



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

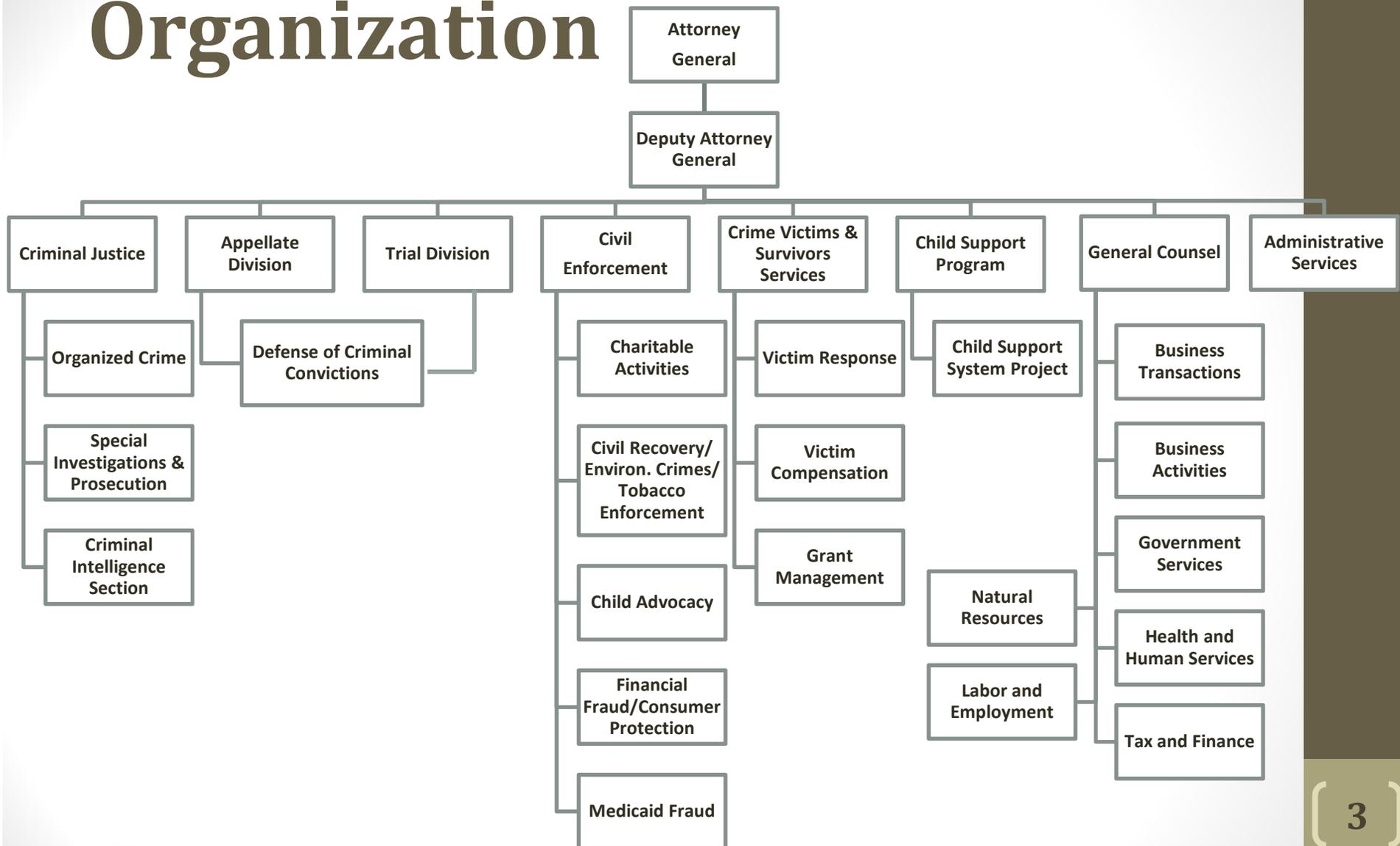
To serve state government and to support safe and healthy communities throughout Oregon by providing essential justice services.

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.

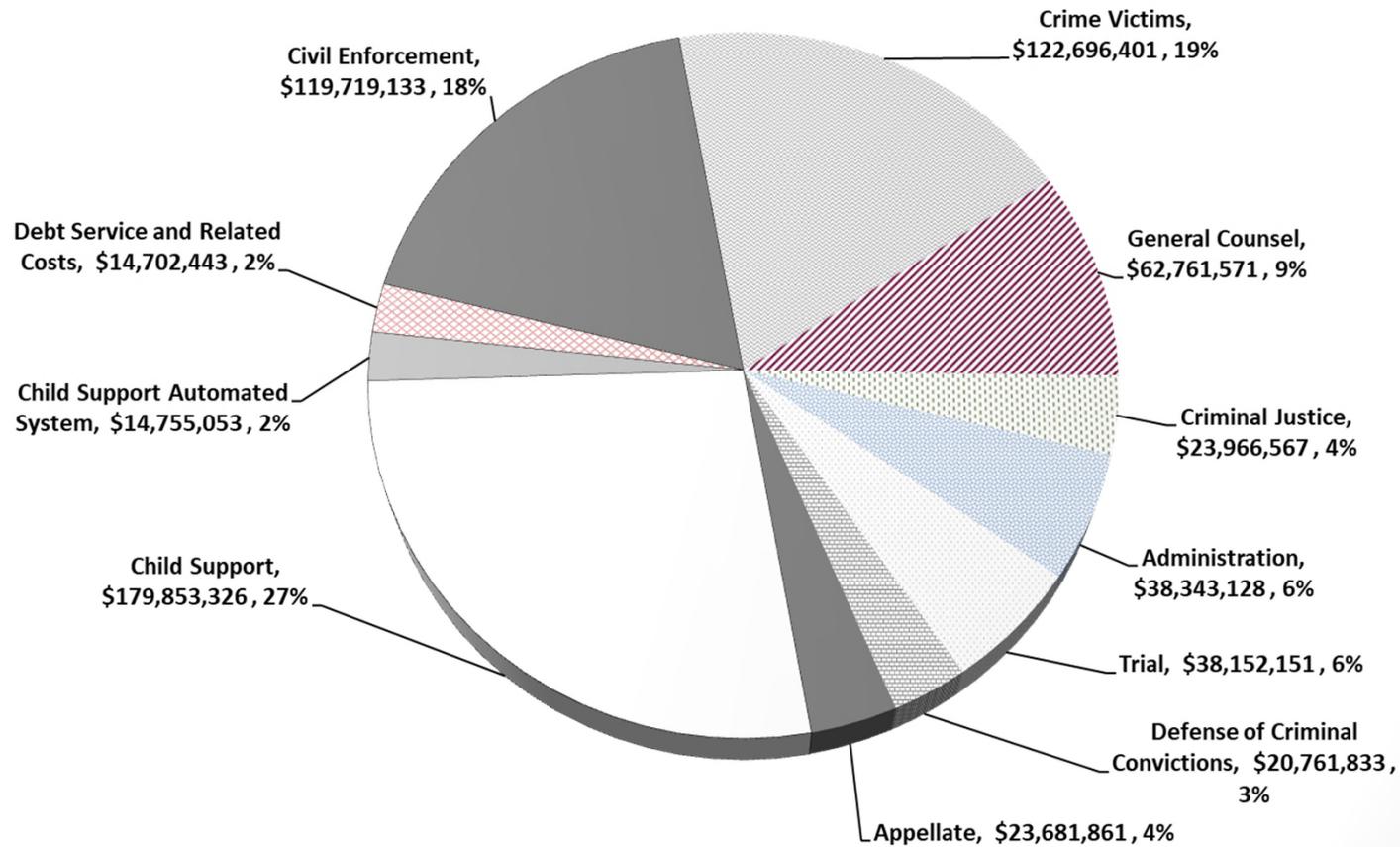


Organization



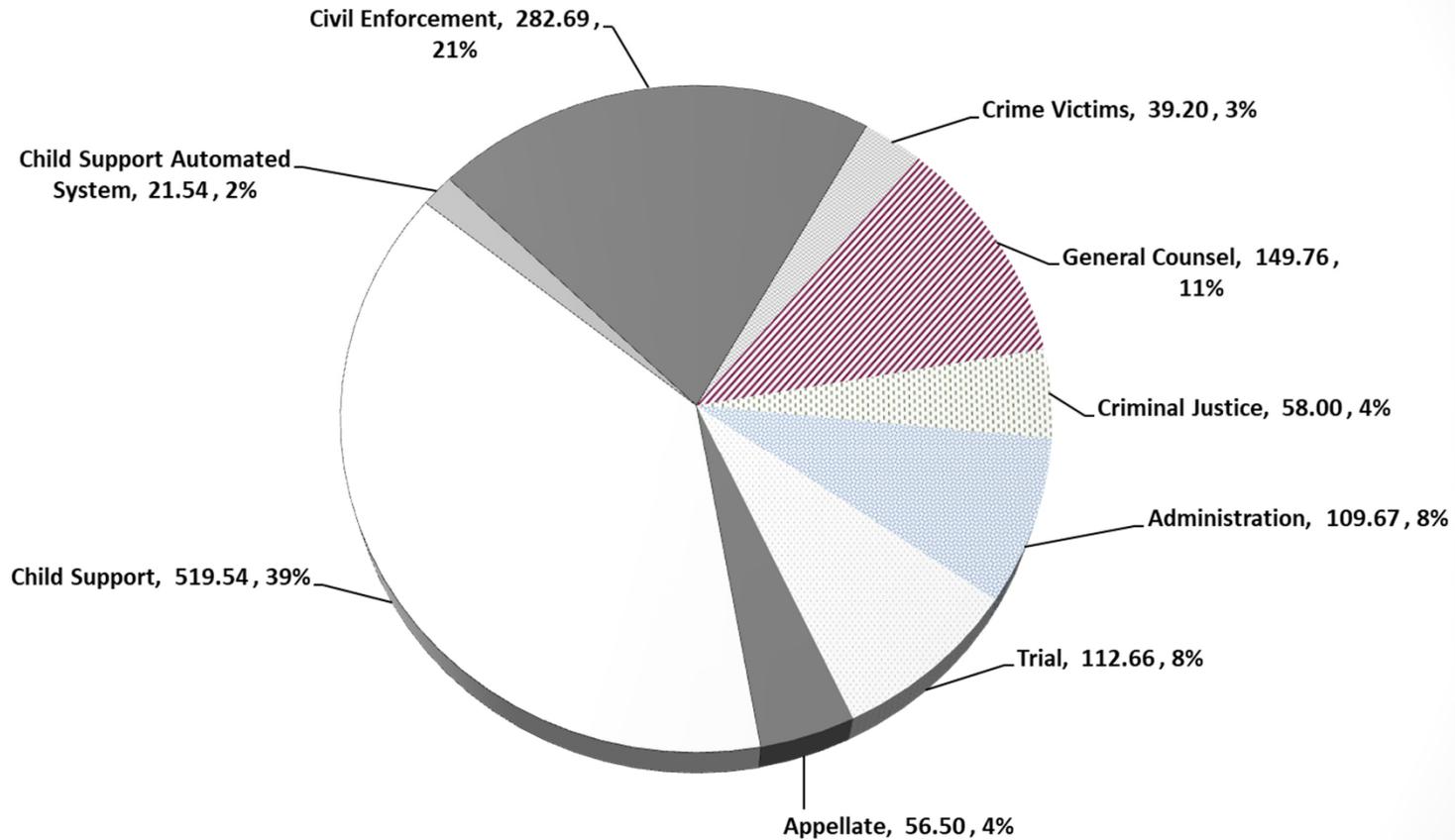
2019-21 Governor's Budget

DOJ Expenditures \$659.4 million



2019-21 Governor's Budget

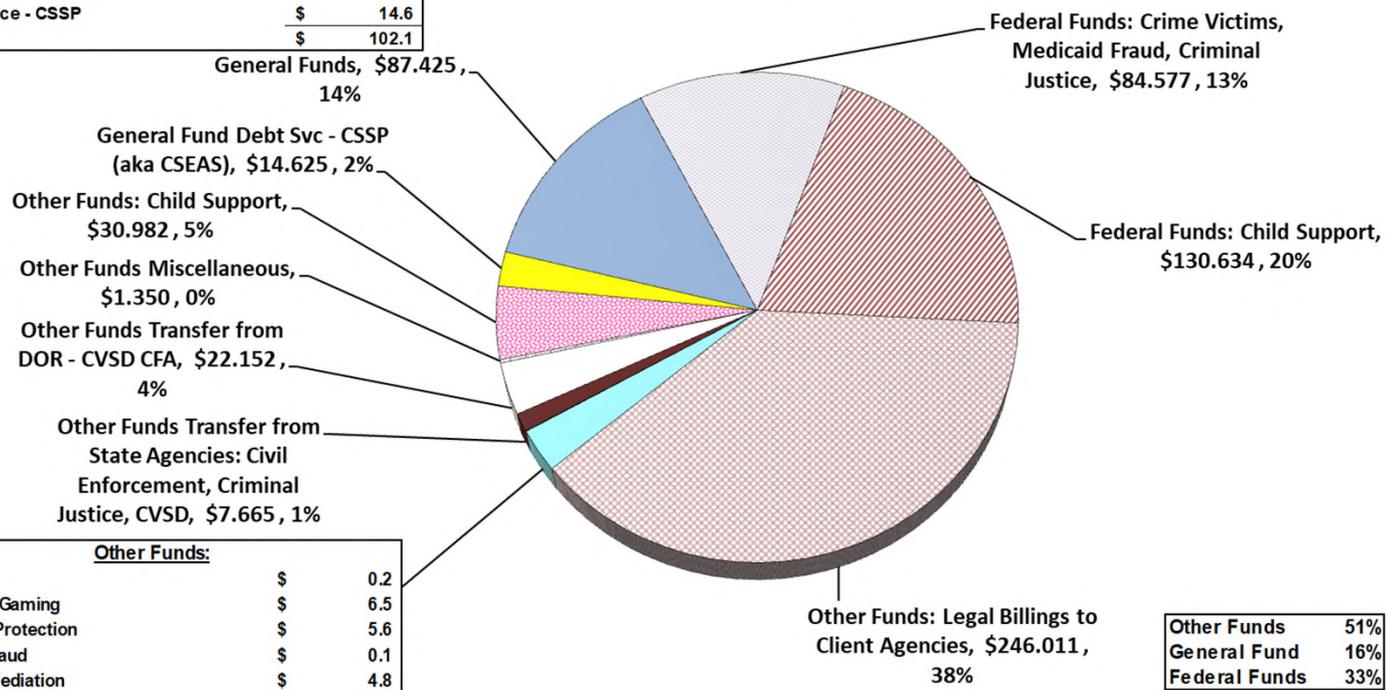
Full-Time Equivalents



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)**



| Other Funds: | |
|---------------------|---------|
| Legal | \$ 0.2 |
| Charities & Gaming | \$ 6.5 |
| Consumer Protection | \$ 5.6 |
| Medicaid Fraud | \$ 0.1 |
| Mortgage Mediation | \$ 4.8 |
| Crime Victims | \$ 1.0 |
| | \$ 18.2 |

*Excludes beginning balance

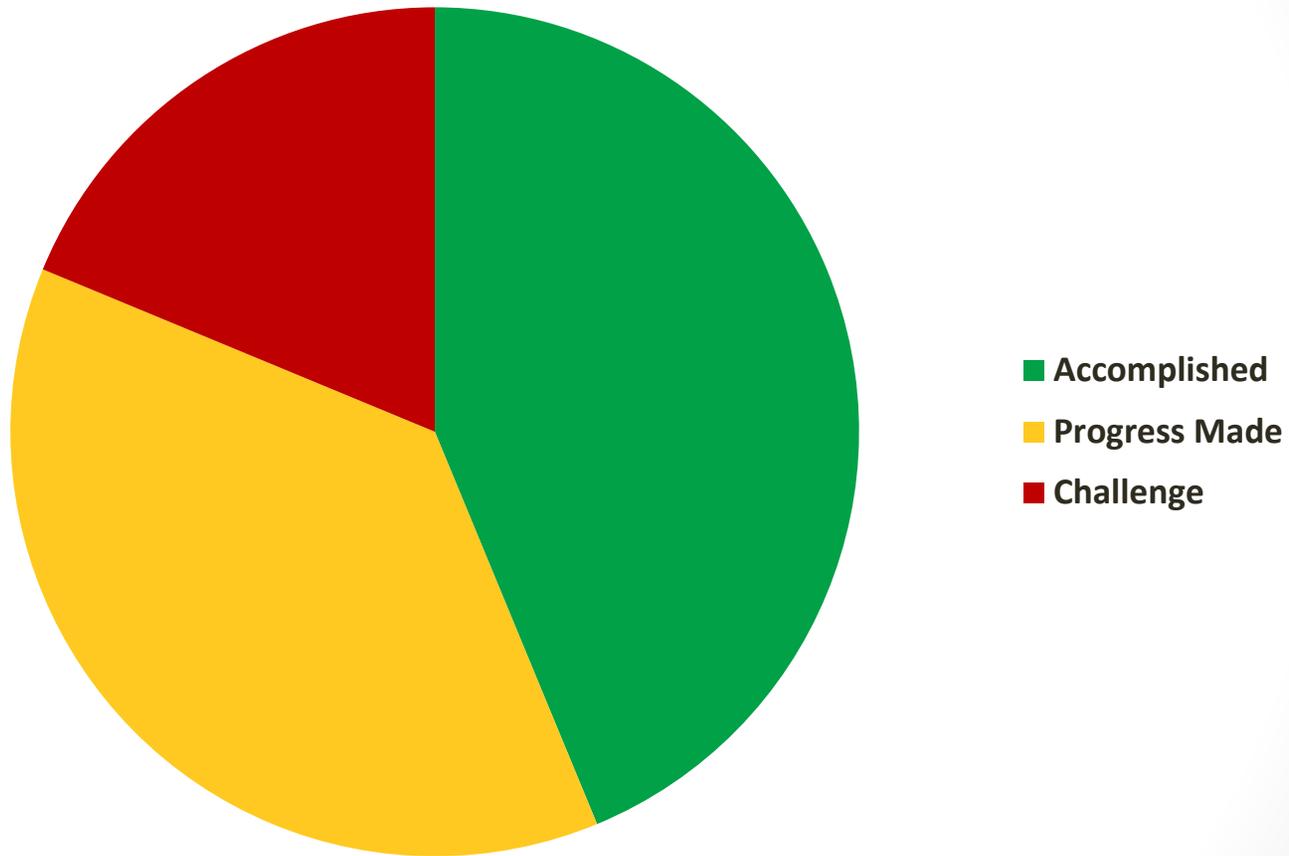


Performance Measures

- 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

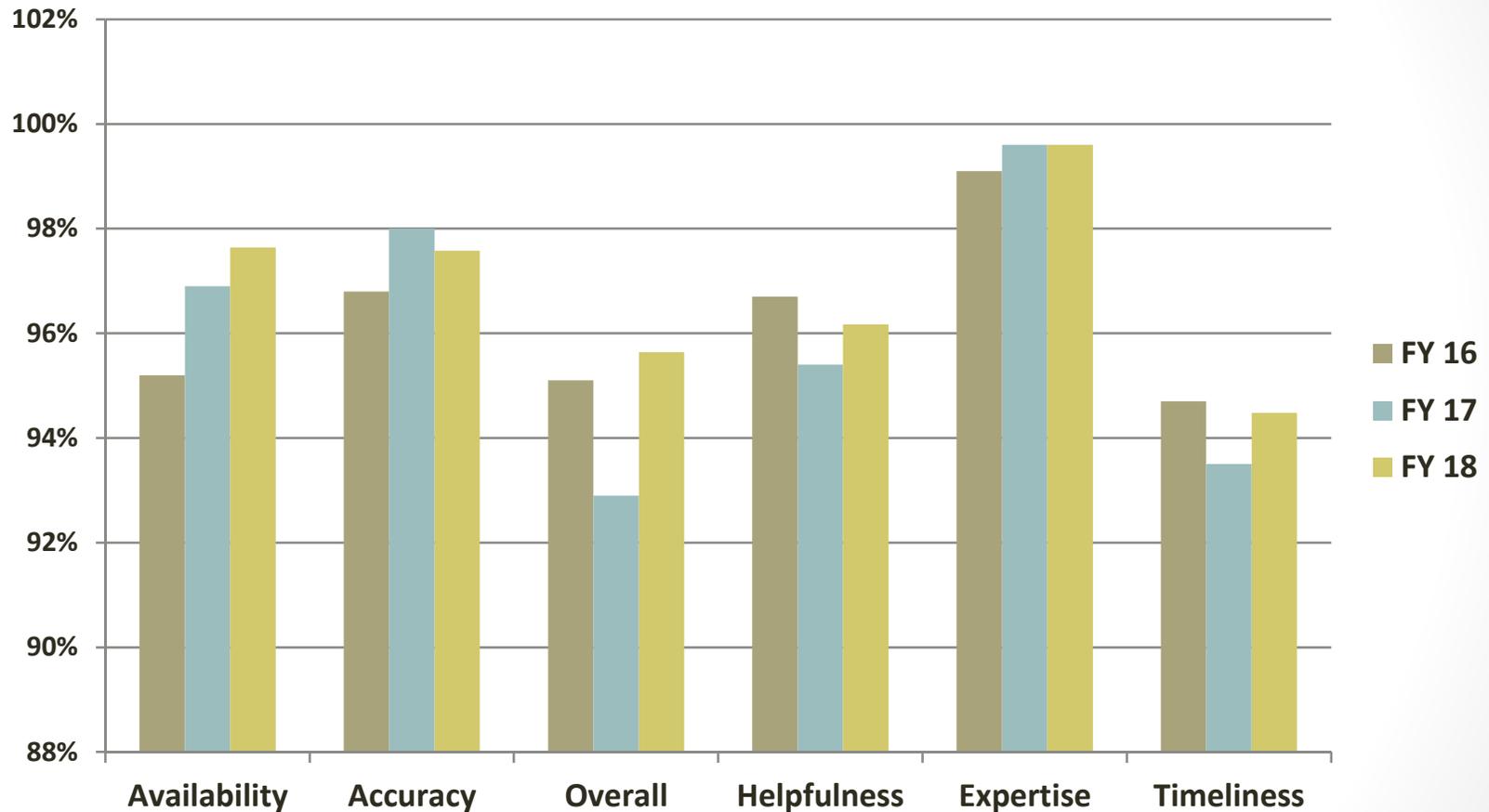


Performance Measures



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



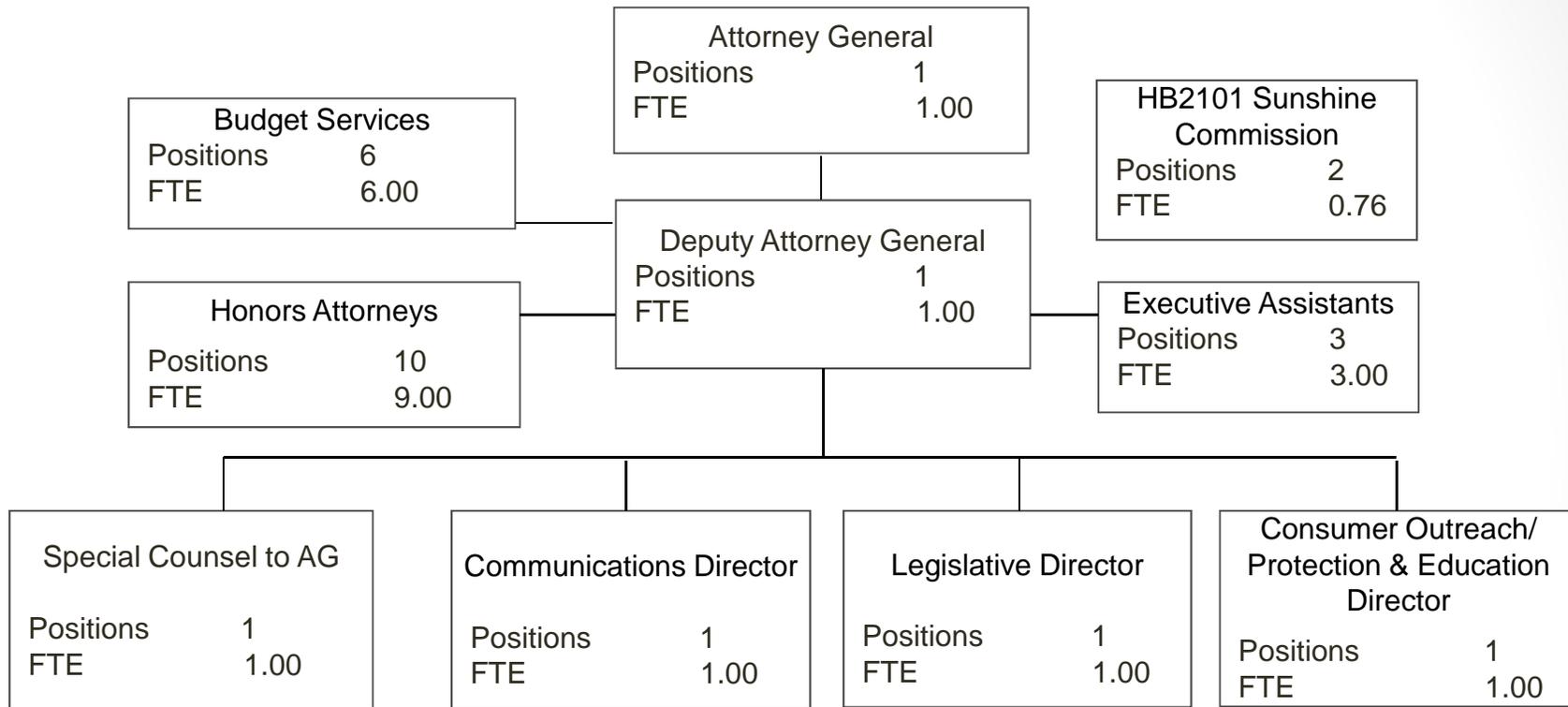
Department of Justice - Attorney General

