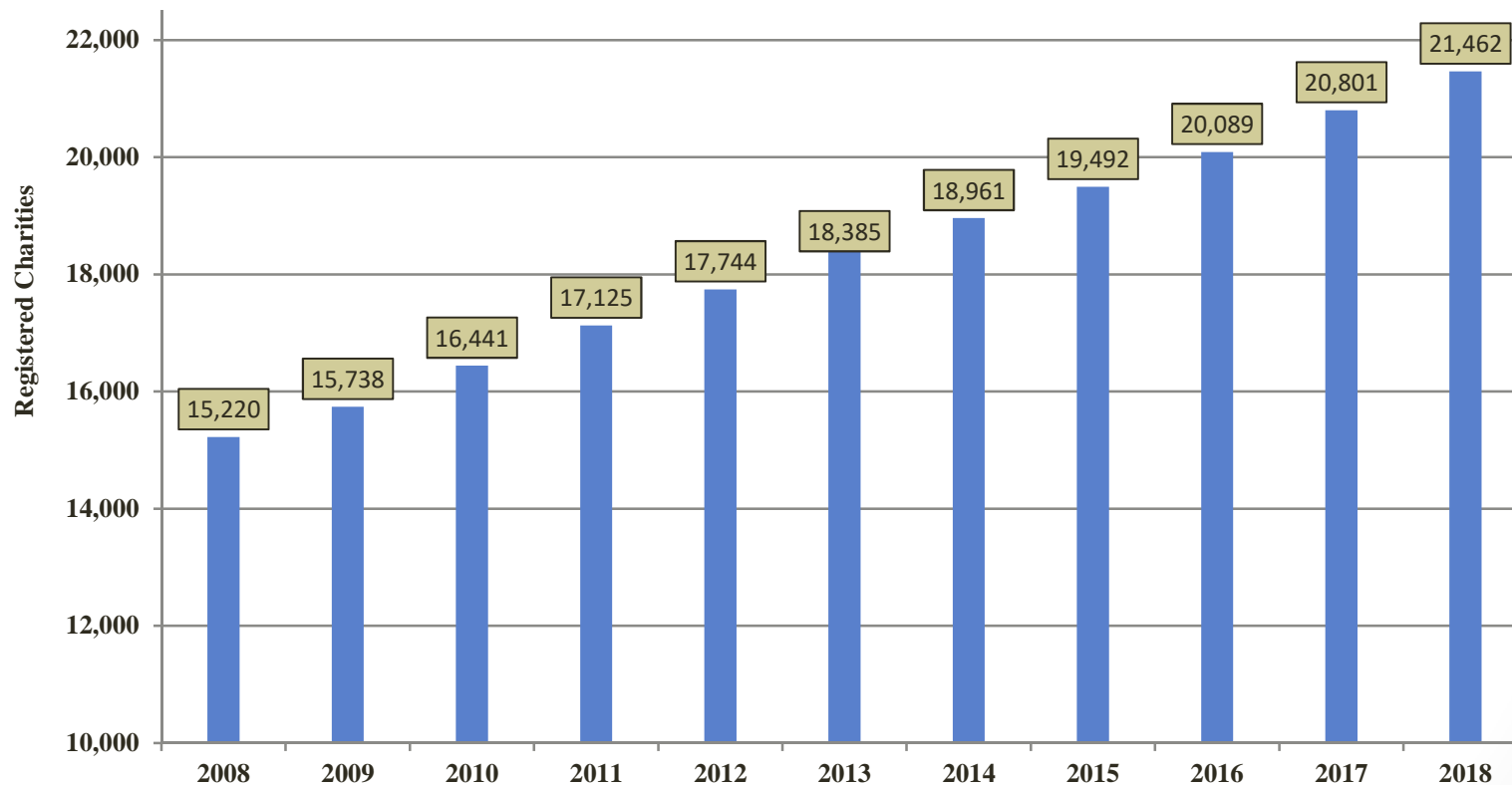
Charitable Activities

- Protecting Charities and Charitable Giving:
 - Licensing/Regulation
 - Education
 - Enforcement
- Regulate Charitable Gaming
- Funding: 100% supported by fees, sliding scale
 - Revenue Fee: min \$20 – max \$400
 - Net Asset Fee: % of assets, capped at \$2,000
- Workload Factors: Number of registered charities