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

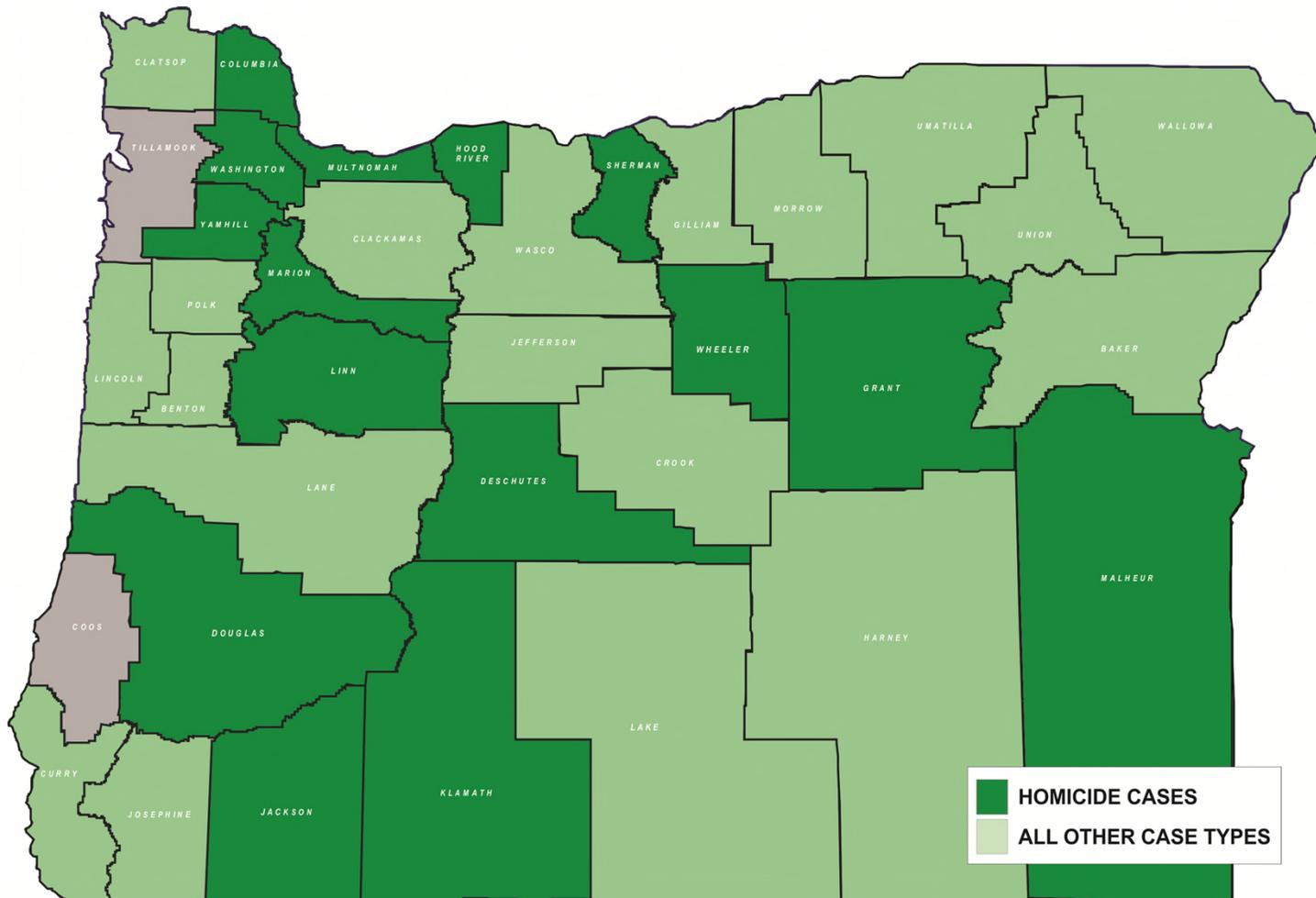
Resource Prosecutors

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



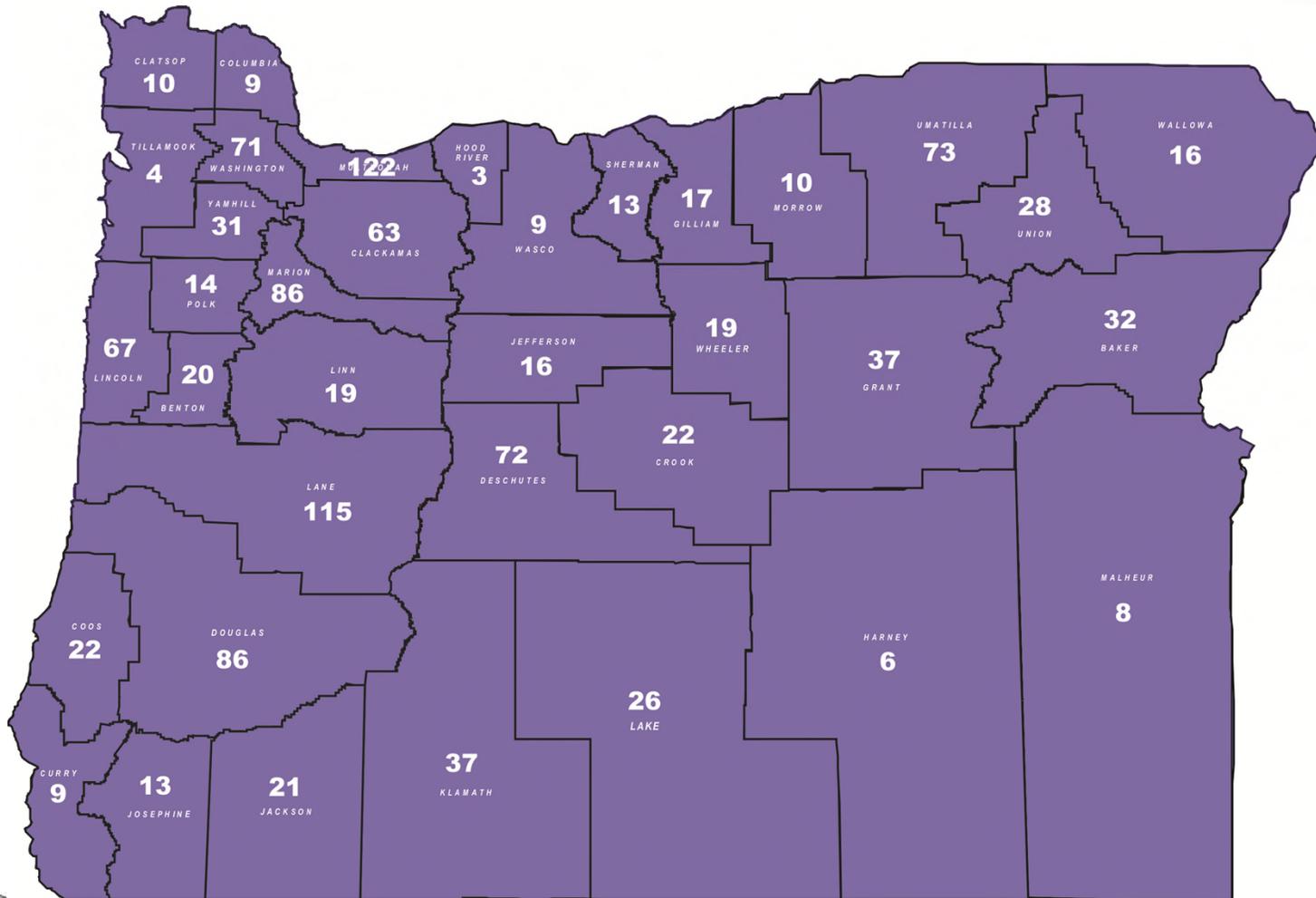
District Attorney Assistance Program

Investigation/Prosecution Cases



District Attorney Assistance Program

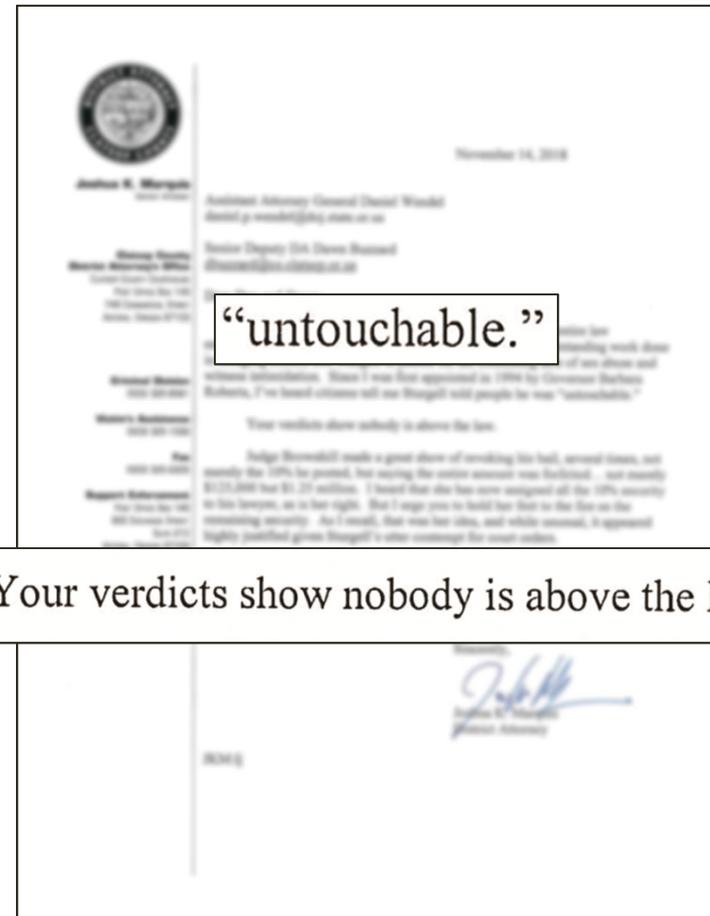
Case Advice and Assistance



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



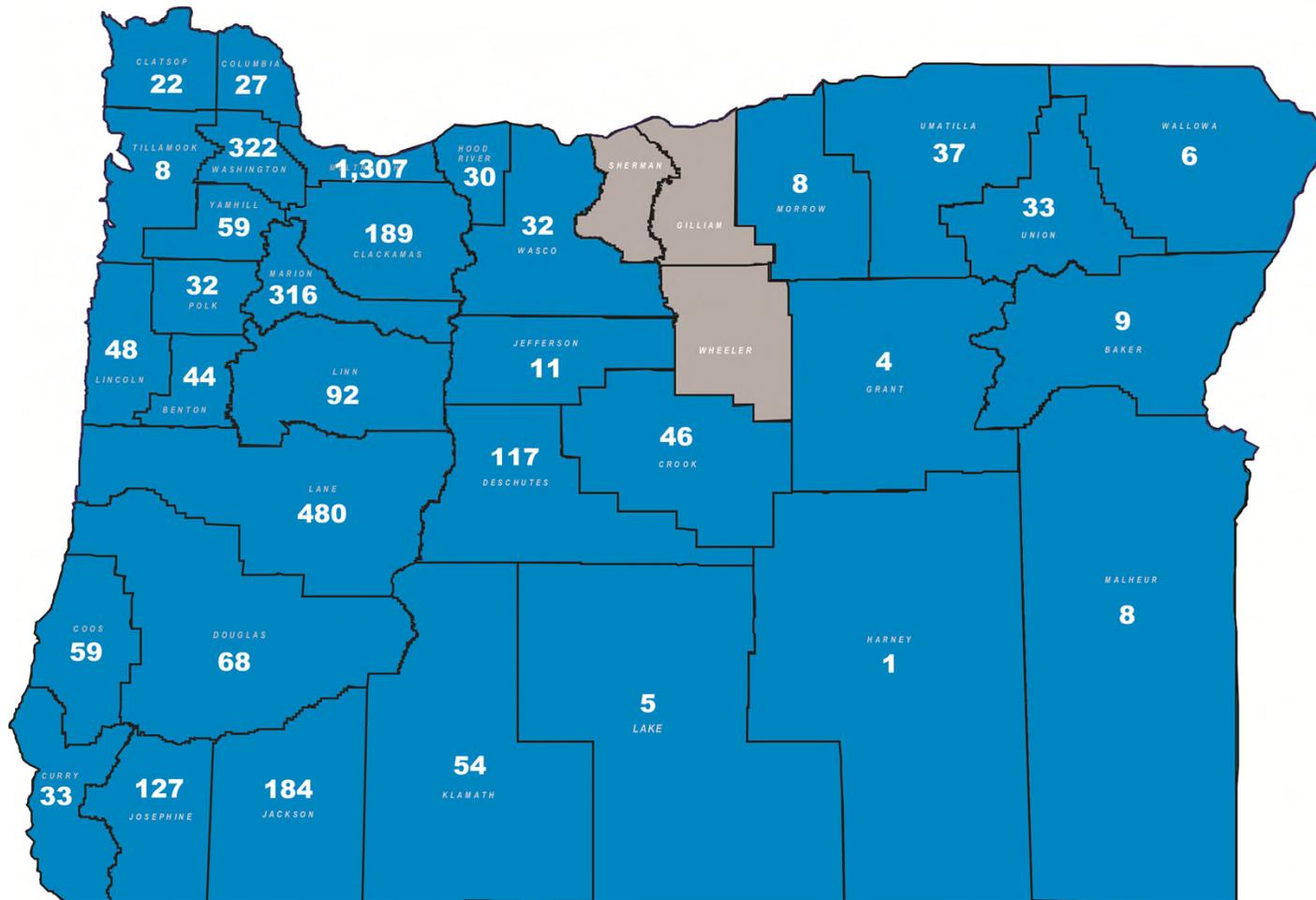
Internet Crimes Against Children (ICAC)

- 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



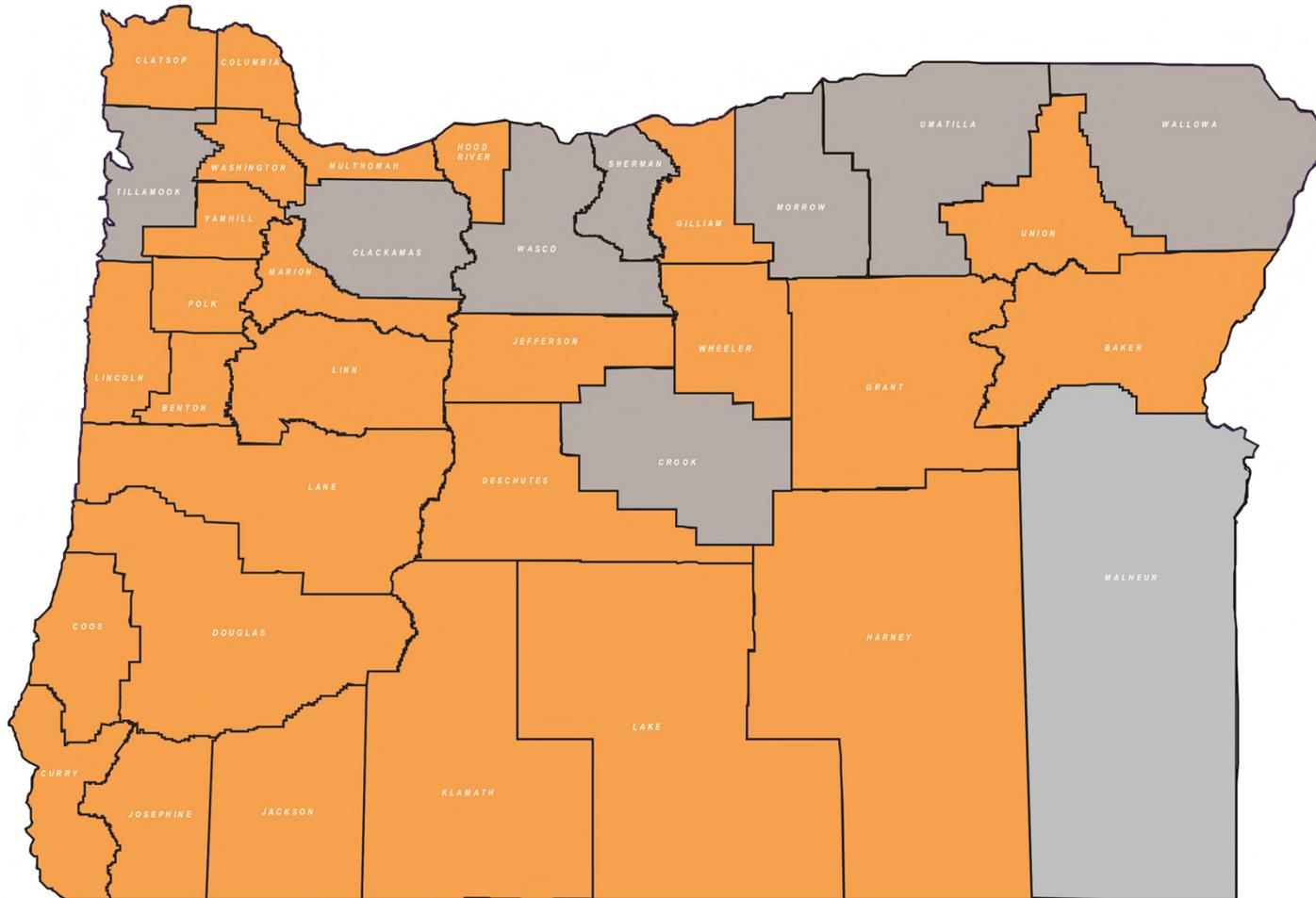
Department of Justice – Criminal Justice Division

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> |
|--|--|----------------------------------|---------------------------------------|
| • Package 090 – Analyst Adjustments – GF reductions including elimination of one attorney position | | Not Included | (\$807K) GF |
| • 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

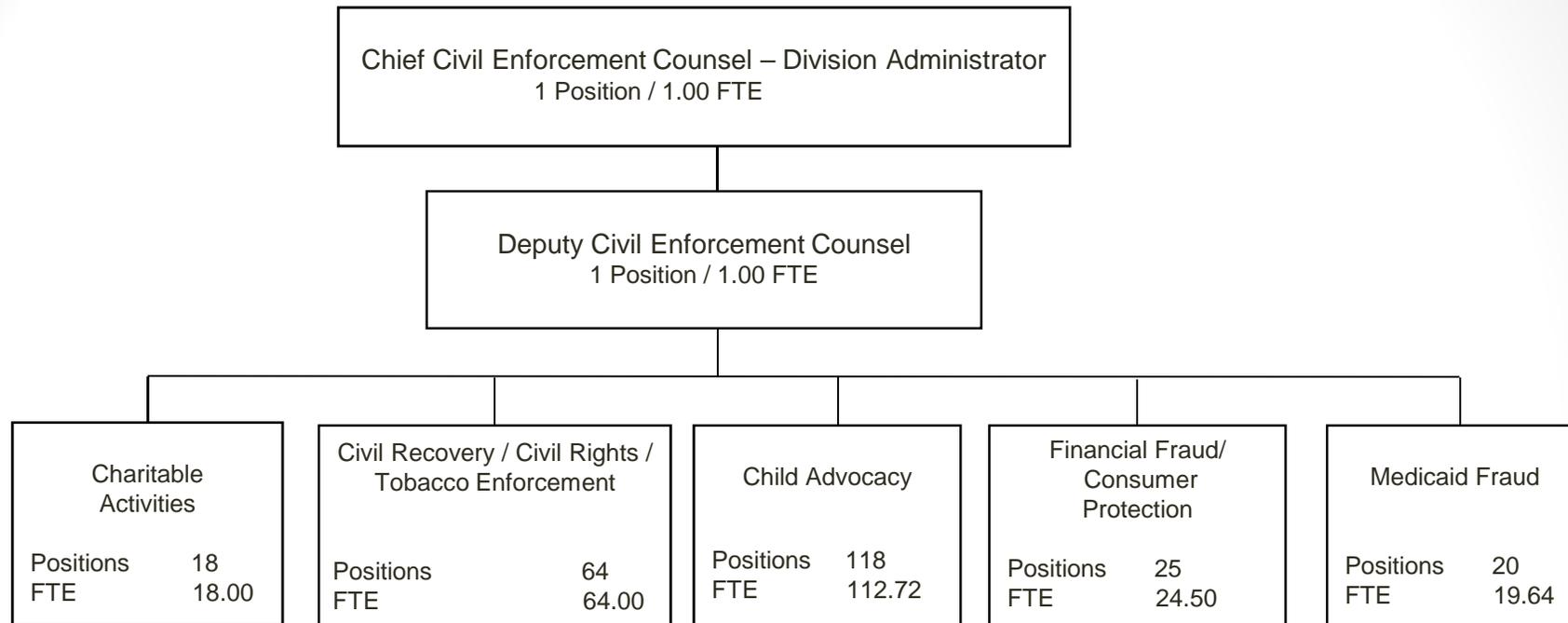
Civil Enforcement Division

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



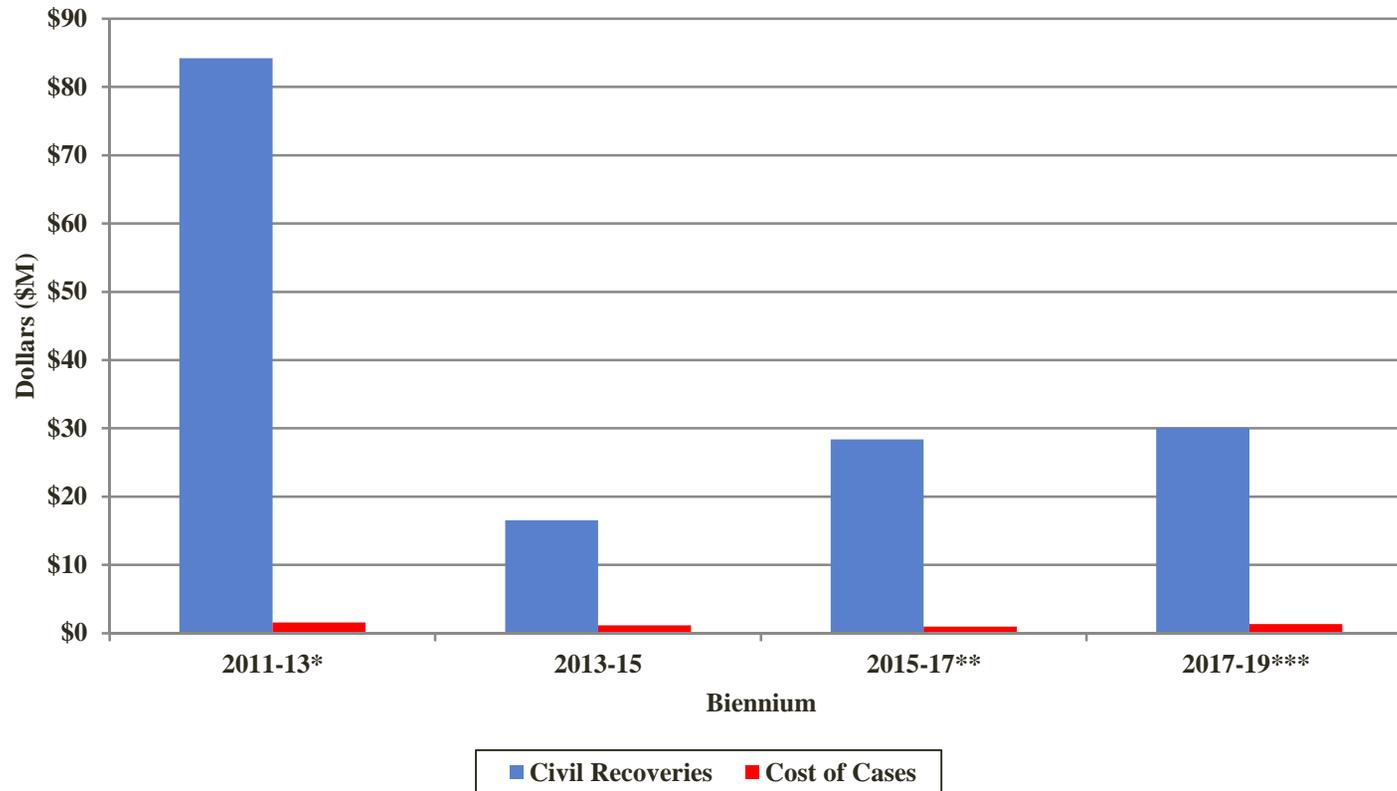
Civil Recovery - Tobacco

- 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

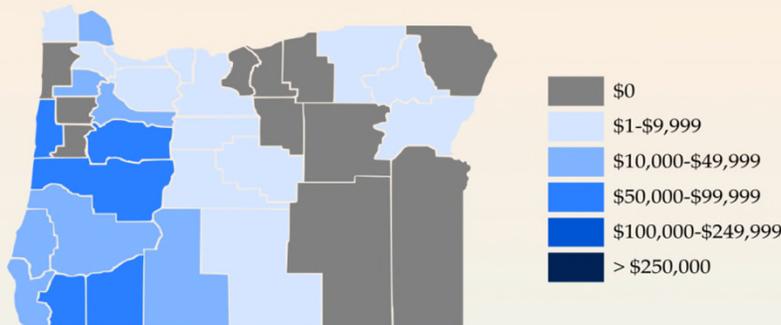
Arrears at filing: \$22,084,260.90

Amount paid prior to filing: \$444,989.64

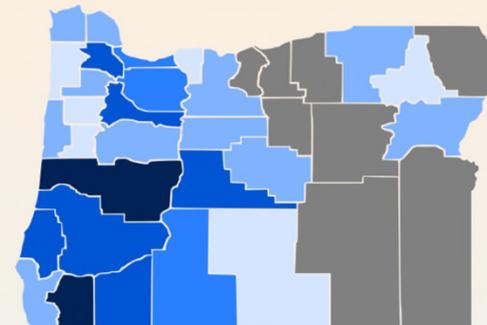
Amount paid after filing: \$2,499,341.28

↑ 561%
*increase in collections
after filing contempt*

Amount paid prior to filing



Amount paid after filing

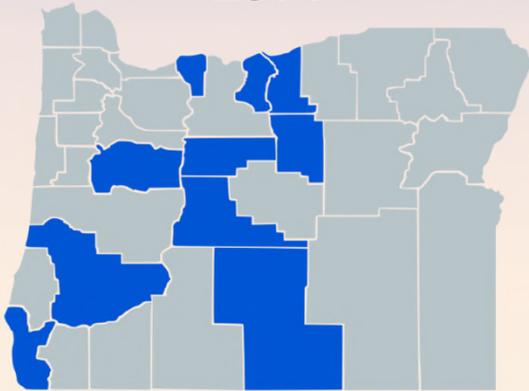


Civil Recovery – Child Support

Counties with DOJ Management of Entire Child Support Caseload

(No DA Involvement)

2014

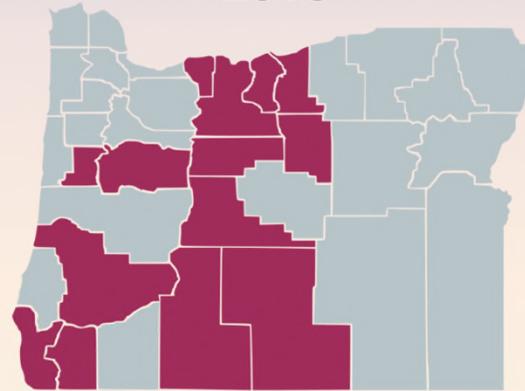


10 Counties had all support orders enforced by DOJ

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



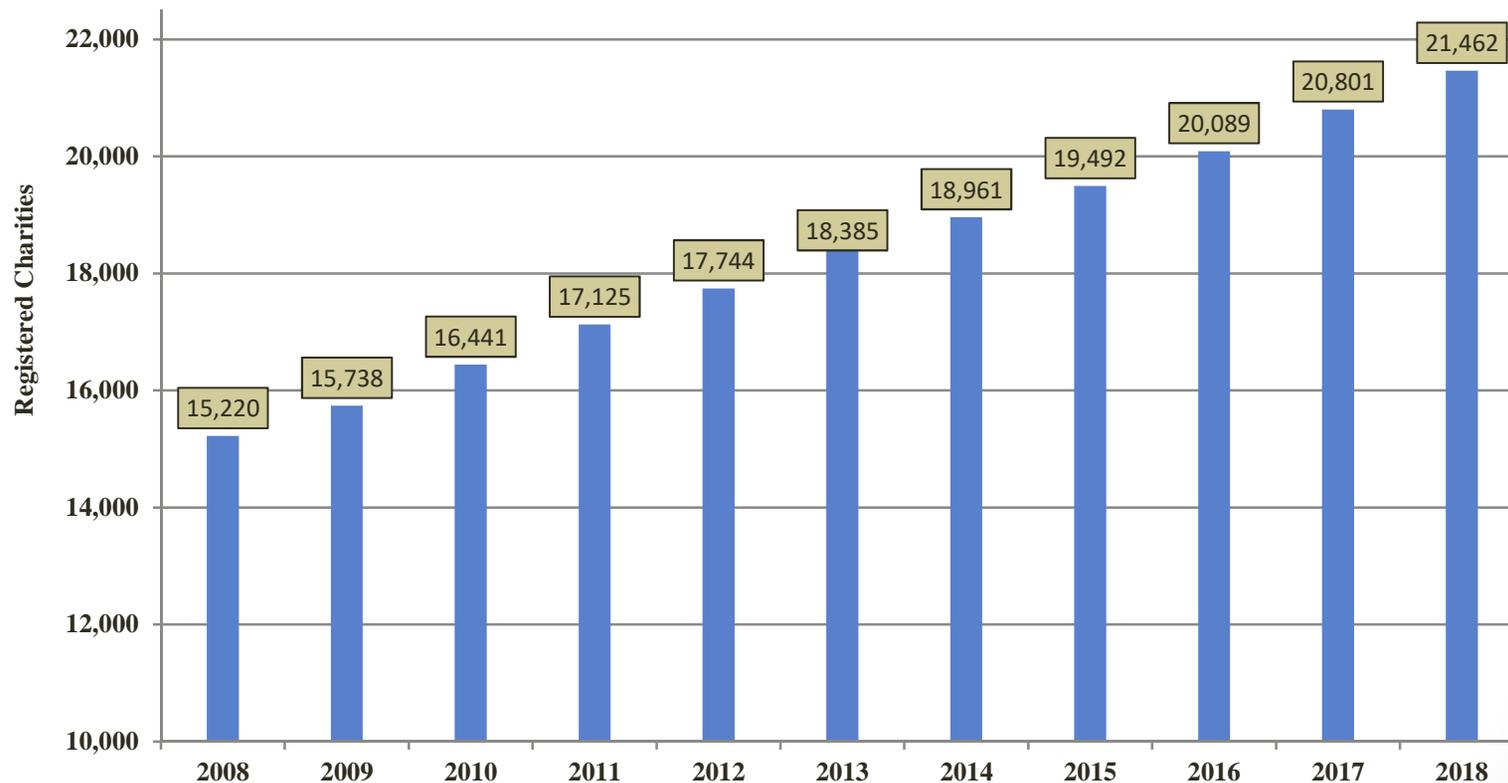
Charitable Activities

- 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

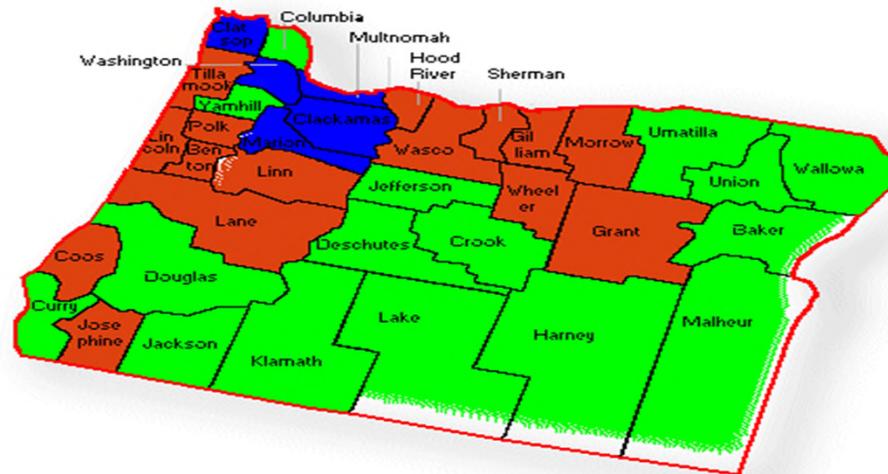


Legal Representation Implementation Map

- 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) |
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| 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) |
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| 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.

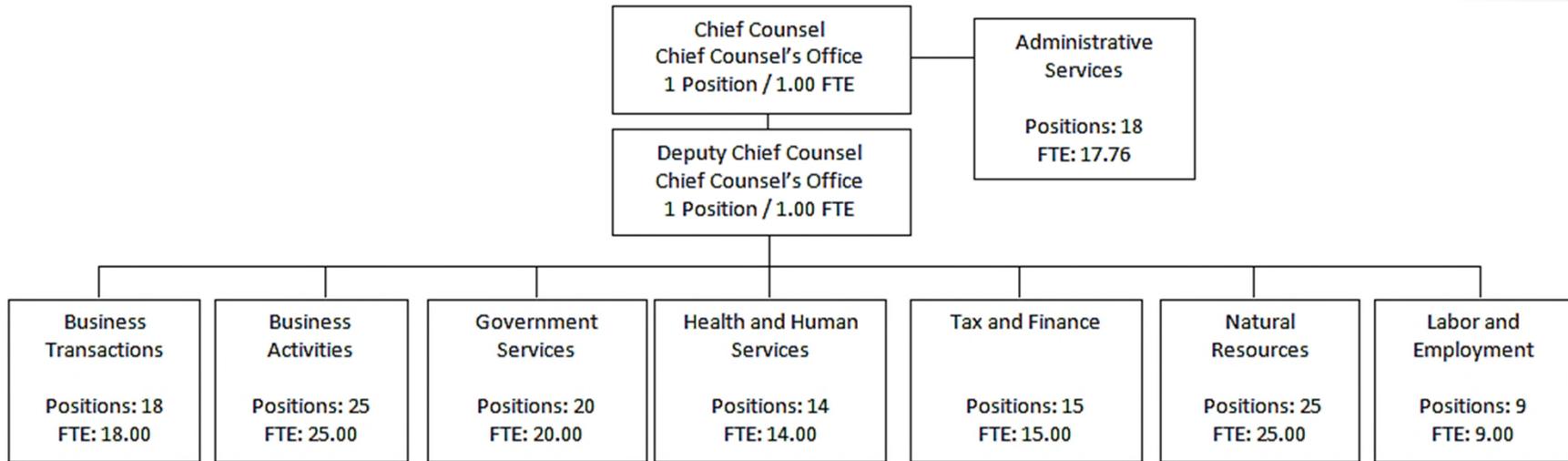


Program Summary

- 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 |



10% Legal Fund/Other Reductions

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Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Division of Child Support



Department of Justice – Division of Child Support

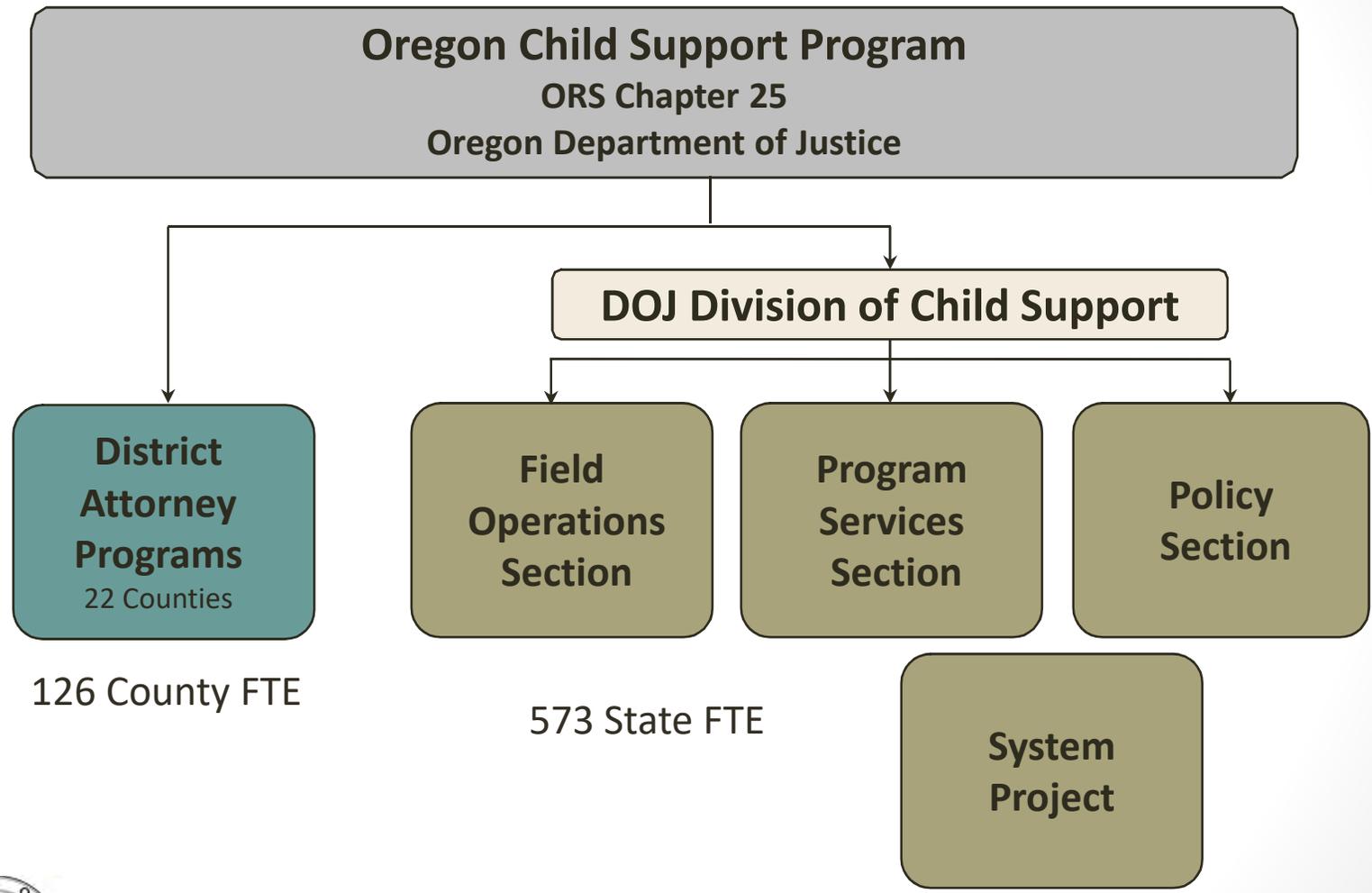
What we're about:

**Supporting parents
to
support children**

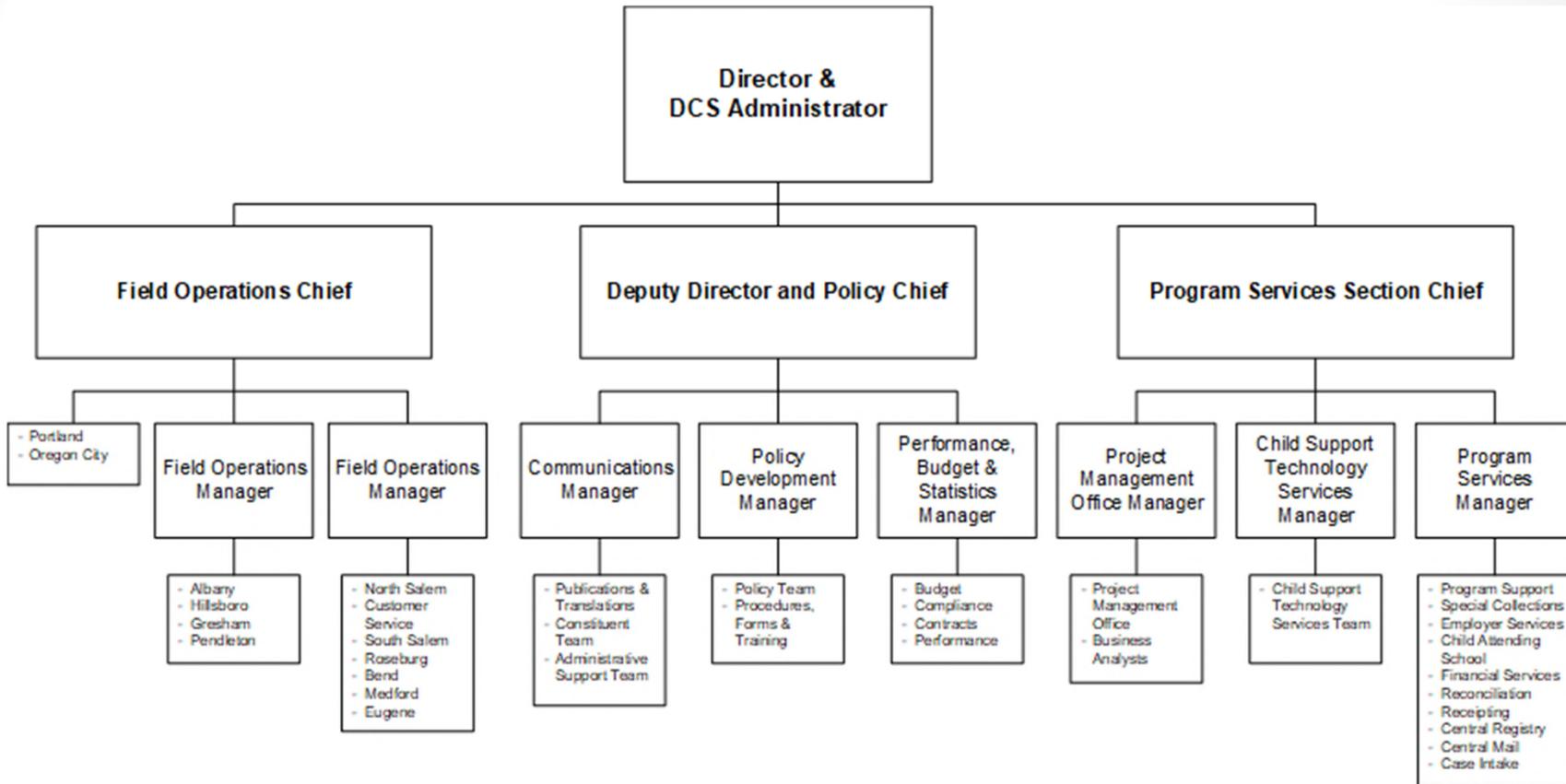
(2)



Oregon's Federal Title IV-D Program



DOJ Division of Child Support



2017-19 Legislatively Approved Budget

Positions 573

FTE 569.98



Whom do we serve?

Oregon's program provides services for all families

- who are currently or were formerly receiving Temporary Assistance for Needy Families (TANF) or Medicaid
- who have never received public assistance and apply directly for child support services
- when a child is in the care and custody of the state Child Welfare system (including the Oregon Youth Authority)

There is no “means test” for services



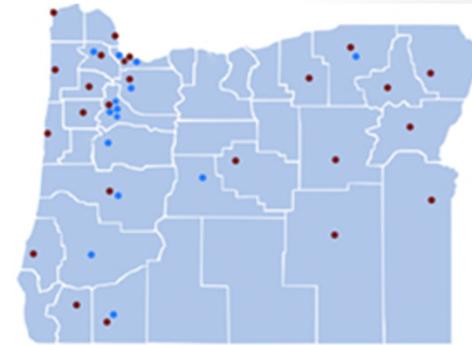
What do we do?

- Locate parents and assets
- Establish paternity/parentage
- Establish child and medical support orders
- Enforce orders and collect payments
- Modify and adjust child support orders
- Manage accounting and recordkeeping
- Receive and distribute collections



**BY
THE
NUMBERS**

17 million child support cases nationally
1 in 4 children



14 DOJ-DCS offices **23** DA offices

Public programs in Oregon with the most child participants:

1. Public schools
2. Oregon Health Plan
3. **Child Support Program**

159,700 child support cases

176,000 children 21 and younger

146,000 children 18 and younger

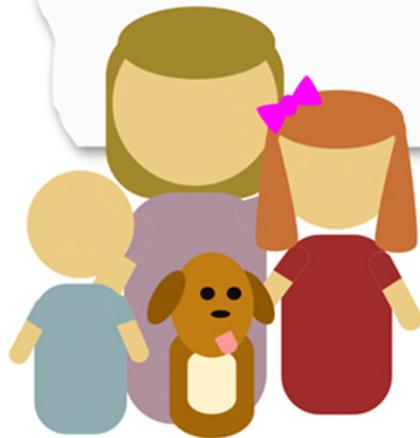
15% of children in Oregon



\$365 million
annual collections

\$1 million
daily collections

72% collected through
income withholding



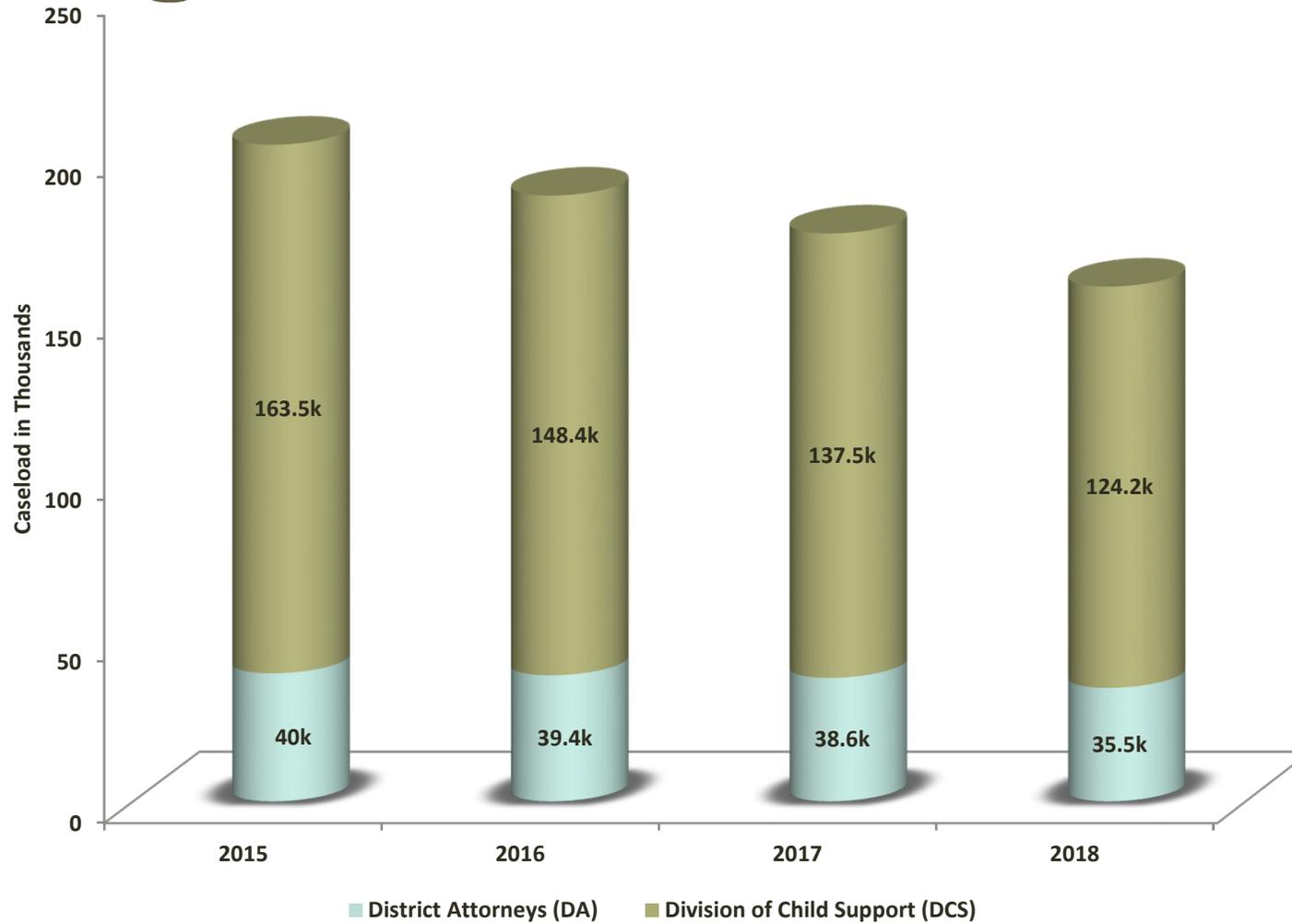
93% goes to
families

7%

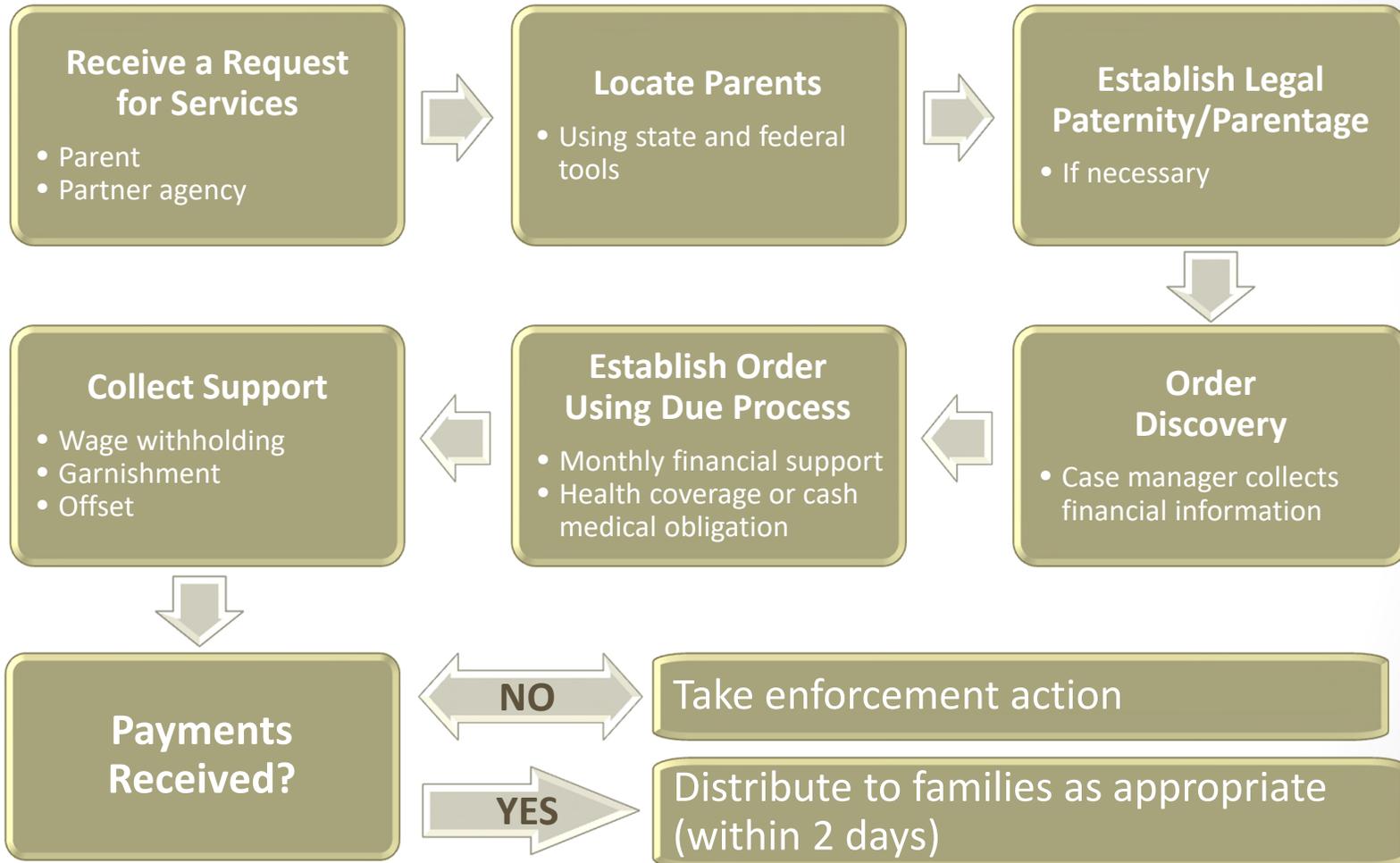
reimbursed
public assistance



Program Caseload



The Life of a Case



Enforcement & Collection

Some of the proverbial “tools in the tool box”

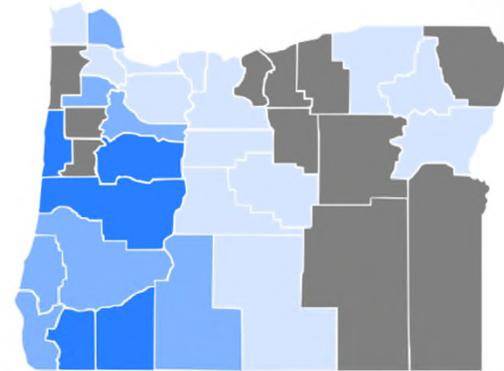
- Income withholding and mandated new hire reporting
- Employer health insurance or cash medical
- Unemployment and workers compensation withholding
- Interception of federal disbursements, state and federal tax refunds, and lottery winnings
- Compliance agreements
- Bank data matches and garnishments
- License restriction (occupational, recreational, driver, etc.)
- Federally mandated passport restriction
- Liens on property and money awards



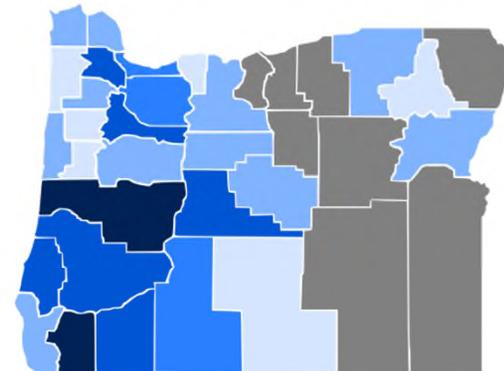
DOJ Contempt Program: Active Cases

| | <i># of cases</i> | <i>Arrears at filing</i> | <i>Amount paid prior to filing</i> | <i>Amount paid after filing</i> |
|-------------------|-------------------|--------------------------|------------------------------------|---------------------------------|
| Baker | 12 | \$392,112.66 | \$6,349.38 | \$14,243.97 |
| Benton | 3 | \$74,181.55 | \$0.00 | \$1,735.00 |
| Clackamas | 34 | \$822,985.74 | \$7,431.38 | \$50,260.55 |
| Clatsop | 4 | \$115,629.38 | \$350.00 | \$26,242.17 |
| Columbia | 5 | \$119,171.88 | \$12,564.27 | \$11,726.32 |
| Coos | 85 | \$1,557,816.83 | \$11,132.91 | \$202,531.70 |
| Crook | 10 | \$346,945.12 | \$894.25 | \$20,159.79 |
| Curry | 11 | \$258,226.98 | \$2,279.35 | \$11,763.54 |
| Deschutes | 30 | \$609,506.02 | \$6,474.20 | \$109,254.40 |
| Douglas | 140 | \$2,653,876.89 | \$11,536.38 | \$240,193.01 |
| Hood River | 1 | \$71,348.92 | \$0.00 | \$8,900.00 |
| Jackson | 75 | \$1,502,402.04 | \$79,240.91 | \$179,220.61 |
| Jefferson | 6 | \$184,747.66 | \$513.25 | \$17,272.03 |
| Josephine | 122 | \$2,109,562.11 | \$53,013.97 | \$609,408.90 |
| Klamath | 47 | \$1,197,763.53 | \$11,086.10 | \$56,352.73 |
| Lake | 3 | \$73,683.00 | \$20.00 | \$150.00 |
| Lane | 145 | \$3,532,703.00 | \$85,368.05 | \$457,920.44 |
| Lincoln | 11 | \$240,938.14 | \$57,994.53 | \$21,250.05 |
| Linn | 29 | \$590,663.87 | \$68,611.81 | \$37,133.87 |
| Marion | 86 | \$2,288,133.20 | \$14,616.64 | \$129,955.93 |
| Multnomah | 43 | \$1,032,496.42 | \$3,831.17 | \$60,787.29 |
| Polk | 7 | \$272,986.78 | \$0.00 | \$700.00 |
| Tillamook | 1 | \$101,373.77 | \$0.00 | \$9,559.48 |
| Umatilla | 19 | \$382,209.40 | \$7,095.81 | \$26,937.26 |
| Union | 2 | \$21,806.20 | \$450.00 | \$753.00 |
| Wasco | 4 | \$56,309.53 | \$444.79 | \$26,208.31 |
| Washington | 36 | \$1,034,722.53 | \$2,713.33 | \$176,774.72 |
| Yamhill | 18 | \$439,957.75 | \$977.16 | \$22,096.26 |
| | 989 | \$22,084,260.90 | \$444,989.64 | \$2,529,491.33 |

Amount paid prior to filing: \$444,989.64



Amount paid after filing: \$2,529,491.33



Total Child Support Collections Distributed in Oregon



Leveraged Funds

Investing state funds in the Child Support Program yields a high return on investment.