Charitable Activities

Registered Charities at Year End 2008-2018



Child Advocacy Section



Child Advocacy

- Section attorneys represent the Department of Human Services Child Welfare Program (DHS):
 - Provide litigation support and legal advice in Juvenile Dependency and Termination of Parental Rights cases
 - Appear at administrative hearings regarding foster care certification cases
 - General legal advice specific to issues impacting child welfare
- Workload factors: complexity of cases, unpredictable volume of cases, lack of system efficiencies



Implementation of Juvenile Dependency Legal Representation

- DOJ to provide comprehensive legal representation to DHS statewide by July 2019 - HB 5006 (2017).
- Practice change to improve:
 - Prior inefficient system of representation
 - Outcomes for children and families
 - Support of DHS caseworkers
 - Concerns regarding unauthorized practice of law by DHS

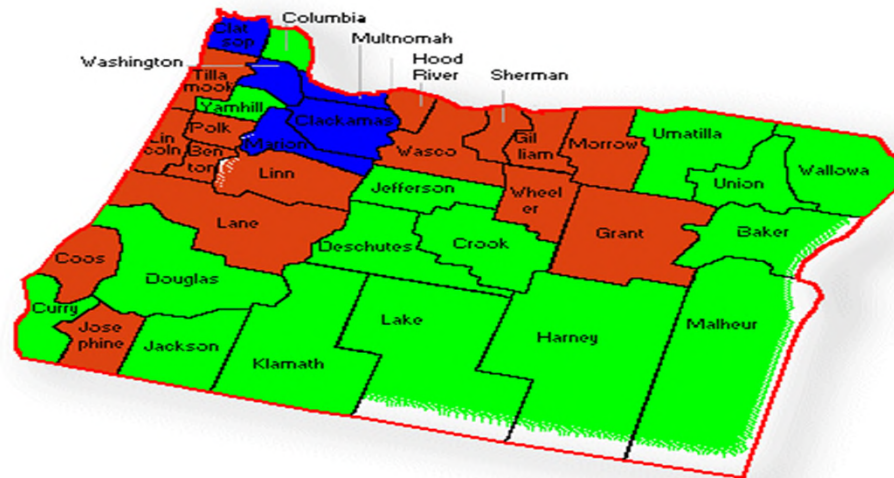


Legal Representation Implementation Map

- Phase I fully implemented January 2018.
- Phase II fully implemented July 2018.
- Phase III (final phase) due to be implemented July 2019.

DHS Juvenile Dependency Legal Representation

- - Phase I
- - Phase II
- - Phase III



NOTES:
Phases I & II fully implemented

Source: diymaps.net (c)



HB 5006A Budget Note Reporting & Update

- DOJ, DHS, OJD and PDSC joint report in September 2018 regarding progress toward improving effectiveness and efficiency of juvenile dependency system.
- DOJ Update:
 - Defined role – to appear in every juvenile dependency/TPR case statewide
 - Developed time-saving and cost-efficient procedures and forms
 - Provide consistent pleadings, advice statewide
 - Established legal service priorities with DHS, including legal consultation prior to state removal of child
 - On-going collaboration with system partners and Juvenile Court Improvement Project (JCIP) to improve court/system efficiencies