- Every **\$1 of state general funds** spent on child support is matched by **\$2 of federal funds**
- In FFY 2018, the Oregon Child Support Program collected \$359 million, including **\$332.2 million for families**, reducing the need for public assistance, helping lift families out of poverty, and avoiding additional costs for taxpayers
- In FFY 2018, the Oregon Child Support Program recovered **\$27.1 million for state agencies**



Policy Packages

| | | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|-------------|---|----------------------------------|--|
| Package 090 | Analyst Adjustments | Not Included | (\$.70M) GF |
| Package 091 | Statewide Adjustments – DAS Charges | Not Included | (\$.076M) GF (\$.078M) OF (\$.298M) FF |
| Package 092 | Statewide AG Adjustments | Not Included | (\$.038M) GF (\$.052M) OF (\$.159M) FF |



Policy Packages

| | | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|-------------|--|----------------------------------|------------------------------|
| Package 202 | Increase in Child Support Legal Caseload | \$.72M GF \$1.40M FF | \$.36M GF \$1.40 M FF |
| Package 450 | Child Support Revenue Reduction Restoration | \$ 6.2M GF \$11.6M FF | \$2.8M GF \$11.6M FF |



Policy Packages

| | | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|---------------|-----------------------------------|----------------------------------|------------------------------|
| Package 452 - | Child Support | \$1.43M GF | \$ 0 GF |
| | Positions for Origin | \$2.69M FF | \$ 0 FF |
| Package 475 - | Child Support System | \$2.90M GF | \$1.04M GF |
| | Project - Origin | \$2.74M OF | \$2.74M OF |
| | Development and Implementation | \$11.00M FF | \$11.00M FF |



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Reduction Impact

A 10% reduction would result in drastic Program impacts

Loss of 79 positions throughout the Division of Child Support

Cascading Effect

- Collections for families reduced by \$91 million per biennium
- Pass-through funds to families reduced by \$454,000 per biennium
- Other agency collections reduced by \$1.1 million per biennium
- Program recoveries used for operating would be reduced by \$2 million per biennium; reducing federal funding by \$3.9 million; Additional loss of \$5.9 million

Families Suffer

- Caseload per FTE would increase by 20%
- Modifications and order establishments decline by 20% each



DOJ Division of Child Support & Oregon Child Support Program

Questions?



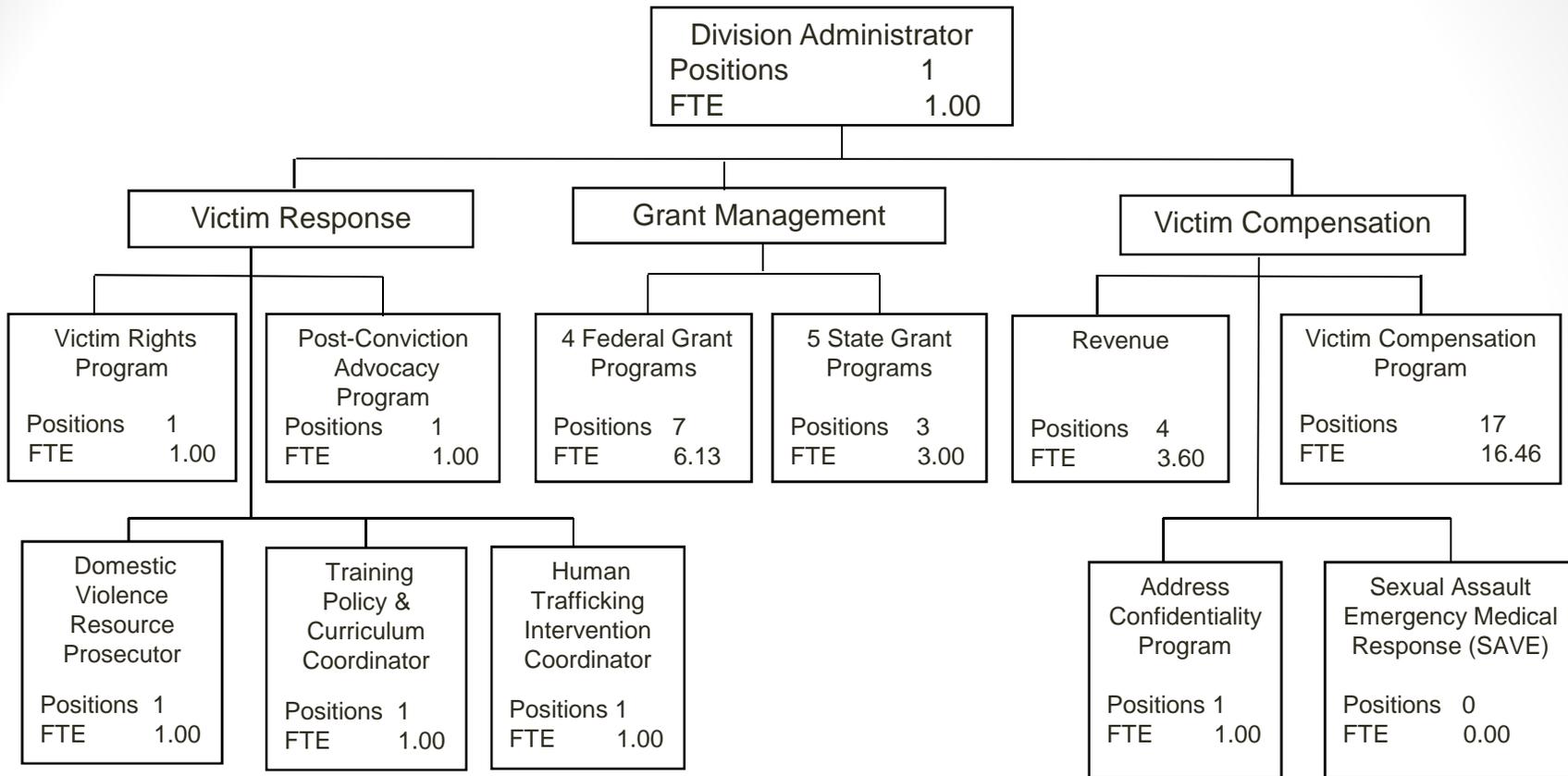


Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Crime Victim and Survivor Services Division



Department of Justice – Crime Victim and Survivor Services Division



2017-19 Legislatively
Approved Budget

| | |
|-----------|-------|
| Positions | 38 |
| FTE | 36.19 |



Compensation Section

Crime Victim Compensation Program

Revenue

Address Confidentiality

SAVE program



Crime Victims' Compensation Program

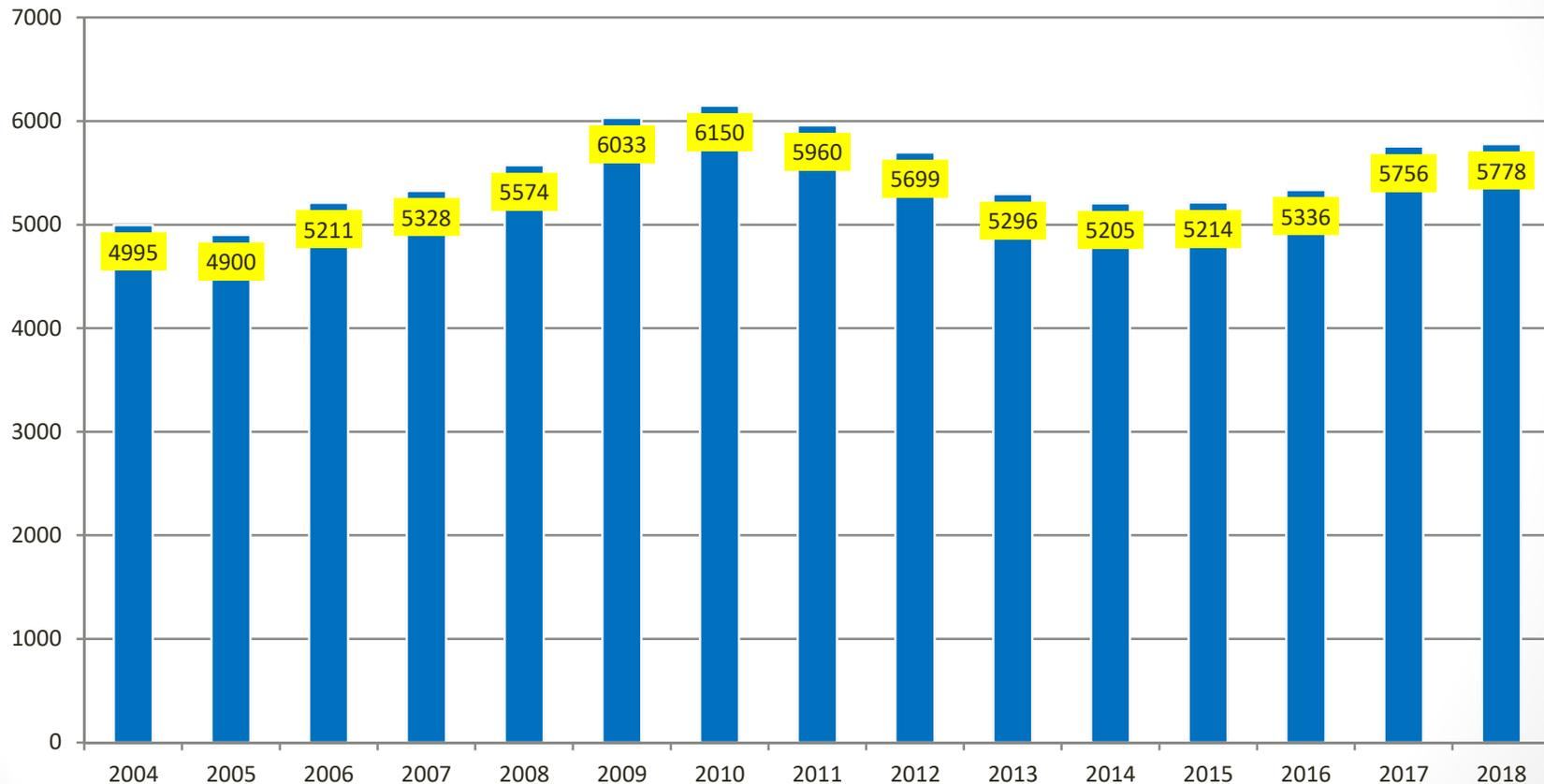
Financial compensation to victims of violent crime

- Medical and counseling services
- Loss of Earnings and Loss of Support
- Funeral costs
- Transportation and rehabilitation
- Child Abuse Medical Assessments
- Sexual Assault exams



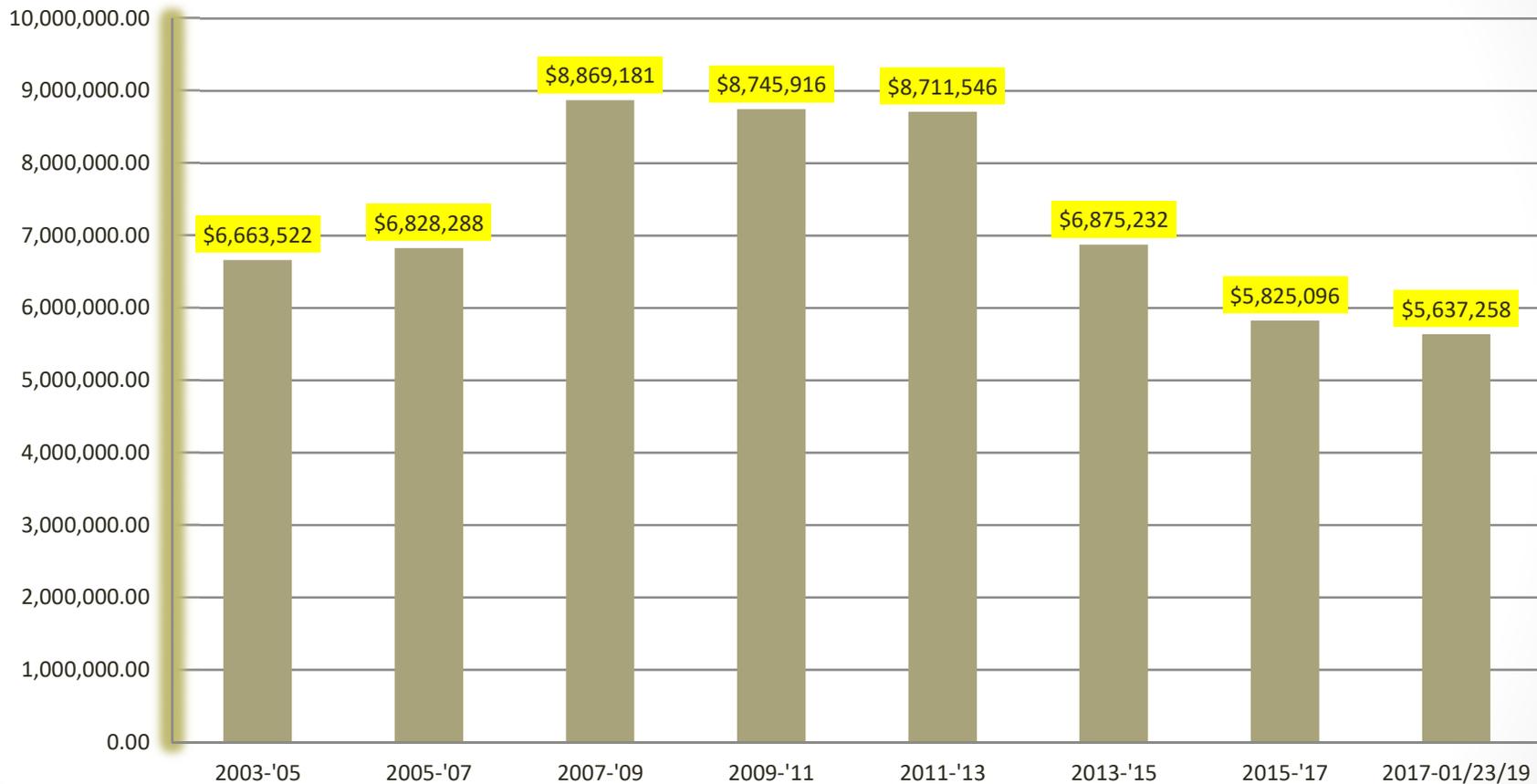
Total Compensation Claims Received

Total Applications 2004-2018



Compensation Payments

Payments 2003-2018



Revenue Collection

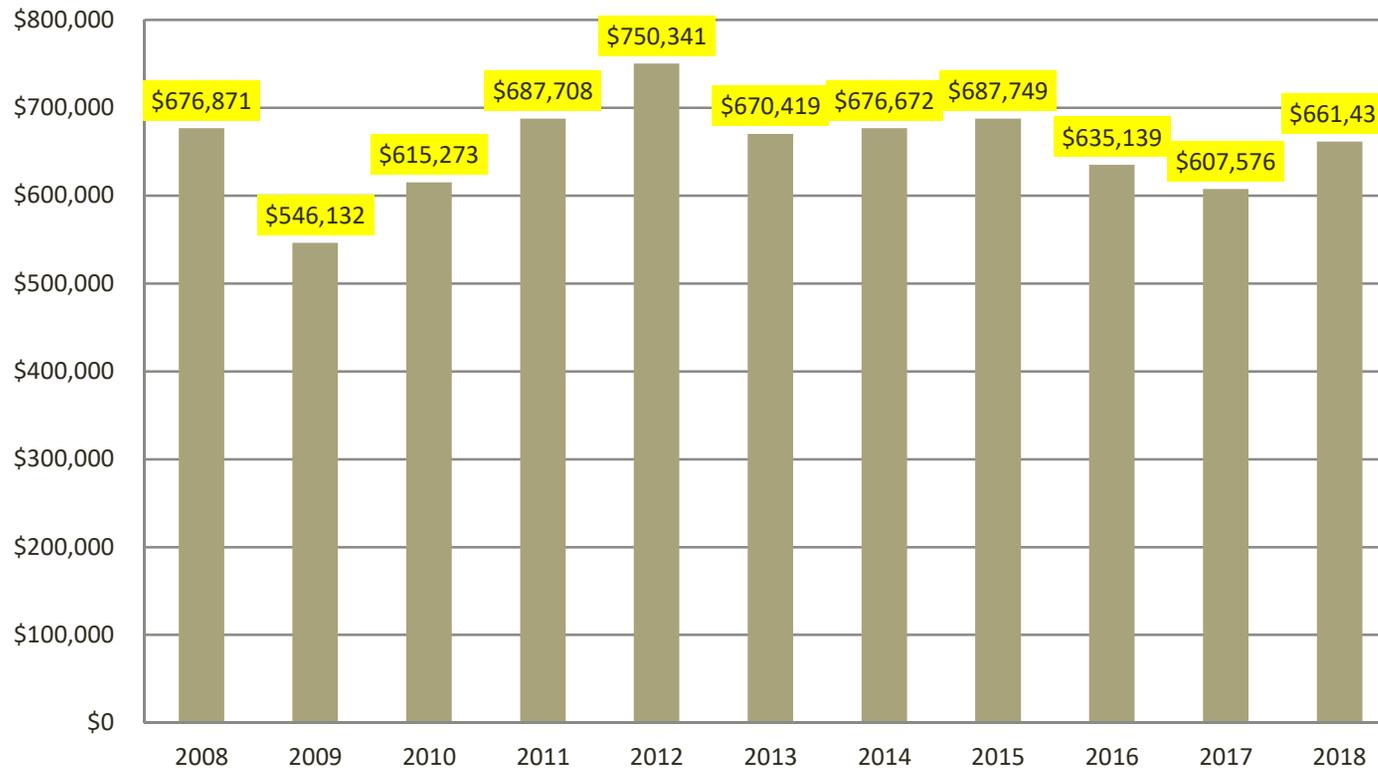
3 revenue agents collect \$1.3 million each biennium

- Restitution
- Court fees
- Compensatory fines



Revenue Collection

Recovery 2008-2018 (Calendar Year)



Address Confidentiality Program

Services include:

- Mail and legal service forwarding
- Over 575 households with 2279 participants
- 2,300 pieces of mail forwarded a month



Victim Response Section

Direct Services to Victims

- Victims' Rights Program
- Post-Conviction Advocacy Program
- Domestic Violence Resource Prosecutor
- Human Trafficking Intervention Program



Grant Management Section

- **Victim of Crime Act Grants (VOCA)**
- **Violence Against Women Act Grants (VAWA)**
- **Sexual Assault Services Program (SASP)**
- **Safer Futures Fund Grant**
- **Oregon Domestic and Sexual Violence Services (ODSVS)**
- **Child Abuse Multi-Disciplinary Intervention (CAMI)**
- **District Attorney Victims' Assistance Program Grants (DA/VAPs)**
- **John R. Justice Grant**
- **Discretionary State Grants**



Federal Grants

- **Victim of Crime Act Grants (VOCA)**
152 grants, \$39.5 million
- **Violence Against Women Act Grants (VAWA)**
51 grants, \$3.18 million
- **Sexual Assault Services Program (SASP)**
9 grants, \$692,350
- **Children's Justice Act Grant (CJA)**
20 grants, \$ 210,000
- **J.R. Justice Grant**
8 grants, \$38,874



State Grants

- **District Attorney Victim Assistance Programs**
- **Child Abuse Multi-Disciplinary Intervention Programs**
- **Oregon Domestic and Sexual Violence Services**
- **Discretionary State Grants**



District Attorney Victim Assistance Program Grants

36 Grants: \$5.01 million allocated in 2017-2019

- Crisis intervention services
- Information and referral
- Court accompaniment
- System advocacy



Child Abuse Multidisciplinary Intervention (CAMI) Grants

**36 Multidisciplinary Team (MDT) Grants:
\$11 million granted in 2017-2019**

**5 Regional Service Provider (RSP) Grants:
\$1.1 million granted in 2017-2019**

Services provided:

- Coordinated investigation of child abuse
- Child-sensitive investigations, exams, interviews
- Statewide training for professionals conducting child-abuse assessments



Oregon Domestic and Sexual Violence Services Fund

58 grants totaling \$8.85 million for 2017-2018
(**\$5 million funded through a sweep of punitive damage fund**)

Services include: shelter services, safety planning,
24-hour hotline, advocacy, information and referral



Discretionary State Grants

Sexual Assault Task Force

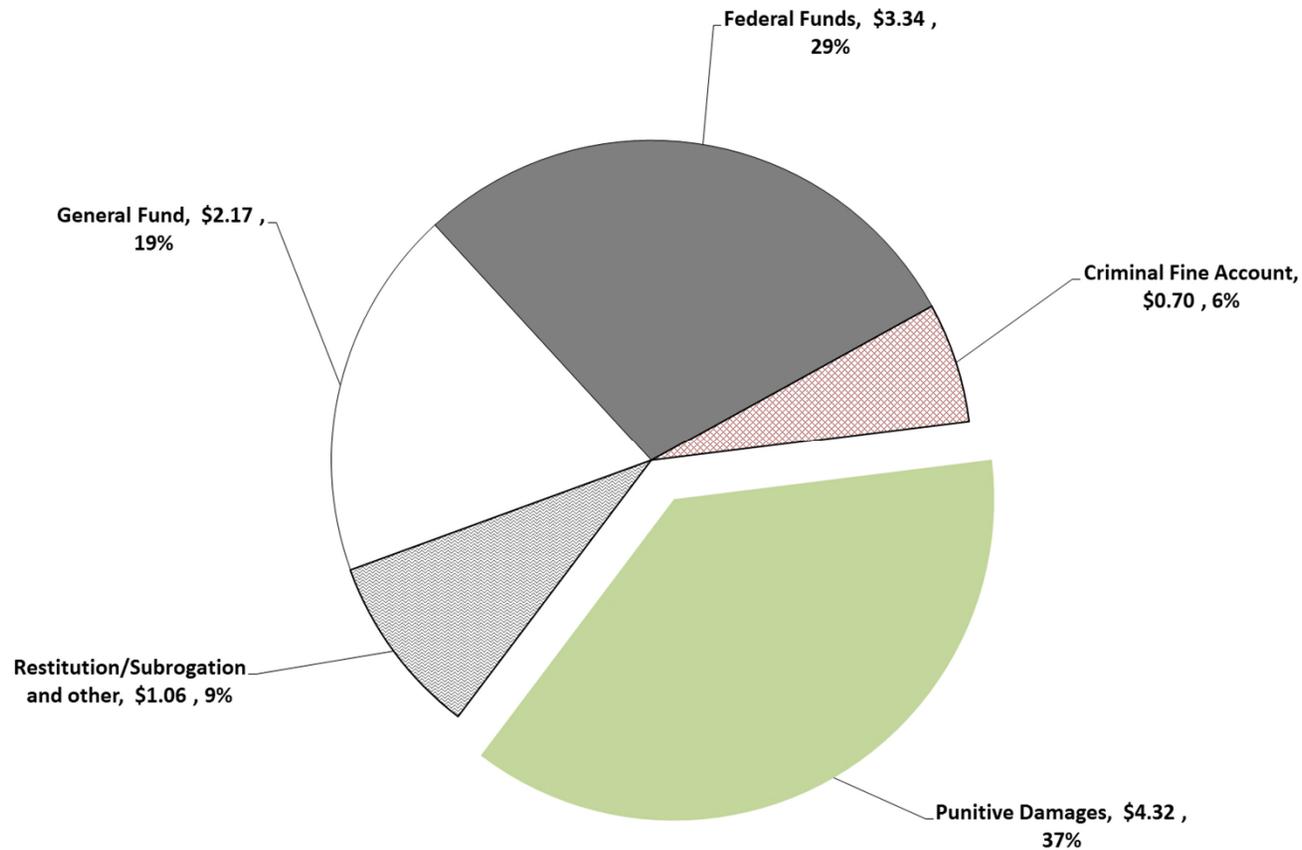
The mission of the SATF is the effective prevention and response to sexual violence through collaborative, comprehensive, survivor-centered strategies. Each biennium CVSD grants SATF \$500,000 to sustain statewide training efforts. SATF programs include:

- Sexual Assault Training Institute
- Sexual Assault Nurse Examiner Program
- Campus Reporting Options website



CVSD Staff Funding

Current Service Level Budget
\$ Millions



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|--|----------------------------------|--|
| <ul style="list-style-type: none"> Package 090 – Analyst Adjustments – Governor's Budget GF reductions | Not Included | (\$61K) GF |
| <ul style="list-style-type: none"> Package 091 – Statewide Adjustment DAS Chgs – State Government Service Charge adjustment | Not Included | (\$11K) GF (\$35K) OF (\$17K) FF |
| <ul style="list-style-type: none"> Package 092 – Statewide AG Adjustment – Reduces Attorney General Rate | Not Included | (\$0K) GF (\$19K) OF |



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|---|----------------------------------|------------------------------|
| <ul style="list-style-type: none">Package 300 – Victims of Crime Act Budget – Additional limitation added to cover payments to be made as a result of increases in VOCA Grant funding | \$58.1M FF | \$58.1M FF |



10% General Fund/Criminal Fine Account Reductions

| Program | CSL Budget (in millions) | Source | 1st 5% | 2nd 5% | Total |
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| Address Confidentiality Program | \$ 0.14 | GF | (0.14) | - | (0.14) |
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| Child Abuse Multidisciplinary Intervention Program | \$ 1.39 | GF | (0.08) | (0.08) | (0.17) |
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| 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) |
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| 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) |
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| 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) |





Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Administrative Services Division



Department of Justice – Administrative Services Division

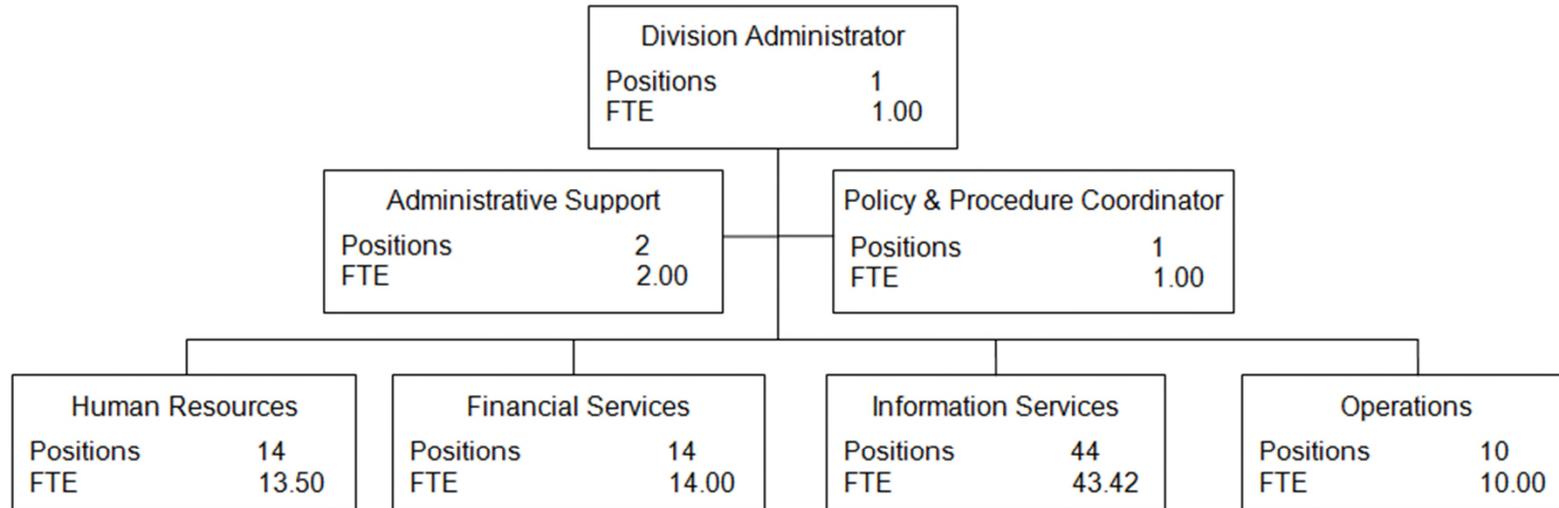
Primary Responsibilities

Provide business support functions:

- Human Resources Services, including Payroll
- Accounting
- Technology Delivery
- Facilities and Operations



Organization



| | |
|---|-------|
| 2017-19 Legislatively Approved Budget* | |
| Positions | 86 |
| FTE | 84.92 |

*0.37 in FTE reconciliation



Human Resources/Financial Services

- **Streamlined multiple manual processes** such as travel reimbursement and accounts receivable collection.
 - Reduced errors and processing time
 - Increased efficiency
 - Improved security and privacy of information
- **Decentralized Human Resources Analysts**, allowing in-person support in Portland, Eugene and Roseburg offices.
- **Trainings regarding Sexual Harassment and Implicit Bias** were completed by agency employees.
- **Financial Audits** – Three Secretary of State audits with no deficiencies in internal controls or material weaknesses.



Information Services

- **Created automated workflows** for a number of manual processes, including Department newsletter, attorney evaluations, work schedule changes, CLE training requests, and travel reimbursement.
- **Created/Published 17 Security Awareness Videos** on the DOJ intranet.
- **Built new internal Child Support** web site.
- **Scored a favorable security assessment** from an independent security auditor for external web security.
- **Engaged the Department of Homeland Security** for vulnerability monitoring and assessment. (*No cost*)
- **Implemented Windows 10.**
- **Removed duplicate systems** saving both time and money.



Information Services

- **Package 104** – Agency-Wide Rebaselining IT Costs
(*\$4.7m limitation*)
 - **Not project related** – Addresses current technology budget shortfall.
 - **Primarily Hardware/Software/Security lifecycle.**
 - Meet federal mandates
 - Reduce escalating support and maintenance costs
 - Reduces the likelihood of a data breach
 - **Ensures performance** of statewide legal and child support work.



Operations

- **Downsized warehouse space** in Salem as rent costs have increased. Planning consolidation of all storage locations into one.
- **Partnered with landlords**
 - Upgraded building lighting
 - Created sustainable and efficient working environments
 - Added water bottle filling stations to reduce waste
 - Performed remodels and location moves per lease agreements
- **Returned five vehicles** to DAS Fleet.



Factors Affecting Workload

- **DOJ Program needs and priorities**, based on both client needs and state/federal regulations.
- **Rapid rate of technology change** and constantly morphing information security requirements.
- **Regulatory requirements** – Leave Laws, Affordable Care Act, Internal Revenue Service, Criminal Justice Information System (CJIS), Health Insurance Portability and Accountability Act (HIPPA), and Payment Card Industry (PCI).



Major Changes

- Increased Operations, IT, and Accounting support requirements resulting from the Child Support System Project.
- Transitioning mobile DOJ workforce.
 - Enhanced security posture (Dual Factor Auth., Identity and Access Management, and Credential Management System)
- Upgraded Department's websites.
- Modernizing our legal practice software.
 - Case Management, Document Management, Billing, Time Capture



Program Efficiencies

- **Automated and streamlined** the production of several Child Support online forms and updated CVSSD Portal.
- **Implemented new security technology** and process improvement where possible.
- **Added Virtual Desktop Infrastructure** to give better access for less money.
- **Implemented Helpdesk Portal and Inventory Management systems** that centralized work orders, allowing time for refined attention with a faster response time.
- **Continue to improve** automated HR systems and interfaces with the state's Workday system.



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 | (\$0.3M) OF |
| Package 104 - Essential Costs for Information Technology Reconcile permanent funding to sustain required levels of system support, data security, upgrades, maintenance, and infrastructure life cycle replacement | \$4.7M OF | \$1.2M OF |
| Package 152 - Legal Tools Project Funding for case management system | \$0.2M OF | Not Included |
| Package 153 - Inclusion and Equity Establish a dedicated position to create a more inclusive and discrimination free organizational culture and ensure compliance with related policies | \$0.2M OF | Not Included |
| Package 154 - Procurement Position Add staff to meet increasing procurement and contract needs | \$0.2M OF | Not Included |



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|--|----------------------------------|------------------------------|
| <p>Package 155 - Project Manager LD to Permanent Make permanent the limited duration project manager position to meet increased demand</p> | \$0.2M OF | Not Included |
| <p>Package 158 - Federal Data Security Compliance & Auditing Reduce severity of audit findings from regulatory bodies related to separation of duties and increase frequency and type of internal security audits to reduce risk</p> | \$0.2M OF | Not Included |
| <p>Package 163 - Relocate Warehouse Provide funding for upfront costs needed to transfer storage to new location</p> | \$0.2M OF | Not Included |



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

Appellate Division



Department of Justice – Appellate Division

Mission

Represent the State's interests in appellate courts:

- Oregon Supreme Court
- Oregon Court of Appeals
- Federal Courts of Appeals
- U.S. Supreme Court

Decisions from these courts set statewide (or nationwide) precedent



Program Summary

Write briefs and argue cases in:

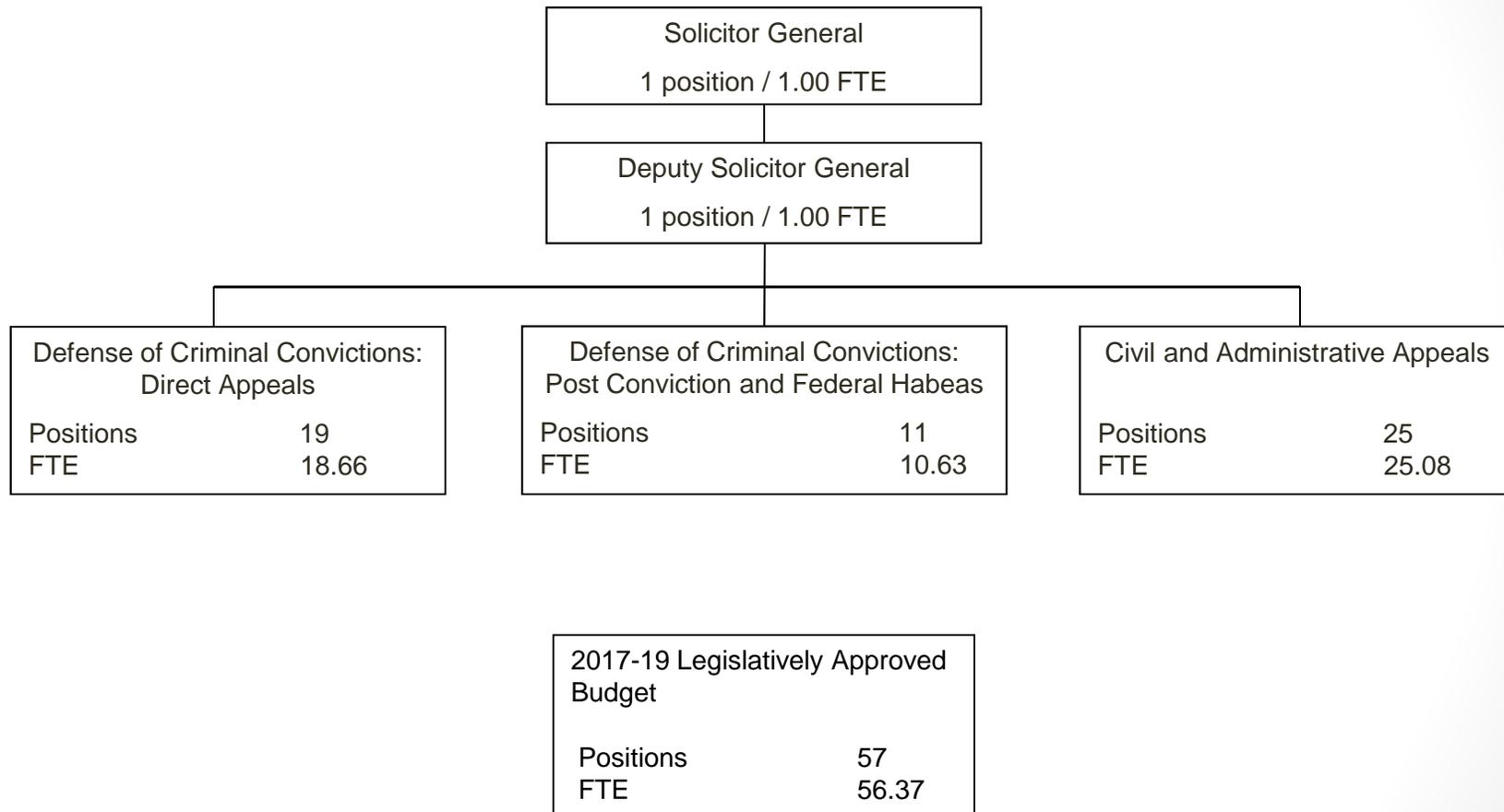
- Oregon Court of Appeals
 - State is a party in every criminal and post-conviction case and more than half of the civil cases
- Oregon Supreme Court
 - State is a party in about two-thirds of cases
- Federal appellate courts

Conduct trials in capital post-conviction cases

Prepare ballot titles for legislative referrals and initiatives



Organization



Types of Cases

- Defense of criminal convictions
- Civil
 - Tax, contracts, torts, civil commitment, juvenile dependency, challenges to statutes
- Administrative
 - Professional and other licenses, regulatory decisions that impose fines or other penalties, benefits decisions, rule challenges
- Other
 - Ballot title, mandamus, amicus



Recent Highlights

- *Kinkel v. Persson*, 363 Or 1 (2018), *cert den* (2019): Upheld sentence imposed on school shooter
- *Oregon Trucking Assns. v. Dept. of Transportation*, 364 Or 210 (2019): Upheld license arrangement between ODOT and DAS to provide electronic access to driver records
- *State v. Vallin*, 364 Or 295 (2019): Upheld constitutionality of sentence reductions for repeat-property offenders in HB 3078 (2017)



Workload

Average number of cases each year:

- Criminal appeals: 1,200
- Post-conviction appeals: 200
- Civil/administrative: 550
 - Juvenile dependency/termination: 200
- Ballot titles: 35

We are the respondent in almost all of these cases:
The other side has appealed and we must respond.



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|--|----------------------------------|------------------------------|
| • Package 091 – Statewide Adjustment DAS Chgs – Adjustments to State Government Service Charges and other DAS charges. | Not Included | (\$80.4K) OF |
| • Package 092 – Statewide AG Adjustment – Reduces attorney general rate for ballot titles. | Not Included | (\$20.9K) GF |



10% General Fund/Criminal Fine Account Reductions

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Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Defense of Criminal Convictions



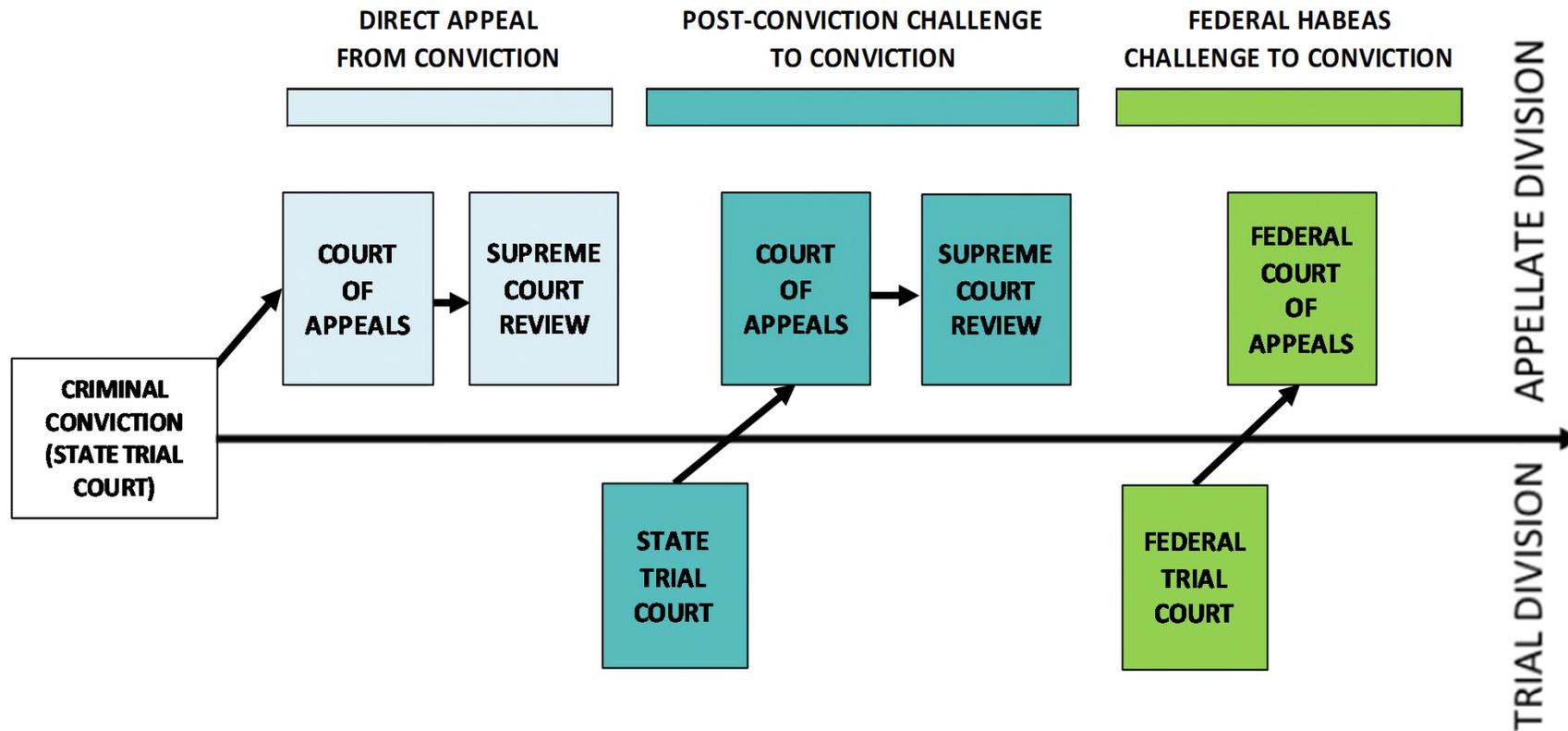
Department of Justice – Defense of Criminal Convictions

Program Summary

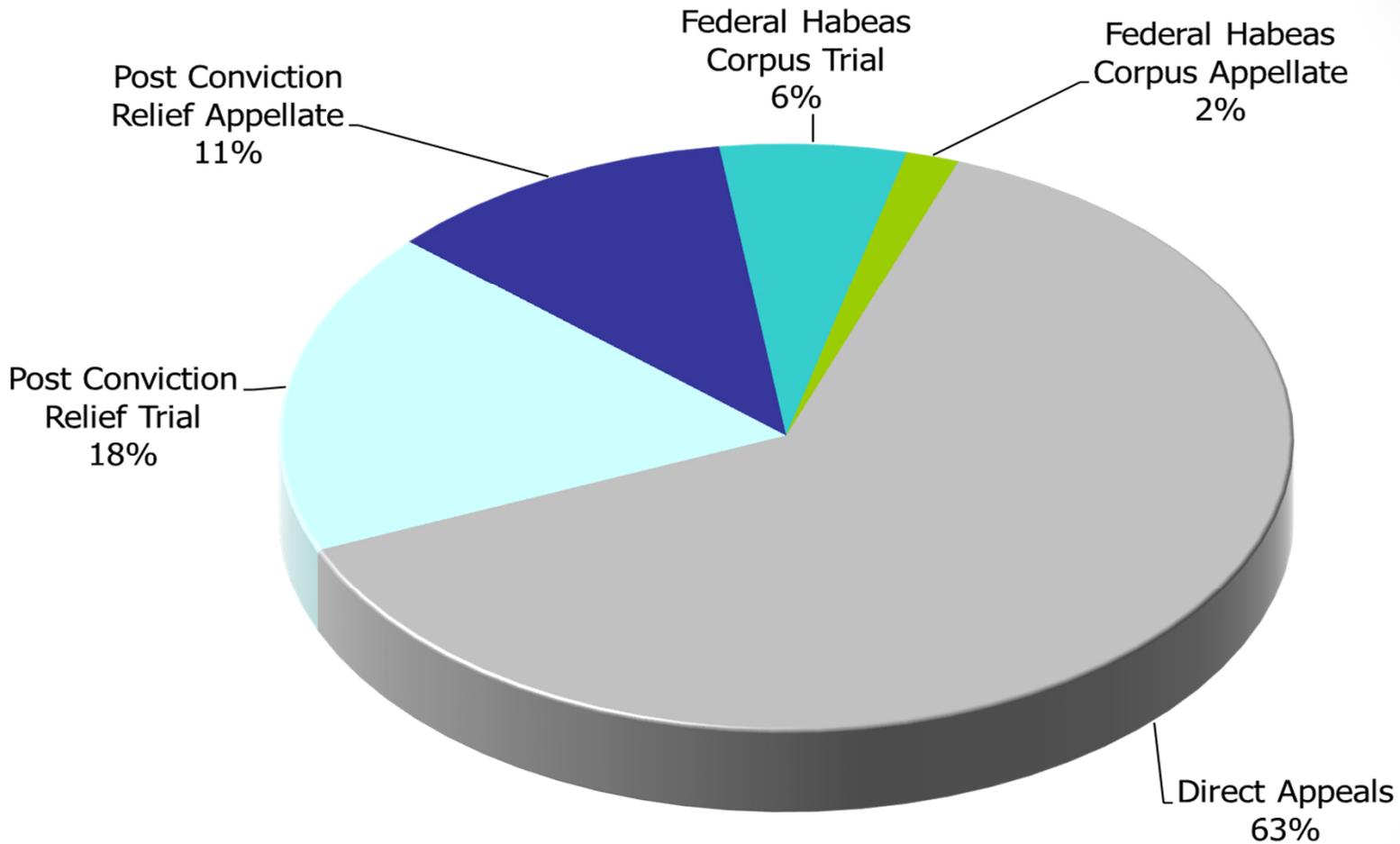
- Mandated Caseload.
- Preserve criminal convictions against challenges in state and federal courts.
- Appeal from trial court decisions that place criminal prosecutions in jeopardy.
- Psychiatric Security Review Board hearings.



Overview of the Process



Caseload



Includes approximately 1,400 cases/year



Direct Appeals

Two possible outcomes in an appeal of a criminal conviction:

- Court will affirm the judgment of conviction
- Court will reverse the judgment of conviction and the court will:
 - Order a new trial
 - Order a new sentence hearing
 - Other relief as the court deems necessary



Post Conviction Relief/Federal Habeas

Two possible outcomes in a PCR/Federal Habeas Corpus proceeding:

- The petition for relief will be **denied** upholding the conviction and sentence; or
- The petition will be **granted**, and the judge will:
 - Order a new trial,
 - Modify the sentence, or
 - Order other relief as necessary



State's Appeals

A small portion of the DCC caseload involves State's appeals:

- Typically involve a challenge to the dismissal of criminal charges or the exclusion of evidence critical to the successful prosecution of the case
- About 30 such cases per year considered
- Solicitor General approves about 10 appeals per year



Psychiatry Security Review Board (PSRB)

- The PSRB has jurisdiction over some people found “guilty except for insanity” of a Measure 11 crime. It conducts hearings over whether these individuals should be conditionally released or discharged into the community.
- Division lawyers represent the state in these administrative hearings.