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<ul style="list-style-type: none"> Package 090 – Analyst Adjustments - Enhanced Representation of DHS Child Welfare 	Not Included	\$ 15.99M OF
<ul style="list-style-type: none"> Package 091 – Statewide Adjustments - DAS Charges 	Not Included	(\$ 0.15M) OF
<ul style="list-style-type: none"> Package 092 – Statewide Adjustments - AG Charges 	Not Included	(\$ 0.83M) OF



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<ul style="list-style-type: none"> Package 202 – Increase in Child Support Legal Caseload <ul style="list-style-type: none"> - Address increased workload for child support cases. 	\$ 2.21M OF	\$ 2.21M OF
<ul style="list-style-type: none"> Package 203 – Tobacco Criminal Investigator <ul style="list-style-type: none"> - Consolidate enforcement efforts and ensure continued compliance with the MSA. 	\$ 0.29M OF	\$ 0.29M OF
<ul style="list-style-type: none"> Package 204 – Support Anti-Poaching Campaign <ul style="list-style-type: none"> - Work with ODFW & OSP to reduce “poaching” throughout Oregon. 	\$ 0.53M OF	Not Included



10% General Fund/Criminal Fine Account Reductions

Program	CSL Budget (in millions)	Source	1st 5%	2nd 5%	Total
Crime Victims Law Center	\$ 0.34	GF	(0.02)	(0.02)	(0.04)
Address Confidentiality Program	\$ 0.14	GF	(0.14)	-	(0.14)
Appellate	\$ 0.35	GF	(0.02)	(0.02)	(0.04)
Civil Legal	\$ 0.74	GF	(0.04)	(0.04)	(0.07)
Child Abuse Multidisciplinary Intervention Program	\$ 1.39	GF	(0.08)	(0.08)	(0.17)
Other Crime Victims Assistance and Compensation	\$ 1.86	GF	-	-	-
Oregon Domestic and Sexual Violence Services	\$ 10.16	GF	(0.48)	(0.61)	(1.09)
District Attorney Assistance/Organized Crime & Other	\$ 15.45	GF	(0.77)	(0.77)	(1.55)
Defense of Criminal Convictions	\$ 26.24	GF	(1.31)	(1.31)	(2.62)
Division of Child Support	\$ 28.00	GF	(1.40)	(1.40)	(2.80)
Sexual Assault Victims Emergency	\$ 0.45	GF	-	-	-
Total	\$ 85.13	GF	(4.26)	(4.26)	(8.51)
Child Abuse Multidisciplinary Intervention	\$ 11.99	CFA	(0.60)	(0.60)	(1.20)
Crime Victims Assistance (DA VAP)	\$ 5.57	CFA	(0.28)	(0.28)	(0.56)
Crime Victims Compensation Program	\$ 4.59	CFA	(0.23)	(0.23)	(0.46)
Total	\$ 22.15	CFA	(1.11)	(1.11)	(2.22)
Combined Budget	\$ 107.28		(5.36)	(5.36)	(10.73)



10% Legal Fund/Other Reductions

Program	CSL Budget (in millions)	Source	1st 5%	2nd 5%	Total
Administration	\$ 35.12	OF	(1.76)	(1.76)	(3.51)
Appellate	\$ 22.68	OF	(1.13)	(1.13)	(2.27)
Civil Enforcement - Legal	\$ 60.32	OF	(3.02)	(3.02)	(6.03)
Criminal Justice - Legal	\$ 8.69	OF	(0.43)	(0.43)	(0.87)
General Counsel	\$ 59.24	OF	(2.96)	(2.96)	(5.92)
Trial	\$ 35.88	OF	(1.79)	(1.79)	(3.59)
Total Legal	\$ 221.94	OF	(11.10)	(11.10)	(22.19)
Consumer Protection and Education	\$ 16.35	OF	(1.21)	(1.21)	(2.42)
Non-Participating Manufacturers	\$ 1.94	OF	(0.10)	(0.10)	(0.19)
Total	\$ 18.29	OF	(1.31)	(1.31)	(2.61)
Combined Budget	\$ 240.24	OF	(12.40)	(12.40)	(24.81)





Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

General Counsel Division



Department of Justice – General Counsel Division

The General Counsel Division provides the day-to-day legal services our state agency clients need to effectively and lawfully advance their missions.

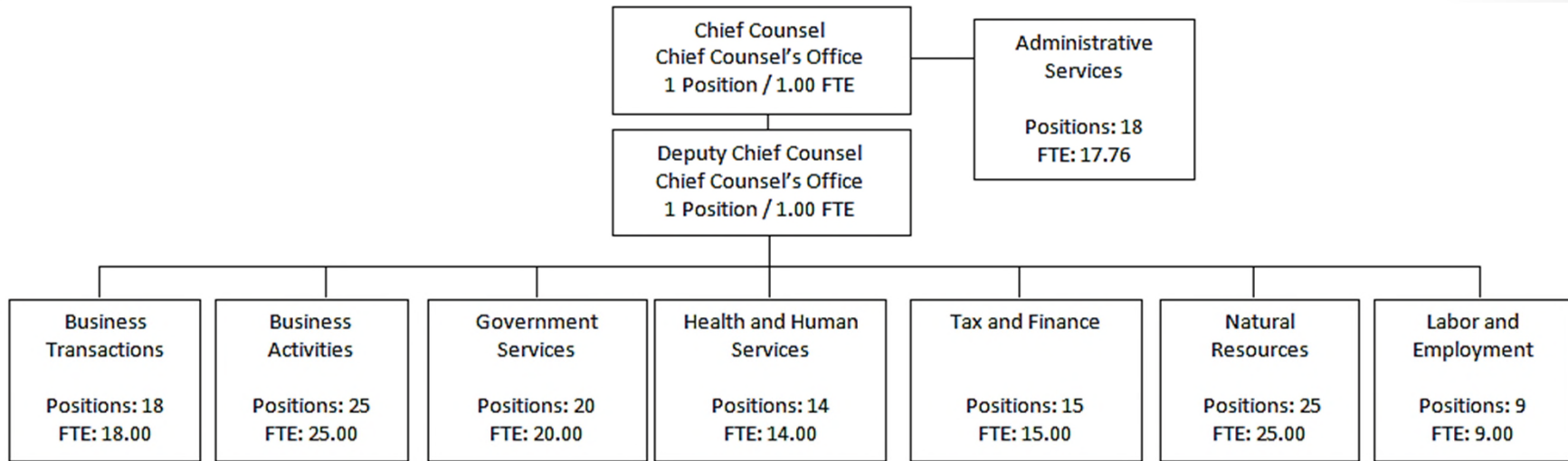


Program Summary

- Provides a broad range of legal services to over 100 state agencies, boards and commissions
- Assigns “contact counsel” to each agency
- Emphasizes preventative law and client education
- Ordinarily provides legal services only at agency request



Organization



2017-19 Legislatively Approved Budget*	
Positions	151
FTE	148.96

* Addition of 4 LD positions / 2.68 FTE during the February 2018 session; also 0.24 in FTE reconciliation; Phase-in of positions / 0.37 FTE from the February 2016 session and transfer of 1 position from other division through administrative cross reference changes



General Counsel Services

- Provides day-to-day legal advice
- Represents agencies in contested case hearings
- Drafts and reviews contracts, including performing mandatory legal sufficiency review
- Formal Letters of Advice and published Attorney General Opinions
- Provides agency legal trainings



Centralized Legal Services

- Goal is consistent articulation and application of legal policy under direction of the Attorney General as chief law officer of the state.
- Protects people's interest in ensuring that the law will be interpreted objectively and applied uniformly across all of state government.
- Ensures consideration of the interests of the state as a whole in addressing individual legal issues.