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|---|----------------------------------|------------------------------|
| • Package 090 – Analyst Adjustments – Governor's Budget GF reductions. | Not Included | (\$3.51M) GF |
| • Package 092 – Statewide AG Adjustment – Reduces attorney general rate. | Not Included | (\$1.97M) GF |



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Oregon Department of Justice
Ellen F. Rosenblum, Attorney General

Trial Division



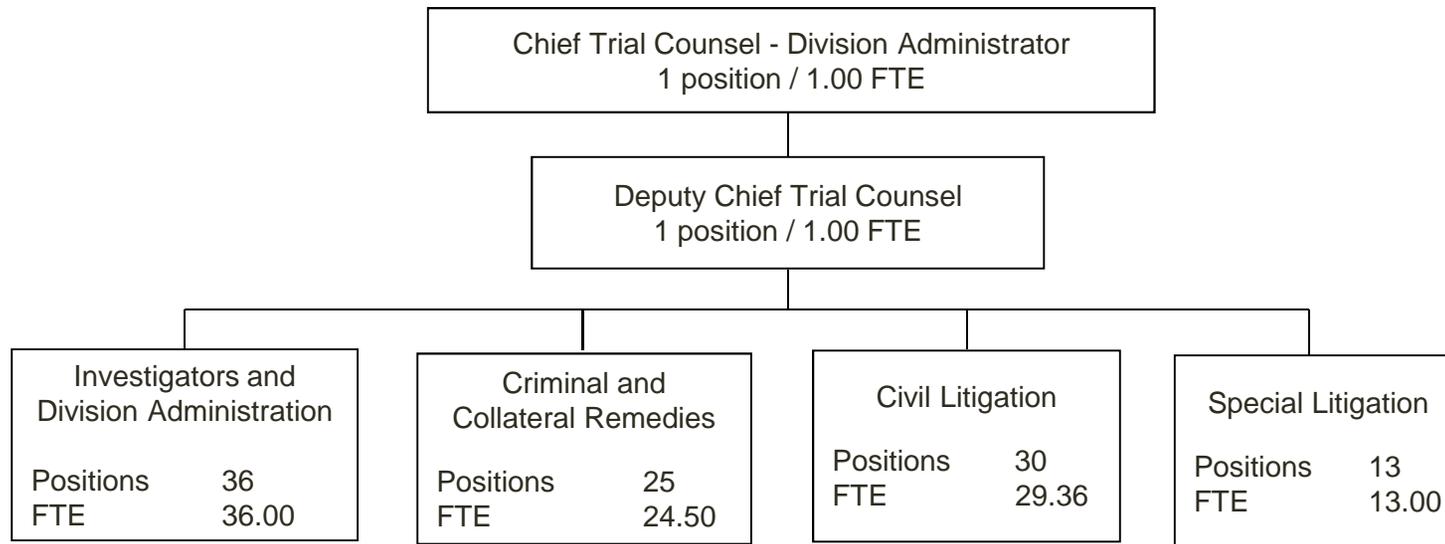
Department of Justice – Trial Division

Program Summary

- The Trial Division defends the State when it is sued for money damages or someone petitions the court to order the State to take or refrain from action.
- **If the State does not appear in the case, or fails to respond to a motion, a judgment can be entered in favor of the opposing party.**



Organization



| | |
|---------------------------------------|--------|
| 2017-19 Legislatively Approved Budget | |
| Positions | 106 |
| FTE | 104.86 |



Trial Division Sections

Civil Litigation:

- Employment
- Civil rights
- Highway projects
- Defense of administrative orders
- Torts: personal injury, property damage, malicious prosecution, abuse

Special Litigation:

- Environmental
- Elections
- Constitutional challenges
- Water law
- Disputes between Oregon and the Federal Government



Trial Division Sections

Criminal and Collateral Remedies:

- Post-conviction Relief
- Federal Habeas Corpus
- Psychiatric Security Review Board



Workload

Civil Litigation/SLU

- 750 – 850 cases pending at any time
- 1100 – 1200 new cases each biennium

Criminal and Collateral Remedies

- 600 – 700 cases pending at any time
- 700 – 800 new cases each biennium



Results

Civil Litigation/SLU

- 24% Settled prior to trial
- 76% Litigated to final resolution
 - 96% State prevails
 - 4% Opposing party prevails

Criminal & Collateral Remedies

- 97% Criminal convictions upheld



Factors Affecting Workload

- Risk Management cases: **up 20%** over previous two biennia (250/yr to 300/yr)
- Petitions for Review of Agency Orders: **up over 200%** (FY '17=25 cases; FY '18=53; FY '19=94*)
- Highway construction cases to **triple** (from about 50 per year to 150 per year for next 3 FY's)
- Disputes with Federal Gov't (Pre-2017 = 0 cases; current = 15 cases)

*projected



Factors Affecting Workload

Caseload Entirely Dependent Upon Others

- Lawsuits for money damages or to compel state action
- Convicted criminals (usually Measure 11) suing to overturn their convictions
- Licensees/others attempt to overturn agency orders
- Public records requests
- Oregon Department of Transportation highway improvement projects



Policy Packages

| | <u>Agency Request Budget</u> | <u>Governor's Budget</u> |
|--|---------------------------------------|--------------------------|
| <ul style="list-style-type: none"> Package 091 – Statewide Adjustment DAS Chgs – Adjustments to State Government Service Charges and other DAS charges. | Not Included | (\$0.23M) OF |
| <ul style="list-style-type: none"> Package 151 – Defend Oregon Statutes – Pursue legal actions in defense of Oregon state statutes and the Oregon Constitution. | \$1.01M OF | \$1.01M OF |
| <ul style="list-style-type: none"> Package 400 – Transportation Package Condemnation Work – Meet increase in condemnation work during the upcoming biennium. | \$0.90M OF | \$0.90M OF |
| <ul style="list-style-type: none"> New Request Water Resources Department Legal Services – Provide legal advice and representation related to increased regulation of water rights. | <u>Requested Amount</u> \$0.41M OF | |



10% Legal Fund/Other Reductions

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Department of Justice

19-21 W&M Appendix

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Department of Justice

Legislative Action

HB 5015 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Winters

Joint Committee On Ways and Means

Action Date: 06/21/17

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

House Vote

Yeas: 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Prepared By: Michelle Lisper, Department of Administrative Services

Reviewed By: John Borden, Legislative Fiscal Office

Department of Justice
2017-19

This summary has not been adopted or officially endorsed by action of the committee.

HB 5015 A

1 of 17

Budget Summary*

| | 2015-17 | 2017-19 | 2017-19 | Committee Change from | |
|---------------------------|--|-----------------------|--------------------------|------------------------|---------------|
| | Legislatively Approved Budget ⁽¹⁾ | Current Service Level | Committee Recommendation | 2015-17 Leg. Approved | |
| | | | | \$ Change | % Change |
| General Fund | \$ 73,669,147 | \$ 85,374,337 | \$ 74,296,283 | \$ 627,136 | 0.9% |
| General Fund Debt Service | \$ 5,200,979 | \$ 9,294,608 | \$ 9,294,608 | \$ 4,093,629 | 78.7% |
| Other Funds Limited | \$ 305,049,500 | \$ 293,923,290 | \$ 305,470,715 | \$ 421,215 | 0.1% |
| Other Funds Nonlimited | \$ 4,895,992 | \$ 5,077,143 | \$ - | \$ (4,895,992) | (100.0%) |
| Federal Funds Limited | \$ 168,304,853 | \$ 122,484,387 | \$ 149,939,678 | \$ (18,365,175) | (10.9%) |
| Federal Funds Nonlimited | \$ 15,740,252 | \$ 16,322,641 | \$ - | \$ (15,740,252) | (100.0%) |
| Total | \$ 572,860,723 | \$ 532,476,406 | \$ 539,001,284 | \$ (33,859,439) | (5.9%) |

Position Summary

| | | | | |
|--------------------------------------|----------|----------|----------|--------|
| Authorized Positions | 1,329 | 1,323 | 1,304 | (25) |
| Full-time Equivalent (FTE) positions | 1,300.27 | 1,303.01 | 1,292.55 | (7.72) |

⁽¹⁾ Includes adjustments through December 2016

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Department of Justice (DOJ) receives General Fund for criminal appeals, district attorney assistance, organized crime and criminal intelligence, the Oregon Domestic and Sexual Assault Violence fund, the Address Confidentiality program, the Child Abuse Multidisciplinary Intervention (CAMI) program, protecting civil rights and for state match for federal child support enforcement funds. General Fund is 15.5 percent of the total expenditures in the recommended budget.

DOJ generates the majority of its Other Funds revenue from charges to state agencies for legal services. The 2015-17 legal services rates (also known as the Attorney General rate) rate was \$175 per hour and generated an estimated \$155.1 million. The 2017-19 AG rate for the legislative adopted budget is \$182 and is estimated to generate \$174.8 million. This is a \$19.7 million, or 12 percent, increase. The change to the Legal Services rate in agency budgets will be addressed in separate legislation.

Additional sources of Other Funds include allocations from the Criminal Fine Account (CFA) to support: the Criminal Injuries Compensation Account; the Child Abuse Multidisciplinary Intervention Account; the Child Abuse Medical Assessment program; and regional assessment centers. The 2017-19 CFA allocation is estimated to be approximately \$21.3 million, which would be a current service level budget, if approved by the Legislature under separate legislation. Tobacco Master Settlement Agreement funds are also allocated to the agency. Additional sources

of Other Funds include: registration and filing fees charged to charitable organizations; child support payments for families in the Temporary Assistance for Needy Families (TANF) program; federal performance incentives partially fund the Child Support program; and Other Funds to support the High Intensity Drug Trafficking Area, Investigative Support Center. Other Funds revenues makes up approximately 56.7 percent of the budget. The agency's Other Funds ending balance is estimated to be \$31.9 million, which represents approximately 1.4 months of operating reserves.

Federal Funds support child support enforcement, Medicaid fraud, crime victim programs and criminal justice-related activities. Federal Funds are matching funds passed through to district attorneys for child support work they complete. Federal Funds makes up approximately 27.8 percent of the total budget.

Summary of Public Safety Subcommittee Action

DOJ is responsible for providing general legal counsel and supervision of all civil actions and legal proceedings in which the state is a party to or has an interest in. The department is in charge of all the state's legal business requiring an attorney or legal counsel and is further responsible for a number of programs including child support enforcement, district attorney assistance, crime victims' compensation and assistance, charitable activity enforcement and consumer protection services.

The Subcommittee approved a budget of \$539,001,284 total funds: \$83,590,891 General Fund, \$305,470,715 Other Funds expenditure limitation, \$149,939,678 Federal Funds expenditure limitation and 1,304 positions (1,292.55 FTE). Other Funds Nonlimited and Federal Funds Nonlimited were removed from the agency's budget and replaced with equivalent amounts of Other and Federal Funds Limited. The budget represents a 5.9 percent decrease in total funds from the 2015-17 Legislatively Approved Budget, as of December 2016.

The Subcommittee adopted the following budget notes:

Budget Note

The Department of Justice (DOJ) is to submit a report to the Legislature during the 2018 Session with options for providing more effective and cost-efficient legal and other services to state agencies, including a feasibility study related to alternative service models.

Budget Note

DOJ is to submit a report to the Legislature during the 2018 Session on how the agency bills for legal and other services, and provide a feasibility study related to alternative billings models.

Budget Note

DOJ is to submit a report to the Legislature or Emergency Board if compensation adjustments for DOJ's attorneys exceeds the standard compensation adjustment for management service employees in the Executive Branch of state government. The report is to include the cost differential and proposed funding mechanism of any such increase.

Office of the Attorney General and Administration Division

The Office of the Attorney General is the executive management of the agency and sets direction and policy. The Administration Division provides administrative and financial oversight, support and information technology (IT) services to the operating divisions in the department. The Subcommittee approved a budget of \$36,088,056 Other Funds limitation and 111 positions (108.80 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 101, Rebaselining IT Costs. This package increases Other Funds limitation by \$2,719,913. This one-time only limitation will provide additional information technology resources allowing the agency to meet mandated state and federal data security requirements, which include but are not limited to, the following: federal tax information; personally identifiable information; HIPAA; and, Criminal Justice Information Services.

Package 102, Strengthen Budget Section Staffing. This package increases Other Funds limitation by \$271,830 and adds one permanent, full-time Fiscal Analyst 2 position (0.88 FTE). Additionally, it upwardly reclassifies a Principal Executive Management F to a Principal Executive Manager G, a Fiscal Analyst 1 to a Fiscal Analyst 2 and an Accounting Technician 3 to a Fiscal Analyst 2. All position adjustments have been approved by the Department of Administrative Services (DAS), Chief Human Resource Office (CHRO), as positions working out-of-class. The fiscal unit is experiencing an increase in workload created by various complex litigation cases, the Child Support Enforcement Automated System (CSEAS) project and the need to address additional fiscal monitoring and forecasting agency-wide.

Package 103, Legal Tools Ongoing Support. This package increases Other Funds limitation by \$1,394,640, and allows the agency to complete their legal document management system and roll out, to all internal applicable divisions. The project is expected to be completed by December 31, 2018. Of the total, \$1,194,640 Other Funds limitation is one-time only limitation for application and associated costs. Other Funds limitation of \$200,000 is estimated for ongoing contractual maintenance costs for the last year of the 2017-19 biennium and will thereafter become an ongoing expense of an estimated \$400,000 per biennium.

Package 112, Accounting Technician. This package increases Other Funds limitation by \$147,753 and includes a net increase of one permanent, full-time Accounting Technician 2 position (0.88 FTE). This package will assist the Financial Services Section, to address an increased in workload and provide support in the area of vendor payments and internal control.

Package 801, LFO Analyst Adjustments. This package increases Other Funds limitation by \$200,000 in Services and Supplies, Professional Service. The agency has chosen to contract for external auditing services rather than hire for the Internal Auditor, which has been a long-term vacancy. The limitation approved in this package is expected to cover the contracting costs. The Internal Auditor and associated Services and Supplies are eliminated in Package 812.

Package 812, Vacant Positions Elimination. This package decreases Other Funds limitation by \$248,111 and eliminates one vacant permanent, full-time Internal Auditor position (1.00 FTE) and associated Services and Supplies.

Appellate Division

The Appellate Division represents the state's interests in all cases in federal and state appellate courts. It also prepares and defends ballot titles. The Subcommittee approved a budget of \$21,271,577 total funds: \$317,395 General Fund, \$20,954,182 Other Funds limitation and 57 permanent positions (56.37 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases Other Funds limitation by \$2,005,468 and nine positions (7.59 FTE). DOJ originally forecasted mandated caseload adjustments for the Appellate Division and requested to establish nine permanent full-time positions. An updated forecast in the Spring of 2017 indicated the requested limitation and new position authority was not needed and the division will be able to accommodate the updated forecast caseload using existing resources.

Civil Enforcement Division

The Civil Enforcement Division represents the state in civil cases and enforces certain criminal laws. General responsibilities of this division include: (1) child advocacy representing the Department of Human Services in juvenile dependency and termination of parental rights cases and mental health commitments, (2) prosecuting Medicaid fraud and related crimes as well as providing related education/outreach, (3) prosecuting plaintiff's civil litigation on behalf of any agency with a tort, contract, statutory or other claim to recover money or property, representing agencies in bankruptcy proceedings and collections, and representing the Division of Child Support in collecting child support, establishing paternity and support obligations, (4) educating consumers to better protect themselves against marketplace fraud and abuse, (5) protecting Oregon citizens by investigating civil rights violations, (6) protecting of Tobacco Master Settlement Agreement (MSA) funds, and (7) supervising and regulating the activities of charitable, professional fundraising and other nonprofit organizations and enforcing laws related to charitable trusts, solicitations and gaming. The Subcommittee approved a budget of \$84,563,085 total funds: \$700,777 General Fund, \$79,415,670 Other Funds limitation, \$4,446,638 Federal Funds limitation and 211 positions (209.43 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 131, Enhanced Medicaid Fraud Control. This package increases Other Funds limitation by \$152,344, Federal Funds limitation by \$455,613 and adds three permanent full-time positions (2.64 FTE). The increase in resources will assist the agency's ability to keep pace with the Medicaid growth in Oregon, and assist with the enforcement of federal and state Medicaid rules. The agency will hire two Investigator 3 positions and one Assistant Attorney General (AAG) position. The agency is expecting a Federal Medicaid program match-rate reimbursement of 75 percent for these positions. The investigator positions would be used as a special on-call referral unit. The AAG would be used to meet the increased caseload demand and to address caseload complexity, as seen in the past five years.

Package 801, LFO Analyst Adjustments. This package increases Other Funds limitation by \$189,058. The agency requested a technical adjustment to be added to resolve a long-standing filled position, which has position authority but lacks corresponding Other Funds limitation.

Package 802, TMSA/NPM Adjustments. This package decreases General Fund by \$3,226,059, increases Other Funds limitation by \$343,788 and adds two permanent, full-time Compliance Specialist 1 positions (2.00 FTE). The Master Tobacco Settlement Agreement (MSA) allowed participating manufactures' to dispute a portion of the annual MSA state payments. Historically, disputed state payments have been withheld from the annual MSA payments. In the Spring of 2017, Oregon joined over 20 settling states who had previously reached a resolution with the participating manufactures on the disputed portion of the settlement for years 2004 through 2015. Payments have been made to the states for these years. DOJ no longer requires the General Fund for defending the state's enforcement actions to the arbitration panel. However, DOJ does require two additional compliance positions for enforcement activities funded with Other Funds (the MSA settlement proceeds).

Package 804, Expenditure Limitation Adjustments/Reductions. This package converts limitation from Other Funds Nonlimited to Other Funds limited and eliminates excess Other Funds limitation from the agency's budget. Specifically, it eliminates \$800,000 Other Funds limited and converts \$503,122 Other Funds Nonlimited to Other Funds limited. This package eliminates Other Funds Nonlimited from the division's budget. If the division needs additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included in either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Criminal Justice Division

The Criminal Justice Division provides prosecution and investigation assistance to District Attorneys statewide and provides investigation, intelligence and prosecution services relating to public corruption, terrorism, drug and organized crime. The Subcommittee approved a budget of \$29,466,297 total funds: \$13,685,070 General Fund, \$14,483,746 Other Funds limitation, \$1,297,481 Federal Funds limitation and 59 positions (59.00 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 141, Continue Fusion Center. This package increase General Fund by \$884,995 and funds three permanent full-time positions (3.00 FTE). This package supports the Fusion Centers ability to facilitate state information sharing, analysis and training deemed essential to law enforcement and public safety organizations. Oregon's Fusion Center resides within DOJ's, Criminal Justice Division and Criminal Information Services Section, and includes criminal investigatory and prosecutorial elements, as well as limited participation by federal, state, and local entities. The unit was originally funded with federal moneys and has since transitioned to be predominately state funded, with General Fund beginning in 2014.

Package 146, Continue DUII Prosecution. This package increases Other Funds limitation by \$558,883 and adds one permanent, full-time (1.00 FTE) Senior Assistant Attorney General position for the DUII Resource Prosecution Program. The position was filled as a limited duration position for the 2015-17 biennium. Funding for the Senior AAG position comes from the Oregon Department of Transportation (ODOT). The current grant with ODOT expires September 2017; however, ODOT has notified DOJ of the federal funding for this program being renewed. The division has had the DUII Prosecutor since 2006.

Package 147, Internet Crimes Against Children. This package increases Federal Funds limitation by \$755,187 and converts two full-time limited duration Criminal Investigator positions (2.00 FTE) to permanent, full-time status. These positions are dedicated to working with the Internet Crimes Against Children (ICAC) Task Force. These positions work in conjunction with the national network of 61 other coordinated task forces representing over 3,500 federal, state and local law enforcement and prosecutorial agencies. In September 1988, the US Department of Justice created a National ICAC Task Force program to counter the emerging threat of offenders using the Internet or other online technology to sexually exploit children. The Federal Funds revenue comes from the Federal ICAC grant.

Package 148, Urban Area Security Initiative. This package increases Other Funds limitation by \$278,608 and continues one full-time limited duration position (1.00 FTE). The funding for this position comes from the Military Department, Office of Emergency Management (OEM). There are no guarantees for this funding; however, the communication between DOJ and OEM indicates the federal funding OEM receives supports this program.

The position provides services to the five Urban Area Security Initiative (UASI) counties (Multnomah, Clackamas, Washington, Columbia, and Clark). Among other things, the position provides tactical and strategic analytical case support, conducts Critical Infrastructure and Key Resources assessments, conducts terrorism and all-crimes briefings to the Regional Disaster Preparedness Organization and provides on-site analytical support during major events. The limited duration position performing these duties was initially appropriated during the 2016 Session.

Package 149, State Homeland Security Grant. This package increases Other Funds limitation by \$288,007 and continues one full-time, limited duration Research Analyst 3 position (1.00 FTE) in the Fusion Center. The position is funded by OEM. There are no guarantees for this funding; however, the communication between DOJ and OEM indicates the federal funding OEM receives will continue to support this program.

Package 803, Traffic Safety Resource Prosecutor. This package increases the Other Funds limitation by \$401,772 and adds one full-time, limited duration (1.00 FTE) Senior Assistant Attorney General, traffic safety resource prosecutor position to the agency's budget. The source of this grant is the US Department of Transportation, National Traffic Safety Administration. The position will focus on drug-related traffic safety education, investigations and prosecutions at the local level. The position will help provide statewide continuity for law enforcement. This position was originally created during the 2016 Session.

Package 804, Expenditure Limitation Adjustments/Reductions. This package eliminates excess Federal Funds limitation by \$2,800,000.

Package 812, Vacant Positions Elimination. This package reduces excess Other Funds limitation by \$222,572 and eliminates one vacant Principal Executive Manager B position (1.00 FTE).

Crime Victims Services

The Crime Victims Services division runs several programs and administers hundreds of grants. The Crime Victims' Services division compensates victims' of violent crime for losses they sustain as a result of the criminal actions of another. The division administers and monitors grants from eight major funds providing partial funding to nearly every non-profit and system based victims program in the state. The division also provides direct advocacy programs and collects restitution and criminal fines and fees on behalf of victims and the state. Programs run by the division include the Victims' Compensation Program, the Sexual Assault Victims' Emergency Medical Response Fund, the Address Confidentiality Program and the Post-Conviction Advocacy Program. The Subcommittee approved a budget of \$76,516,863 total funds: \$7,897,096 General Fund, \$34,154,612 Other Funds limitation, \$34,465,155 Federal Funds limitation and 38 permanent positions (36.19 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090: Analyst Adjustments. This package makes a one-time only shift of \$5,124,920 General Fund to Other Funds limitation. A recent Oregon Supreme Court case affirmed a \$25 million lower court judgment against a major tobacco company for a plaintiff's smoking related death. The state's portion, approximately \$11.0 million, was paid to the state as punitive damages award and deposited into the Criminal Injuries Compensation Account, and is used to fund crime victims' assistance programs. In 2015, the Legislature added \$2 million General Fund to backfill a punitive damages revenue shortfall, as those awards were thought to be unavailable in the future due to Tort Reform and the resulting impact to settlement agreements, on a one-time basis.

Package 191, VOCA Grant Award. This package increases Federal Funds limitation by \$15,478,089 and establishes four permanent, full-time positions (3.63 FTE). The Victims of Crime Act (VOCA) assistance grant funds services for victims of domestic violence and sexual assault programs. The federal funding continues to increase from \$5.4 million in 2013-15, to \$24.0 million in 2015-17, and to an estimated \$41.0 million above current service level in the 2017-19 biennium. The VOCA awards are sub-granted out to non-profit and prosecutor-based victim service providers, as well as child abuse intervention centers. The positions are to assist with the administration of VOCA funds. The position will be a Compliance Specialist to conduct audits, and three Program Analyst 3 positions. The positions will be 100 percent federally funded with no state match required.

This package is a one-time adjustment and provides additional VOCA funding through June 30, 2018. If the agency requires additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Package 192, CVSD Reclassification. This package is self-funded and will not require a limitation increase. It upwardly reclassifies four existing positions, three of which are working out-of-class. The reclassification is based on moving the positions into the higher classification, but at the same initial rate of pay. The Punitive Damages (Other Funds) revenue collection will pay for the reclassifications.

Package 804, Expenditure Limitation Adjustments/Reductions. This package increases Federal Funds limitation by \$1,154,371. At the December 2016 meeting of the Emergency Board, Federal Funds limitation was increased for the Crime Victims' Services Division, by \$1,342,520, to cover expenses related to the Umpqua Community College (UCC) shooting incident. The federal grant was approved at \$1,202,740, of which DOJ has expended \$48,369, as of April 2017. DOJ estimates \$1,154,371 is needed during the 2017-19 biennium. There is no state or local matching funds required for this non-completive grant. The US Department of Justice hired a coordinator to work with the local community to develop a grant for the UCC incident. As Oregon's federally designated administrative agency for federal victim service grants, DOJ will retain a portion of the grant for administrative costs.

General Counsel

The General Counsel Division provides a broad range of legal services to over 100 state agencies, boards and commissions. The Subcommittee approved a budget of \$55,198,520 Other Funds limitation and 147 positions (146.28 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 201, Maintain Legal Service Level to Agencies. This package increases Other Funds limitation by \$1,560,946 and adds six permanent, full-time positions (5.28 FTE). This package is dedicated to address caseload in the business, health and natural resource activity sections where agencies are requesting DOJ services.

Package 202, Legal Work with Statewide Benefit. This package increases Other Funds limitation by \$307,366 and adds one full-time, limited duration (1.00 FTE) Operations and Policy Analyst 3 position. The one-time funding covers the cost of a Client Legal Training Manager to organize the biennial Public Law Conference and to organize and coordinate other client legal trainings as well as provide expenditure limitation for the Public Law Conference.

Trial

The Trial Division represents the state of Oregon and its agencies, departments, boards, commissions, officers, employees and agents, in all state and federal trial courts. The Subcommittee approved a budget of \$32,816,489 Other Funds limitation and 106 permanent, full-time positions (104.87 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases Other Funds limitation by \$786,611, eliminates three of the four requested positions and reduces the FTE request from 3.38 by 2.87. DOJ originally forecasted a mandated caseload adjustment for the Trial Division of \$939,035 General Fund as Other Funds limitation. An updated spring 2017 forecast showed only one new position (0.50 FTE) for \$152,424 Other Funds, is needed by the division to maintain the new forecasted caseload activities. This package is adjusted to eliminate the unneeded expenditure limitation.

Defense of Criminal Convictions

Defense of Criminal Convictions (DCC) is a budgetary unit used to track the cost of defending the state in cases when sentenced offenders challenge their convictions or sentences. Three types of cases are funded from these funds: (1) direct criminal appeals when the offender's challenge is on alleged legal or factual errors of the trial; (2) post-conviction challenges when the offender challenges the effectiveness of their counsel; or (3) federal habeas corpus when the offender challenges violations of their constitutional rights in federal court. This fund is used to finance staff in both the Trial and Appellate divisions, defending the state in DCC cases. The Subcommittee approved a budget of \$23,635,069 General Fund.

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases the budget by \$4,986,330 General Fund. DOJ originally forecasted a mandated caseload adjustment of \$5.7 million for the Defense of Criminal Convictions. An updated forecast in the spring of 2017, indicated that the agency is able to accommodate the updated forecasted caseload with less General Fund.

Division of Child Support

The Division of Child Support works to enhance the security and interests of children and promotes positive parental involvement, as outlined in federal and state laws. The division locates absent parents, establishes paternity, enforces and modifies child support obligations, and receives and distributes child support payments. The Subcommittee approved a budget of \$170,150,720 total funds: \$28,060,876 General Fund, \$32,359,440 Other Funds limitation, \$109,730,404 Federal Funds limitation and 575 positions (571.61 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 070, Revenue Shortfall. This package decreases the budget by \$4,047,835 total funds; \$5,895 General Fund; \$1,374,260 Other Funds limitation; \$2,667,680 Federal Funds limitation; and eliminates 22 positions (22.00 FTE). This division collects Temporary Assistance for Needy Families (TANF) recoveries and uses this funding to support a portion of their operational costs. This occurs when a child support obligation involves a family receiving TANF. The family assigns support rights to the state to offset expenses. Such recoveries fund the division, as well as the Department of Human Services Child Welfare, Medical Assistance and the Oregon Youth Authority. TANF caseloads are diminishing as the economy is improving, along with federal law changes. The amount of TANF recoveries assignable to the state and collectible as Oregon Child Support Program revenue continues to decline. With caseloads and total collections costs remaining unchanged, there is a shortfall to pay for the division's operating expenses. The agency recalculated the impact of these reductions in May of 2017, which resulted in a reduction to the original revenue shortfall amounts. Policy Package 231 is the companion package for the restoration of the revenue shortfall in this package.