Implementing Marijuana-Related Legislation

- Established interdivisional task force under direction of GC Deputy Chief Counsel to provide consistent advice to
 - Agencies such as OLCC and Department of Agriculture that are responsible for implementing and administering law
 - Agencies whose operations and missions are affected by enactment of marijuana-related legislation
 - All agencies regarding general public law issues affected by enactment of marijuana-related legislation, *e.g.*, employment law issues



Portland Harbor Superfund

- Represent agencies who are potentially responsible parties (ODOT and State Lands).
- Represent regulatory agencies (DEQ and ODFW).
- Entered new phase with EPA's Record of Decision issued January 6, 2017.



Columbia River Crossing



Enterprise-wide Services

- Public Law Conference and other training programs for state agencies on many legal subjects
- Providing training publications including Public Records and Meetings Manual, Administrative Law Manual, Public Contracts Manual
- Pilot “flat-charge” billing model for some state agencies



Public Law Conference

- Two-day training for approximately 700 state employees.
- Covers a broad spectrum of public law, including
 - Public Records and Meetings
 - Public Contracting
 - Employment Law
 - Administrative Procedures Act
 - Rulemaking
 - Contested case proceedings
 - State ethics laws
- Policy Package 350



Attorney General Manuals

- Public Records and Meetings Law
- Administrative Law
- Public Contracts



Responsiveness to Clients

- Use technology for enhanced colocation
- Provide necessary practical client training
- Service Delivery
 - Streamline communication/gatekeeping
 - Confirm client prioritization of service requests
 - Define and streamline workflows
- Monitor and ensure appropriate staffing level



Responsiveness to Clients

Policy Option Packages

- Package 351 Convert four LD attorney positions received during 2018 session to permanent positions
- Package 354 Two Attorneys in Tax and Finance Section to address increased demand from Business Oregon and Affordable Housing work from Housing and Community Services
- Package 355 Two Attorneys in Business Activities Section to address increase in OSHA cases and increased hearing volume arising from appellate court decisions
- Package 356 One Attorney in Natural Resources Section to address increased demand from Agriculture (pesticide/fertilizer cases involving hemp and marijuana), Oregon Water Resources Department, and other agencies
- Package 357 Paralegal and Legal Secretary Positions (2 and 2) to facilitate delegation of work to lower billing rate personnel and freeing attorney time for higher level work



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
Package 091 - Statewide Adjustment DAS Charges Adjust State Government Service Charges	Not Included	(\$0.07M) OF
Package 100 - Reconcile Intra-Agency Charges Align budgeted Intra-Agency Charges with the Administration Division budget to eliminate the need for mid-biennium adjustments	\$2.8M OF	\$1.9M OF
Package 350 - Public Law Conference and Trainings Provide funding for the biannual Public Law Conference as well as three public law manuals that all state agencies use regularly	\$0.2M OF	Not Included
Package 351 - Four LD Positions to Permanent Permanently fund four limited duration positions received in the 2018 session	\$1.6M OF	\$1.6M OF
Package 352 - Resolve Double-Fill in Government Services Correct an error in allocation of attorney FTE	\$0.5M OF	Not Included
Package 354 - Business Oregon and Affordable Housing Work Address increased demand for services by the Oregon Business Development Department and Oregon Housing and Community Services	\$0.6M OF	Not Included



Policy Packages

	<u>Agency Request Budget</u>	<u>Governor's Budget</u>
<p>Package 355 - Two Attorneys in Business Activities Address the steady increase in workload for the Business Activities Section over the last several years while attorney capacity has declined</p>	\$0.6M OF	Not Included
<p>Package 356 - One Attorney in Natural Resources Address a material increase in requests for advice and representation from the Water Resources Department, Department of Agriculture, Department of Geology & Mineral Industries, and Department of Environmental Quality</p>	\$0.3M OF	Not Included
<p>Package 357 - Paralegal and Legal Secretary Positions Enhance our ability to delegate more work to lower billing rate personnel and free up attorney time for higher level work</p>	\$0.7M OF	Not Included



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