Package 231, Restoration of Revenue Reduction. This package restores \$4,047,835 total funds; \$1,380,155 General Fund; \$2,667,680 Federal Funds limitation; and restores 22 permanent positions (22.00 FTE). This is a one-time restoration.

Package 804, Expenditure Limitation Adjustments/Reductions. This package increases Other Funds limitation by \$4,574,021, eliminates \$4,574,021 Other Funds Nonlimited, increases Federal Funds limitation by \$16,322,641 and eliminates \$16,322,641 Federal Funds Nonlimited. This package converts all Nonlimited expenditures to their corresponding expenditure limitations the program uses to pass-through funds to counties. If the agency needs additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included in either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Child Support Enforcement Automated System

The Child Support Enforcement Automated System (CSEAS) program was established during the 2015 Session to segregate this information technology project's funding from the agency's operational costs and from the debt service funding for the project. Funding for the CSEAS project is approved each biennium. Funding for the 2017-19 biennium may be considered as part of Senate Bill 5505 (2017), the bonding bill and House Bill 5006 (2017), the end of session omnibus budget measure. The Subcommittee approved the following adjustments to the program's current service level budget:

Package 070, Revenue Shortfall. This package decreases the budget by \$5,943,134 total funds; \$2,032,524 Other Funds limitation; \$3,910,610 Federal Funds limitation; and eliminates 32 permanent positions (23.31 FTE). Funding to restore this package maybe considered in Senate Bill 5505 (2017), the bonding bill and House Bill 5006 (2017), the end of session omnibus budget measure.

Debt Service and Related Costs

Debt Services and Related Costs was established during the 2015 Session, to segregate debt service funding from the agency's operational costs. The General Fund debt service is related to the CSEAS project, for the Division of Child Support. The Subcommittee approved \$9,294,608 General Fund debt service, for the 2017-19 biennium.

Summary of Performance Measure Action

See attached Legislatively Adopted 2017-19 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Justice
Michelle Lisper – 971-283-6360

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|--|----------------|---------------|----------------|--------------|----------------|---------------|-----------------|-------|----------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| 2015-17 Legislatively Approved Budget at Dec 2016 * | \$ 78,870,126 | \$ - | \$ 305,049,500 | \$ 4,895,992 | \$ 168,304,853 | \$ 15,740,252 | \$ 572,860,723 | 1,329 | 1,300.27 |
| 2017-19 Current Service Level (CSL)* | \$ 94,668,945 | \$ - | \$ 293,923,290 | \$ 5,077,143 | \$ 122,484,387 | \$ 16,322,641 | \$ 532,476,406 | 1,323 | 1,303.01 |
| SUBCOMMITTEE ADJUSTMENTS (from CSL) | | | | | | | | | |
| SCR 010 - Administration | | | | | | | | | |
| Package 101: Rebaselining IT Costs | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 2,719,913 | \$ - | \$ - | \$ - | \$ 2,719,913 | | |
| Package 102: Strengthen Budget Section Staffing | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 258,143 | \$ - | \$ - | \$ - | \$ 258,143 | 1 | 0.88 |
| Services and Supplies | \$ - | \$ - | \$ 13,687 | \$ - | \$ - | \$ - | \$ 13,687 | | |
| Package 103: Legal Tools Ongoing Support | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 1,394,640 | \$ - | \$ - | \$ - | \$ 1,394,640 | | |
| Package 112: Accounting Technician | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 104,194 | \$ - | \$ - | \$ - | \$ 104,194 | 1 | 0.88 |
| Services and Supplies | \$ - | \$ - | \$ 43,559 | \$ - | \$ - | \$ - | \$ 43,559 | | |
| Package 801: LFO Analyst Adjustments | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 200,000 | \$ - | \$ - | \$ - | \$ 200,000 | | |
| Package 812: Vacant Position Elimination | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ (218,111) | \$ - | \$ - | \$ - | \$ (218,111) | (1) | (1.00) |
| Services and Supplies | \$ - | \$ - | \$ (30,000) | \$ - | \$ - | \$ - | \$ (30,000) | | |
| SCR 020 - Appellate | | | | | | | | | |
| Package 090: Analyst Adjustments | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ (1,527,832) | \$ - | \$ - | \$ - | \$ (1,527,832) | (9) | (7.59) |
| Services and Supplies | \$ - | \$ - | \$ (477,636) | \$ - | \$ - | \$ - | \$ (477,636) | | |
| SCR 030 - Civil Enforcement | | | | | | | | | |
| Package 131: Enhanced Medicaid Fraud Control | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 119,230 | \$ - | \$ 356,272 | \$ - | \$ 475,502 | 3 | 2.64 |
| Services and Supplies | \$ - | \$ - | \$ 33,114 | \$ - | \$ 99,341 | \$ - | \$ 132,455 | | |
| Package 801: LFO Analyst Adjustments | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 189,058 | \$ - | \$ - | \$ - | \$ 189,058 | 0 | 0.00 |
| Package 802: TMSA/NPM Adjustments | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 270,774 | \$ - | \$ - | \$ - | \$ 270,774 | 2 | 2.00 |
| Services and Supplies | \$ (3,226,059) | \$ - | \$ 73,014 | \$ - | \$ - | \$ - | \$ (3,153,045) | | |
| Package 804: Expenditure Limitation Adjustments/Reductions | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ (800,000) | \$ - | \$ - | \$ - | \$ (800,000) | | |
| Special Payments | \$ - | \$ - | \$ 503,122 | \$ (503,122) | \$ - | \$ - | \$ - | | |

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|--|----------------|---------------|--------------|------------|----------------|------------|-----------------|-----|--------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| SCR 040 - Criminal Justice | | | | | | | | | |
| Package 141: Continue Fusion Center | | | | | | | | | |
| Personal Services | \$ 630,865 | \$ - | \$ - | \$ - | \$ - | \$ - | 630,865 | 3 | 3.00 |
| Services and Supplies | \$ 254,130 | \$ - | \$ - | \$ - | \$ - | \$ - | 254,130 | | |
| Package 146: Continue DUII Prosecution | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 439,112 | \$ - | \$ - | \$ - | 439,112 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | \$ 119,771 | \$ - | \$ - | \$ - | 119,771 | | |
| Package 147: Internet Crimes Against Children | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ - | \$ - | \$ 593,562 | \$ - | 593,562 | 2 | 2.00 |
| Services and Supplies | \$ - | \$ - | \$ - | \$ - | \$ 161,625 | \$ - | 161,625 | | |
| Package 148: Urban Area Security Initiative | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 195,940 | \$ - | \$ - | \$ - | 195,940 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | \$ 82,668 | \$ - | \$ - | \$ - | 82,668 | | |
| Package 149: State Homeland Security Grant | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 203,966 | \$ - | \$ - | \$ - | 203,966 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | \$ 84,041 | \$ - | \$ - | \$ - | 84,041 | | |
| Package 803: Traffic Safety Resource Prosecutor | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 296,727 | \$ - | \$ - | \$ - | 296,727 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | \$ 105,045 | \$ - | \$ - | \$ - | 105,045 | | |
| Package 804: Expenditure Limitation Adjustments/Reductions | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ - | \$ - | \$ (523,587) | \$ - | (523,587) | | 0.00 |
| Capital Outlay | | | | | \$ (31,038) | \$ - | (31,038) | | |
| Special Payments | | | | | \$ (2,245,375) | \$ - | (2,245,375) | | |
| Package 812: Vacant Position Elimination | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ (192,572) | \$ - | \$ - | \$ - | (192,572) | (1) | (1.00) |
| Services and Supplies | \$ - | \$ - | \$ (30,000) | \$ - | \$ - | \$ - | (30,000) | | |
| SCR 045 - Crime Victims' Services | | | | | | | | | |
| Package 090: Revenue Shortfall | | | | | | | | | |
| Special Payments (Dist. to Non-Gov't Units) | \$ (5,124,920) | \$ - | \$ 5,124,920 | \$ - | \$ - | \$ - | - | | |
| Package 191: VOCA Grant Award | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ - | \$ - | \$ 705,325 | \$ - | 705,325 | 4 | 3.63 |
| Services and Supplies | \$ - | \$ - | \$ - | \$ - | \$ 335,117 | \$ - | 335,117 | | |
| Special Payments (Dist. to Cities) | \$ - | \$ - | \$ - | \$ - | \$ 349,380 | \$ - | 349,380 | | |
| Special Payments (Dist. to Counties) | \$ - | \$ - | \$ - | \$ - | \$ 3,955,702 | \$ - | 3,955,702 | | |
| Special Payments (Dist. to Non-Gov't Units) | \$ - | \$ - | \$ - | \$ - | \$ 10,132,565 | \$ - | 10,132,565 | | |
| Package 804: Expenditure Limitation Adjustments/Reductions | | | | | | | | | |
| Special Payments (Dist. to Counties) | \$ - | \$ - | \$ - | \$ - | \$ 1,154,371 | \$ - | 1,154,371 | | |

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|--|------------------------|---------------|-----------------------|-----------------------|-----------------------|------------------------|-----------------------|--------------|-----------------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| SCR 050 - General Counsel | | | | | | | | | |
| Package 201: Maintain Legal Service Level to Agencies | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 1,207,662 | \$ - | \$ - | \$ - | \$ 1,207,662 | 6 | 5.28 |
| Services and Supplies | \$ - | \$ - | \$ 353,284 | \$ - | \$ - | \$ - | \$ 353,284 | | |
| Package 202: Legal Work with Statewide Benefit | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 189,059 | \$ - | \$ - | \$ - | \$ 189,059 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | \$ 118,307 | \$ - | \$ - | \$ - | \$ 118,307 | | |
| SCR 060 - Trial | | | | | | | | | |
| Package 090: Analyst Adjustments | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ (606,360) | \$ - | \$ - | \$ - | \$ (606,360) | (3) | (2.87) |
| Services and Supplies | \$ - | \$ - | \$ (180,251) | \$ - | \$ - | \$ - | \$ (180,251) | | |
| SCR 100 - Defense of Criminal Convictions | | | | | | | | | |
| Package 090: Analyst Adjustments | | | | | | | | | |
| Services and Supplies | \$ (4,986,330) | \$ - | \$ - | \$ - | \$ - | \$ - | \$ (4,986,330) | | |
| SCR 160 - Division of Child Support | | | | | | | | | |
| Package 70: Revenue Shortfall | | | | | | | | | |
| Personal Services | \$ (5,895) | \$ - | \$ (1,075,123) | \$ - | \$ (2,098,447) | \$ - | \$ (3,179,465) | (22) | (22.00) |
| Services and Supplies | \$ - | \$ - | \$ (299,137) | \$ - | \$ (569,233) | \$ - | \$ (868,370) | | |
| Package 231: Restoration of Revenue Reductions | | | | | | | | | |
| Personal Services | \$ 1,081,018 | \$ - | \$ - | \$ - | \$ 2,098,447 | \$ - | \$ 3,179,465 | 22 | 22.00 |
| Services and Supplies | \$ 299,137 | \$ - | \$ - | \$ - | \$ 569,233 | \$ - | \$ 868,370 | | |
| Package 804: Expenditure Limitation Adjustments/Reductions | | | | | | | | | |
| Special Payments | \$ - | \$ - | \$ 4,574,021 | \$ (4,574,021) | \$ 16,322,641 | \$ (16,322,641) | \$ - | | |
| SCR 161 - CSEAS | | | | | | | | | |
| Package 070: Revenue Shortfall | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ (1,779,566) | \$ - | \$ (3,440,747) | \$ - | \$ (5,220,313) | (32) | (23.31) |
| Services and Supplies | \$ - | \$ - | \$ (252,958) | \$ - | \$ (469,863) | \$ - | \$ (722,821) | | |
| TOTAL ADJUSTMENTS | \$ (11,078,054) | \$ - | \$ 11,547,425 | \$ (5,077,143) | \$ 27,455,291 | \$ (16,322,641) | \$ 6,524,878 | (19) | (10.46) |
| SUBCOMMITTEE RECOMMENDATION * | \$ 83,590,891 | \$ - | \$ 305,470,715 | \$ - | \$ 149,939,678 | \$ - | \$ 539,001,284 | 1,304 | 1,292.55 |
| % Change from 2015-17 Leg Approved Budget | 6.0% | 0.0% | 0.1% | (100.0%) | (10.9%) | (100.0%) | (5.9%) | (1.9%) | (0.6%) |
| % Change from 2017-19 Current Service Level | (11.7%) | 0.0% | 3.9% | (100.0%) | 22.4% | (100.0%) | 1.2% | (1.4%) | (0.8%) |

*Excludes Capital Construction Expenditures

Legislatively Approved 2017 - 2019 Key Performance Measures

Published: 6/17/2017 10:45:04 AM

Agency: Justice, Department of

Mission Statement:

The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

| Legislatively Approved KPMs | Metrics | Agency Request | Last Reported Result | Target 2018 | Target 2019 |
|--|-----------------------------|----------------|----------------------|-------------|-------------|
| 1. Percentage of legal cases in which the state's position is upheld | | Approved | 96% | 95% | 98% |
| 2. Percentage of appropriate litigation resolved through settlement | | Approved | 68% | 70% | 70% |
| 3. Amount of monies recovered for the state divided by the cost of recovery | | Approved | \$36.40 | \$28.00 | \$28.00 |
| 4. Average working days from receipt of contracting document to first substantive response to agency. | | Approved | 5.50 | 5 | 5 |
| 5. Percentage of legal billings receivables collected within 30 days | | Approved | 85% | 90% | 90% |
| 6. Percentage of timely and complete charities' reports submitted relative to total charities registered | | Approved | 65% | 70% | 70% |
| 7. Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information | Availability of Information | Approved | 95% | 98% | 98% |
| | Accuracy | | 97% | 99% | 99% |
| | Overall | | 95% | 98% | 98% |
| | Helpfulness | | 97% | 99% | 99% |
| | Expertise | | 99% | 99% | 99% |
| | Timeliness | | 95% | 98% | 98% |
| 8. Percentage of Criminal Justice Division cases resolved successfully | | Approved | 99% | 100% | 100% |
| 9. Percentage of crime victims' compensation orders issued within 90 days of claim receipt | | Approved | 95% | 98% | 98% |
| 10. Percentage of support collected by the Child Support Program that is distributed to families | | Approved | 92% | 95% | 95% |
| 11. Percentage of current child support collected relative to total child support owed | | Approved | 63% | 65% | 65% |
| 12. Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due | | Approved | 61% | 65% | 65% |
| 13. Percentage of Child Support Program cases with support orders relative to total Program cases | | Approved | 87% | 90% | 90% |
| 14. Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more | | Approved | 92% | 95% | 95% |
| 15. Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) | | Approved | 69% | 75% | 75% |
| 16. Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days. | | Approved | 93% | 95% | 95% |

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LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets with direction that the agency will work with the Legislative Fiscal Office to conduct a comprehensive review of existing Key Performance Measures, data, and targets and report back to the Legislature in 2019.

SubCommittee Action:

The Subcommittee adopted the Legislative Fiscal Office recommendations.

HB 5006 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Devlin

Joint Committee On Ways and Means

Action Date: 07/03/17

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 11 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Winters

Nays: 1 - Thomsen

House Vote

Yeas: 7 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Williamson

Nays: 1 - McLane

Exc: 3 - Smith G, Stark, Whisnant

Prepared By: Laurie Byerly and Gregory Jolivette, Legislative Fiscal Office

Reviewed By: Paul Siebert, Legislative Fiscal Office

Emergency Board

2017-19

Various Agencies

2015-17

This summary has not been adopted or officially endorsed by action of the committee.

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| <u>Budget Summary*</u> | <u>2015-17 Legislatively Approved Budget</u> | <u>2017-19 Committee Recommendation</u> | <u>Committee Change</u> |
|---|---|--|--------------------------------|
| <u>Watershed Enhancement Board</u> | | | |
| Lottery Funds | - | \$ (205,451) | \$ (205,451) |
| Federal Funds | - | \$ (1,136) | \$ (1,136) |
| <u>PUBLIC SAFETY PROGRAM AREA</u> | | | |
| <u>Department of Corrections</u> | | | |
| General Fund | - | \$ (23,762,896) | \$ (23,762,896) |
| General Fund Debt Service | - | \$ 1,268,059 | \$ 1,268,059 |
| Other Funds | - | \$ 272,630 | \$ 272,630 |
| Federal Funds | - | \$ (10,323) | \$ (10,323) |
| <u>Oregon Criminal Justice Commission</u> | | | |
| General Fund | - | \$ (87,794) | \$ (87,794) |
| Other Funds | - | \$ (1,137) | \$ (1,137) |
| Federal Funds | - | \$ (3,503) | \$ (3,503) |
| <u>District Attorneys and their Deputies</u> | | | |
| General Fund | - | \$ (23,359) | \$ (23,359) |
| <u>Department of Justice</u> | | | |
| General Fund | - | \$ (3,386,309) | \$ (3,386,309) |
| General Fund Debt Service | - | \$ 3,235,629 | \$ 3,235,629 |
| Other Funds | - | \$ 15,825,892 | \$ 15,825,892 |
| Federal Funds | - | \$ 29,064,361 | \$ 29,064,361 |
| <u>Oregon Military Department</u> | | | |
| General Fund | - | \$ 932,333 | \$ 932,333 |
| General Fund Debt Service | - | \$ (802,765) | \$ (802,765) |
| Other Funds | - | \$ 4,796,923 | \$ 4,796,923 |
| Other Funds Debt Service | - | \$ 448,429 | \$ 448,429 |
| Federal Funds | - | \$ (1,156,392) | \$ (1,156,392) |

| <u>2017-19 Position Summary</u> | <u>2015-17 Legislatively Approved Budget</u> | <u>2017-19 Committee Recommendation</u> | <u>Committee Change</u> |
|--|---|--|--------------------------------|
| <u>Water Resources Department</u> | | | |
| Authorized Positions | - | 1 | 1 |
| Full-time Equivalent (FTE) positions | - | 1.00 | 1.00 |
| PUBLIC SAFETY PROGRAM AREA | | | |
| <u>Department of Justice</u> | | | |
| Authorized Positions | - | 68 | 68 |
| Full-time Equivalent (FTE) positions | - | 54.99 | 54.99 |
| <u>Oregon Military Department</u> | | | |
| Authorized Positions | - | 2 | 2 |
| Full-time Equivalent (FTE) positions | - | 2.00 | 2.00 |
| <u>Oregon State Police</u> | | | |
| Authorized Positions | - | 27 | 27 |
| Full-time Equivalent (FTE) positions | - | 25.32 | 25.32 |

Summary of Revenue Changes

The General Fund appropriations made in the bill are within resources available as projected in the May 2017 economic and revenue forecast by the Department of Administrative Services, Office of Economic Analysis, supplemented by transfers from various agency accounts to the General Fund for general governmental purposes as authorized in HB 3470, plus other actions to reduce state agency expenditures.

Summary of Capital Construction Subcommittee Action

HB 5006 appropriates General Fund to the Emergency Board for general purpose and targeted special purpose appropriations, and makes other adjustments to individual agency budgets and position authority as described below.

Emergency Board

The Emergency Board allocates General Fund and provides Lottery Funds, Other Funds, and Federal Funds expenditure limitation to state agencies for unanticipated needs in approved agency budgets when the Legislature is not in session. The Subcommittee appropriated \$50 million General Fund to the Emergency Board for general purposes.

HB 5006 makes two special purpose appropriations to the Emergency Board, totaling \$110 million General Fund; the bill also adjusts a special purpose appropriation already approved in a different bill:

- \$100 million General Fund for state employee compensation changes.
- \$10 million General Fund for allocation to state agencies for compensation changes driven by collective bargaining for workers who are not state employees.
- Reduces the special purpose appropriation made by SB 505 for costs associated with the requirement to record grand jury proceedings, by \$600,000 General Fund. The budget for the Judicial Department is increased by this amount.

If these special purpose appropriations are not allocated by the Emergency Board before December 1, 2018, any remaining funds become available to the Emergency Board for general purposes.

Adjustments to Approved 2017-19 Agency Budgets

STATEWIDE ADJUSTMENTS

Statewide adjustments reflect budget changes in multiple agencies based on reductions in Department of Administrative Services assessments and charges for services, Attorney General rates, certain services and supplies, and additional vacancy savings expected as a result of a hiring slowdown. Statewide adjustments also reflect net reductions to debt service realized through interest rate savings on bond sales and refunding of outstanding general obligation and lottery revenue bonds. Total savings are \$135.8 million General Fund, \$16.7 million Lottery Funds, \$105.5 million Other Funds, and \$35.6 million Federal Funds.

Specific adjustments include \$126 million total funds savings from implementing a hiring slowdown implemented across all three branches of government; \$25 million in General Fund and Lottery Funds savings from eliminating most inflation on services and supplies implemented across all three branches of government; \$9.3 million total funds from a 10% reduction to travel in Executive Branch agencies to implement the Governor's previously announced cost containment effort; \$68 million total funds reduction from lower Department of Administrative Services assessments and service rates; and \$13 million total funds from lower Attorney General rates.

Section 145 of the budget bill reflects the changes, as described above, for each agency. These adjustments are not addressed in the individual agency narratives, although they are included in the table at the beginning of the budget report.

ADMINISTRATION

Department of Administrative Services

The Subcommittee approved various one-time General Fund appropriations to the Department of Administrative Services (DAS) for the following purposes:

- \$1,895,000 for disbursement to the Rogue River Valley Irrigation District for the Bradshaw Drop Irrigation Canal project to pipe over three miles of irrigation canal to conserve water and provide pressurized water to district patrons.
- \$1,836,000 for disbursement to the City of John Day to extend a fiber optic line along US 395 from US 20 to John Day.
- \$1,000,000 for disbursement to the JPR Foundation, Inc. for the Holly Theater restoration project in Medford.
- \$1,000,000 for disbursement to the Deschutes Rim Clinic Foundation for the Rim Health Clinic in Maupin to supplement capacity at the current facility.
- \$750,000 for disbursement to the Medford Youth Baseball Society for improvements at Harry and David Baseball Park.
- \$500,000 for disbursement to the City of Mosier for a joint use facility, encompassing a city hall, main fire station, and multi-use community space to be built on land donated by Union Pacific Railroad.
- \$500,000 for disbursement to the Oregon Wine Board for marketing and increasing the market access of Oregon produced wine.
- \$420,000 for disbursement to the City of John Day for operations of a public safety answering point through the 2017-19 biennium.
- \$400,000 for disbursement to the Greater Portland YWCA for the Family Preservation Project.
- \$250,000 for disbursement to the Southern Oregon Veterans Benefit organization for construction of a replica of the Vietnam Memorial Traveling Wall.
- \$200,000 for disbursement to the Mid-Columbia Health Foundation for a hospital modernization and expansion project involving a regional rural community hospital in The Dalles that was built in 1859.
- \$50,000 for disbursement to the World of Speed organization as transition funding for the High School Automotive Career Technical Education program as the organization seeks other support for the program.
- \$50,000 for disbursement to the Family YMCA of Marion and Polk Counties for the YMCA Youth and Government program.
- \$50,000 for disbursement to the Bag and Baggage Productions, a professional theater located in Hillsboro, for its Cultural Innovation Project involving the purchase and installation of a 360 degree digitally immersive projection system.
- \$40,000 for disbursement to the Cities of Turner, Aumsville, and Salem, for use as flood mitigation planning match.

A total of \$28,177,202 Other Funds expenditure limitation was added by the Subcommittee for the one-time cost of issuance and special payments associated with the disbursement of proceeds from Lottery Bond sales; projects are detailed below and approved in SB 5530. Cost of issuance for these projects totals \$707,202. There is no debt service allocated in the 2017-19 biennium, as the bonds will not be sold until the

PUBLIC SAFETY

Department of Corrections

To purchase two new transport buses to replace vehicles at the end of their service life, the Subcommittee approved a one-time appropriation of \$708,788 General Fund in the Department of Corrections' Operations Division.

The Subcommittee approved an increase in Other Funds expenditure limitation of \$721,466 for cost of issuance of \$39,215,000 in Article XI-Q bonds authorized in SB 5506 for the Department of Corrections' deferred maintenance program and for technology infrastructure upgrades. Bonds will be issued in May 2018 and in March 2019.

The agency's General Fund appropriation for debt service was increased by \$1,926,252 for new debt service estimated to be paid in 2017-19. Debt service for bonds issued in 2017-19 is estimated to be \$7,616,448 General Fund in 2019-21.

Oregon Department of Justice

The Subcommittee approved \$16,573,792 Other Funds expenditure limitation for project costs, which is to be financed with \$16,267,633 of Article XI-Q bonds approved in SB 5505 and \$306,159 in bond proceeds that were authorized and issued during the 2015-17 biennium but remained unexpended. The Subcommittee also approved \$32,136,210 Federal Funds expenditure limitation and the establishment of 32 permanent full-time positions (23.81 FTE). This includes personal services of \$5.8 million and services and supplies of \$43.0 million. The amount for services and supplies includes \$35.8 million total funds of contractor payments for: project management, including organization change management services; implementation; independent quality assurance; and independent verification and validation.

Unless otherwise approved by the Legislature or the Emergency Board, the positions budgeted for the project are established as permanent full-time under the following conditions: (a) the positions will be abolished on or before the completion of the project; (b) the positions are to remain in the CSEAS program (i.e., CSEAS summary cross reference) and may not be transferred to any other program or used for any purpose other than the development of the CSEAS project; and (c) the positions may not be included in any permanent finance plan action.

Other Funds expenditure limitation of \$317,367 is included for the cost of issuance of the bonds. The Subcommittee appropriated \$3,391,920 in additional General Fund Debt Service to support repayment of Article XI-Q General Obligation bond proceeds approved in SB 5505.

The Subcommittee approved \$6,916,041 Other Funds expenditure limitation and 35 permanent full-time positions (30.80 FTE) for the Civil Enforcement Division - Child Advocacy Section to represent Child Welfare caseworkers in court and provide full access to legal representation, legal counsel, legal advice, litigation support, and training. The revenue to support this package was approved in SB 5526, the primary budget bill for the Department of Human Services (DHS). DHS will be billed by DOJ no more than \$6.9 million for the increase in juvenile dependency workload using DOJ's traditional fee-for-service billing model. DOJ will also provide DHS with a monthly billing summary of the legal work performed. DOJ has committed to tracking quality assurance measures, including outcome measures.

Statewide implementation will be through a three-phase approach across all 36 counties: Phase-I will be completed by January 1, 2018 for: Benton; Coos; Gilliam; Grant; Hood River; Josephine; Lane; Lincoln; Linn; Morrow; Polk; Sherman; Tillamook; Wasco; and Wheeler Counties. Phase-II will be completed by July 1, 2018 for: Columbia; Crook; Deschutes; Douglas; Harney; Jackson; Jefferson; Klamath, Lake; Malheur; Umatilla; and Yamhill counties. Phase-III will be completed by January 1, 2019 for: Baker; Clackamas; Clatsop; Curry; Marion; Multnomah; Union; Washington; and Wallowa counties. The final implementation schedule, however, may change depending upon the needs of a specific county. Both DOJ and DHS will work collaboratively with county District Attorneys to ensure juvenile dependency cases are handled in a consistent and coordinated manner with as much continuity as possible throughout the legal proceedings.

This investment in legal services was, in part, the result of work completed by the Task Force on Legal Representation in Childhood Dependency, which was established by SB 222 (2015). While, due to limited General Fund resources, the Legislature was unable to fund most Task Force recommendations, the affected state agencies and legal partners are committed to continuing to work on system improvements. In recognition of this commitment, the Subcommittee approved the following budget note:

Budget Note:

The Department of Human Services, Department of Justice, Oregon Judicial Department, and Public Defense Services Commission shall work collaboratively, at both the state and local levels, to solicit input on, develop, and implement strategies to improve the effectiveness and efficiency of Oregon's juvenile dependency systems and to determine the appropriate level of legal services. Potential strategies should include standardizing forms, streamlining processes, conforming practices, and adopting administrative or court rules. The agencies are expected to identify and begin implementing strategies no later than July 1, 2018. Options for providing more effective and cost-efficient legal and other services should also be reviewed and analyzed. The agencies will submit a joint report on the progress of these efforts to the Interim Joint Committee on Ways and Means or the Emergency Board by October 2018. In addition, each agency shall include an update, in its budget presentation to the Joint Committee on Ways and Means during the 2019 session, on its specific roles, activities, strategies, and costs to improve the effectiveness and efficiency of Oregon's juvenile dependency system.

In addition, the Legislature, under separate legislation (HB 3470), extended the sunset on the provision authorizing DHS to appear as a party in a juvenile court proceeding without appearance of an Attorney General from June 30, 2018 to June 30, 2020 to accommodate the planned implementation schedule.

The Department of Administrative Services is directed to unschedule \$4.0 million of the General Fund in the DHS budget and \$4.0 million of the Other Funds expenditure limitation in the DOJ budget pending demonstration to the Legislative Fiscal Office that the work performed, billing, reporting, and communication between the agencies is consistent with the budget cap, implementation schedule, and service level expectations for the caseworker legal representation program.

For SB 243, the Subcommittee approved implementation costs of \$123,932 Other Funds and established one permanent part-time Assistant Attorney General position (0.38 FTE) in DOJ's Civil Enforcement Division. The Division provides services to train caseworkers and certifiers on the new legal standard of abuse, advises Department of Human Services (DHS) in the preparation and adoption of administrative rules, as well as child protective services investigations, confidentiality laws, and release of records. The Division also provides advice and legal representation to DHS in all administrative appeals of those investigations and related certification actions for certified foster homes. The revenue source to fund this expense is legal service charges billed to DHS. The roll-up costs are estimated to be \$89,084 Other Funds and one position (0.25 FTE) for the 2019-21 biennium.

The Subcommittee approved \$500,000 General Fund to support Community Assessment Centers, as a one-time increase, in order to provide child abuse medical assessments. The funding will be administered through the Oregon Department of Justice, Crime Victims Services Division, as pass through funds distributed to the statewide Community Assessment Centers network association, which will ensure equitable distribution.

To support the Oregon Crime Victims Law Center, the Subcommittee also appropriated \$175,000 General Fund as a one-time increase. This will bring total funding for the Law Center from the Department of Justice to \$554,559, including \$504,599 General Fund and \$50,000 Other Funds; the latter is from the renewal of a state grant funded from punitive damage awards.

Oregon Military Department

The Subcommittee approved an increase in Other Funds expenditure limitation of \$448,244 for cost of issuance of \$23,730,000 in Article XI-Q bonds authorized in SB 5506 for three Regional Armory Emergency Enhancement projects in Salem, Newport, and Coos Bay; an Armory Service Life Extension project at the Grants Pass armory; and to re-issue bonds for the Regional Training Institute and Youth Challenge capital construction projects in 2017-19. Bonds are planned to be issued in October 2017, and in March 2019.

The agency's General Fund appropriation for debt service was decreased by \$378,344 for debt service estimated to be paid in 2017-19 due to anticipated debt service savings. Debt service in 2019-21 for bonds issued in 2017-19 is estimated to be \$4,305,134 General Funds.

The Subcommittee approved a one-time appropriation of \$1,000,000 General Fund for construction of or repairs to the Oregon Military Museum at Camp Withycombe in Clackamas, Oregon.

To operationalize the provisions of HB 2687, the Subcommittee increased Other Funds expenditure limitation in the Oregon Military Department, Office of Emergency Management by \$5,000,000 to capitalize the Resiliency Grant Fund, and increased Other Funds expenditure limitation by \$70,000 to pay for the cost of bond issuance. Other Funds limitation is funded by the sale of Article XI-Q bonds authorized in SB 5506. The Subcommittee added \$181,178 General Fund and increased Federal Funds expenditure limitation by \$181,178 and approved two permanent positions (2.00 FTE) to administer the program and the grant-making process.

HB 3078 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Steiner Hayward

Joint Committee On Ways and Means

Action Date: 06/29/17

Action: Do pass the B-Eng bill.

Senate Vote

Yeas: 8 - DeBoer, Devlin, Frederick, Manning Jr, Monroe, Roblan, Steiner Hayward, Winters

Nays: 4 - Girod, Hansell, Johnson, Thomsen

House Vote

Yeas: 6 - Gomberg, Holvey, Nathanson, Rayfield, Smith Warner, Williamson

Nays: 4 - Huffman, Smith G, Stark, Whisnant

Exc: 1 - McLane

Prepared By: Dustin Ball, Department of Administrative Services

Reviewed By: Julie Neburka, Legislative Fiscal Office

Criminal Justice Commission

2017-19

Department of Justice

2017-19

This summary has not been adopted or officially endorsed by action of the committee.

HB 3078 B

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Budget Summary

| | 2015-17 Legislatively Approved Budget ⁽¹⁾ | 2017-19 Current Service Level | 2017-19 Committee Recommendation | Committee Change from 2015-17 Leg. Approved | |
|------------------------------------|---|----------------------------------|-------------------------------------|--|---------------|
| | | | | \$ Change | % Change |
| Criminal Justice Commission | | | | | |
| General Fund | \$ - | \$ - | \$ 7,000,000 | \$ 7,000,000 | 100.0% |
| Department of Justice | | | | | |
| General Fund | \$ - | \$ - | \$ 1,000,000 | \$ 1,000,000 | 100.0% |
| Total | \$ - | \$ - | \$ 8,000,000 | \$ 8,000,000 | 100.0% |

Position Summary

| | | | |
|--------------------------------------|------|------|------|
| Authorized Positions | 0 | 0 | 0 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 0.00 |

Summary of Revenue Changes

House Bill 3078 is funded with two General Fund appropriations totaling \$8.0 million. The first appropriation is made to the Criminal Justice Commission in the amount of \$7.0 million, while a second appropriation is made to the Department of Justice in the amount of \$1.0 million.

Summary of Public Safety Subcommittee Action

House Bill 3078 makes changes and modifications to several public safety programs and sentences for crimes. It increases the limit for short-term transitional leave from prison from 90 to 120 days, and modifies two Measure 57 crimes (theft in the first degree and identity theft) to permit shorter presumptive sentences with stricter supervision. Additionally, the Family Sentencing Alternative Pilot Program is expanded to include offenders who are pregnant at the time of sentencing and also requires courts to impose participation in the program under certain conditions. The Criminal Justice Commission is directed to study the impact of these changes on prison use, recidivism, and public safety and report the results of the study to the interim committees of the Legislative Assembly no later than February 1 of each year.

The Subcommittee approved a \$7.0 million General Fund appropriation to the Criminal Justice Commission for the Justice Reinvestment Initiative and directs the funding to be used for supplemental grants toward downward departure prison diversion programs provided by counties. The Subcommittee also approved a \$1.0 million General Fund appropriation to the Department of Justice, Crime Victims' Services Division and services for victims of domestic and sexual violence.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Criminal Justice Commission, Department of Justice
 Dustin Ball – 503-378-3119, Michelle Lisper – 503-378-3195

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|---------------------|---------------|-------------|-------------|---------------|-------------|---------------------|-----|-----|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| <u>SUBCOMMITTEE RECOMMENDATION</u> | | | | | | | | | |
| <u>Criminal Justice Commission</u> | | | | | | | | | |
| SCR 001 - Sentencing, Policy, and Research | | | | | | | | | |
| Special Payments | \$ 7,000,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 7,000,000 | | |
| <u>Department of Justice</u> | | | | | | | | | |
| SCR 045 - Crime Victims Program | | | | | | | | | |
| Special Payments | \$ 1,000,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 1,000,000 | | |
| SUBCOMMITTEE RECOMMENDATION | \$ 8,000,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 8,000,000 | | |

HB 2101 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. DeBoer

Joint Committee On Ways and Means

Action Date: 07/01/17

Action: Do pass the B-Eng bill.

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

House Vote

Yeas: 9 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Whisnant, Williamson

Exc: 2 - Smith Warner, Stark

Prepared By: Michelle Lisper, Department of Administrative Services

Reviewed By: Meg Bushman Reinhold, Legislative Fiscal Office

Department of Justice
2017-19

This summary has not been adopted or officially endorsed by action of the committee.

HB 2101 B

1 of 4

Budget Summary

| | 2015-17 Legislatively Approved Budget | 2017-19 Current Service Level | 2017-19 Committee Recommendation | Committee Change from 2015-17 Leg. Approved | |
|--------------|--|----------------------------------|-------------------------------------|--|----------|
| | | | | \$ Change | % Change |
| General Fund | \$ - | \$ - | \$ 212,831 | \$ 212,831 | 100.0% |
| Total | \$ - | \$ - | \$ 212,831 | \$ 212,831 | 100.0% |

Position Summary

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 0 | 0 | 2 | 2 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 0.88 | 0.88 |

Summary of Revenue Changes

House Bill 2101 appropriates \$212,831 General Fund and two limited duration positions (0.88) to the Department of Justice, Administration Division, to support the work associated with the Oregon Sunshine Committee in carrying out its charge.

Summary of General Government Subcommittee Action

House Bill 2101 establishes a 15-member Oregon Sunshine Committee and requires Legislative Counsel to prepare Open Government impact statements for measures affecting disclosure of a public record and to establish a Public Records Subcommittee in the Legislative Counsel Committee.

The Oregon Sunshine Committee, staffed by the Department of Justice, is directed to establish a plan to review all exemptions from the disclosure for public records, with some exceptions, identify inefficiencies and inconsistencies in the application of public record law, and report recommended changes to the Public Records Subcommittee.

The Public Records Subcommittee is directed to review exemptions from disclosure of public records, including exemptions of administrative rules if request by the Legislative Assembly or persons affected by the rule, and review reports from the Oregon Sunshine Committee.

The Subcommittee appropriates \$212,831 General Fund and two limited duration positions (0.88 FTE) to the Department of Justice (DOJ), to support the Oregon Sunshine Committee in carrying out its charge. The Attorney General will appoint eight voting members to the Oregon Sunshine Committee, as outlined in the bill. DOJ will be responsible for the following:

- Reviewing over 500 exemptions from public disclosures adopted over the past 40 years;
- Assisting with establishing a plan or schedule to review, by December 31, 2026, all exemptions from disclosure for public records providing for review;
- Studying and identifying inefficiencies and inconsistencies in the application of public records;
- Making recommendations on changes in existing law, policies and practices to enhance transparency and facilitate a rapid fulfillment of public records requests made to the public bodies.
- Submitting a report to the Public Records Subcommittee of the Legislative Counsel Committee including recommendations to amend or repeal the exemptions from disclosure.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Justice
Michelle Lisper – 971-283-6360

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|------------------------------------|-------------------|---------------|-------------|-------------|---------------|-------------|-----------------|----------|-------------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| <u>SUBCOMMITTEE ADJUSTMENTS</u> | | | | | | | | | |
| SCR 010 - Administration | | | | | | | | | |
| Personal Services | \$ 153,820 | \$ - | \$ - | \$ - | \$ - | \$ - | 153,820 | 2 | 0.88 |
| Services and Supplies | \$ 59,011 | \$ - | \$ - | \$ - | \$ - | \$ - | 59,011 | | |
| SUBCOMMITTEE RECOMMENDATION | \$ 212,831 | \$ - | \$ - | \$ - | \$ - | \$ - | 212,831 | 2 | 0.88 |

**REVENUE IMPACT OF
PROPOSED LEGISLATION**
79th Oregon Legislative Assembly
2017 Regular Session
Legislative Revenue Office

Bill Number: HB 3470 - A
Revenue Area: State Finance
Economist: Paul Warner
Date: 7-4-17

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Measure Description:

HB 3470A is the program change bill produced biennially by the Joint Committee on Ways and Means. The measure implements statutory changes necessary to support the 2017-19 Legislatively Adopted Budget.

Revenue Impact (in \$Millions):

| Description | Impact on 2017-19 General Fund |
|---|--------------------------------|
| Transfer from Oregon Volunteers Commission | \$0.2 |
| Transfer from Alternative Fuel Vehicle Fund | \$3.0 |
| Transfer from Insurance Risk Fund | \$33.3 |
| Transfer from DAS Operating Fund | \$18.5 |
| Transfer from Information Technology Operating Fund | \$10.5 |
| Transfer from Protection and Education Account | \$46.0 |
| Transfer from Miscellaneous Receipts Accounts | \$.04 |
| Total Transfers to General Fund | \$111.54 |

Impact Explanation:

These fund transfers become General Fund revenue for purposes of calculating the 2017-19 Close of Session revenue forecast upon which the 2017-19 Legislatively Adopted Budget is based.

Also included in HB 3470A is a redirection of marijuana revenue from the Common School Fund to the State School Fund. This results in an additional \$81.0 million available for allocation to school districts through the state school formula. This revenue is part of the \$8.2 billion allocation to the State School Fund for the 2017-19 biennium.

Creates, Extends, or Expands Tax Expenditure: Yes No

State Capitol Building
900 Court St NE
Salem, Oregon 97301-1347

Phone (503) 986-1266
Fax (503) 986-1770
<https://www.oregonlegislature.gov/lro>

LRO

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Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by: John Borden
 Reviewed by: Ken Rocco; Paul Siebert; Theresa McHugh; Laurie Byerly; Doug Wilson; Steve Bender; Michelle Deister; Matt Stayner; Amanda Beitel; Gregory Jolivet; Gregory Jolivet;
 Date: July 3, 2017

Measure Description:

This measure implements statutory changes necessary to support the 2017-19 legislatively adopted budget and to clarify the application of statutes.

Government Unit(s) Affected:

Oregon State Treasurer; Department of Justice; Department of Administrative Services; Department of Education; Department of Energy; Judicial Department; Legislative Assembly; Legislative Counsel; Legislative Fiscal Office; Department of Water Resources; Department of Human Services; State Library; Department of Revenue; Oregon Business Development Department; Department of Transportation; Governor's Office; Housing and Community Services Department; Oregon Liquor Control Commission; cities; and counties.

Summary of Expenditure Impact: See analysis

Analysis: This measure implements statutory changes necessary to support the 2017-19 legislatively adopted budget and to clarify the application of statutes. This measure, relating to state financial administration, is not an appropriation bill and therefore does not include the appropriation of funds. The measure, however, is necessary to achieve a balanced budget for the 2017-19 biennium. The measure has an emergency clause and is effective on passage.

The fiscal or budgetary impacts of provisions of this measure are contained in HB 5006 (budget reconciliation) and SB 5529 (Lottery Fund/Criminal Fines Account/Marijuana Account allocation) for the 2017-19 biennium, or in other specific agency budget measures.

Other Funds transfers provided in this measure are one-time in nature and only apply to the 2017-19 biennium, unless otherwise noted, and are to be made on the effective date of the measure, unless otherwise noted.

The following table summarizes, by section and agency, the fiscal impact of this measure:

| Section/Gov't Unit | Program Change | Fiscal Impact |
|---|---|---------------|
| §1-2 Legislative Counsel/ Legislative Fiscal Office | Extends the submission date of a report on the State Treasurer's investment statutes from December 31, 2016 to December 31, 2017. | No Fiscal |

| Section/Gov't Unit | Program Change | Fiscal Impact |
|---|---|--|
| §3 Oregon Liquor Control Commission | Allows the Oregon Liquor Control Commission to temporarily borrow from Oregon Liquor Control Commission Account (liquor account) to pay expenses of the Marijuana Control Commission and Regulation Account. Specifies repayment of the amount borrowed plus 2% per annum interest from the Oregon Marijuana Control and Regulation Account by June 30, 2019. | No Fiscal |
| §4 Department of Education | Delays implementation of sections of HB 3072 (2015) until the 2019-21 biennium. This will allow the Oregon Department of Education (ODE), school districts and others to determine how best to allocate STEM and CTE resources after passage of Ballot Measure 98 which increases the funding significantly for CTE activities in districts across the state. ODE should continue to use the STEM Council and other groups to advise them how to distribute these funds during 2017-19. | No Fiscal |
| §5 Department of Human Services/ Department of Justice | Extends the sunset on provision authorizing caseworkers to appear as a party in juvenile court proceeding without appearance of Attorney General from June 30, 2018 to June 30, 2020. | No Fiscal |
| §6-8 Department of Human Services | Continues, for two more years, the suspension of certain Temporary Assistance for Needy Families (TANF) program services that have also been unfunded for the last three biennia; fiscal impact reflects cost avoidance assumed in the DHS budget. | <\$22,203,586> General Fund |
| §9-13 Housing and Community Services Department/ Governor's Office | Transfers Oregon Volunteers Commission for Voluntary Action and Service from Housing and Community Services Department to the Governor's Office. The fiscal impact reflects the transfer of Federal Funds. | <\$7,107,780> Federal Funds (HCSD) +\$6,907,780 Federal Funds +200,000 General Fund (GOV) |

| Section/Gov't Unit | Program Change | Fiscal Impact |
|---|---|--|
| §3 Oregon Liquor Control Commission | Allows the Oregon Liquor Control Commission to temporarily borrow from Oregon Liquor Control Commission Account (liquor account) to pay expenses of the Marijuana Control Commission and Regulation Account. Specifies repayment of the amount borrowed plus 2% per annum interest from the Oregon Marijuana Control and Regulation Account by June 30, 2019. | No Fiscal |
| §4 Department of Education | Delays implementation of sections of HB 3072 (2015) until the 2019-21 biennium. This will allow the Oregon Department of Education (ODE), school districts and others to determine how best to allocate STEM and CTE resources after passage of Ballot Measure 98 which increases the funding significantly for CTE activities in districts across the state. ODE should continue to use the STEM Council and other groups to advise them how to distribute these funds during 2017-19. | No Fiscal |
| §5 Department of Human Services/ Department of Justice | Extends the sunset on provision authorizing caseworkers to appear as a party in juvenile court proceeding without appearance of Attorney General from June 30, 2018 to June 30, 2020. | No Fiscal |
| §6-8 Department of Human Services | Continues, for two more years, the suspension of certain Temporary Assistance for Needy Families (TANF) program services that have also been unfunded for the last three biennia; fiscal impact reflects cost avoidance assumed in the DHS budget. | <\$22,203,586> General Fund |
| §9-13 Housing and Community Services Department/ Governor's Office | Transfers Oregon Volunteers Commission for Voluntary Action and Service from Housing and Community Services Department to the Governor's Office. The fiscal impact reflects the transfer of Federal Funds. | <\$7,107,780> Federal Funds (HCSD) +\$6,907,780 Federal Funds +200,000 General Fund (GOV) |

| Unit | | |
|--|--|--------------|
| §26 Department of Administrative Services | Transfers State Information Technology Operating Fund revenue to the General Fund for general governmental purposes. | \$10,500,000 |
| §27 Department of Justice | Transfers Protection and Education Account revenue to the General Fund for general governmental purposes. | \$46,000,000 |
| §28 State Library | Transfers miscellaneous receipts account revenue to the General Fund for general governmental purposes. | \$40,000 |
| §29 | Transfer effective date(s) | -- |
| §30-37 Department of Revenue/ Department of Administrative Services/ Cities/Counties | Changes the allocation of state marijuana tax revenues moneys, changes the method by which cities and counties receive state marijuana tax allocations; and directs the Department of Administrative Services - Office of Economic Analysis to forecast state marijuana tax revenues on a quarterly basis. | No Fiscal |
| §38 | Captions | -- |
| §39 | Emergency Clause | -- |

SB 505 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Williamson

Joint Committee On Ways and Means

Action Date: 07/01/17

Action: Do Pass the B-Eng bill.

House Vote

Yeas: 8 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Whisnant, Williamson

Nays: 2 - McLane, Smith G

Exc: 1 - Stark

Senate Vote

Yeas: 8 - DeBoer, Devlin, Frederick, Manning Jr, Monroe, Roblan, Steiner Hayward, Winters

Nays: 4 - Girod, Hansell, Johnson, Thomsen

Prepared By: Michelle Lisper, Department of Administrative Services

Reviewed By: John Terpening, Legislative Fiscal Office

Judicial Department

2017-19

Emergency Board

2017-19

This summary has not been adopted or officially endorsed by action of the committee.

SB 505 B

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Budget Summary

| | 2015-17 Legislatively Approved Budget | 2017-19 Current Service Level | 2017-19 Committee Recommendation | Committee Change from 2015-17 Leg. Approved | |
|--|--|----------------------------------|-------------------------------------|--|----------|
| | | | | \$ Change | % Change |
| <u>Oregon Judicial Department</u> | | | | | |
| General Fund | \$ - | \$ - | \$ 1,500,000 | \$ 1,500,000 | 100.0% |
| Total | \$ - | \$ - | \$ 1,500,000 | \$ 1,500,000 | 100.0% |
| <u>Emergency Board</u> | | | | | |
| General Fund | \$ - | \$ - | \$ 8,500,000 | \$ 8,500,000 | 100.0% |
| Total | \$ - | \$ - | \$ 8,500,000 | \$ 8,500,000 | 100.0% |

Position Summary

Oregon Judicial Department

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 0 | 0 | 11 | 11 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 7.79 | 7.79 |

Summary of Revenue Changes

Senate Bill 505 appropriates \$1,500,000 General Fund, and establishes ten permanent positions (7.29 FTE), and one limited-duration position (0.50 FTE) in the Oregon Judicial Department (OJD). OJD staff will assist in processing protective order requests and in conducting preliminary hearings. OJD will purchase and maintain recording equipment for District Attorneys in Multnomah, Jackson and Deschutes Counties.

In addition, the Subcommittee established \$8,500,000 General Fund special purpose appropriation to the Emergency Board, for additional expenses necessary to implement the requirements of the bill. This appropriation to the Emergency Board reflects the indeterminate nature of how the bill will be implemented among the counties across the state and the potential impact for which entities may request funds to carry out the provisions of the bill.

Summary of Public Safety Subcommittee Action

Senate Bill 505 requires county district attorneys to electronically record all grand jury proceedings, and to store and maintain copies of the audio recording. The measure provides for a phased-in implementation with Deschutes, Multnomah, and Jackson counties beginning to record grand jury proceedings on March 1, 2018, and all other counties in the state beginning on July 1, 2019.

The measure requires district attorneys to delegate recording and instruction to a grand juror, and to use the type of audio electronic recording devices provided and maintained by the Judicial Department.

Much of the costs of the measure are indeterminate, and will depend on the number of protective orders and preliminary hearings requested. Potentially impacted agencies include the courts, district attorneys, Department of Justice, Public Defense Services Commission, counties and cities. Due to the indeterminate nature, the measure sets aside \$8.5 million of General Fund in a special purpose appropriation to the Emergency Board, from which affected entities may request funds to carry out the provisions of the measure. Additionally, \$1.5 million General Fund is provided to the Judicial Department to provide funding for recording equipment and court costs in the three early-implementing counties only.

The Public Defense Services Commission, OJD and each county that begins the recording of grand jury proceedings by March 1, 2018, will submit a preliminary report to the Legislature by December 1, 2018. A second report is to be submitted on the implementation of the recording requirements, to the Joint Ways and Means and the Legislative Assembly related to judiciary, by February 1, 2019. The reports should include an initial assessment of the implementation in the early-implementing counties, but not limited to those counties; relevant information and data regarding the grand jury recording process; the preliminary hearing process; protective order process and data; information related to transcription; changes to policies or processes; and any legal issues or challenges arising from this measure.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Oregon Judicial Department
Michelle Lisper – 971-283-6360

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|--------------|---------------|-------------|------------|---------------|------------|-----------------|-----|------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| <u>SUBCOMMITTEE ADJUSTMENTS</u> | | | | | | | | | |
| <u>Oregon Judicial Department</u> | | | | | | | | | |
| SCR 100 - Trial Courts | | | | | | | | | |
| Personal Services | \$ 907,636 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 907,636 | 10 | 7.29 |
| Services and Supplies | \$ 357,056 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 357,056 | | |
| Subtotal | \$ 1,264,692 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 1,264,692 | 10 | 7.29 |
| SCR 102 - Administration and Central Support | | | | | | | | | |
| Personal Services | \$ 94,328 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 94,328 | 1 | 0.50 |
| Capital Outlay | \$ 140,980 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 140,980 | | |
| Subtotal | \$ 235,308 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 235,308 | 1 | 0.50 |
| Oregon Judicial Department Total | \$ 1,500,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 1,500,000 | 11 | 7.79 |
| Emergency Board | \$ 8,500,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 8,500,000 | | |
| SUBCOMMITTEE RECOMMENDATION | 10,000,000 | \$ - | \$ - | \$ - | \$ - | \$ - | 10,000,000 | 11 | 7.79 |

SB 5529 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Nathanson

Joint Committee On Ways and Means

Action Date: 07/03/17

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 7 - Gomberg, Holvey, Huffman, Nathanson, Rayfield, Smith Warner, Williamson

Nays: 1 - McLane

Exc: 3 - Smith G, Stark, Whisnant

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

Prepared By: Steve Bender, Legislative Fiscal Office

Various Agencies – Lottery Allocations

2017-19

Various Agencies – Criminal Fine Account Allocations

2017-19

Various Agencies – Oregon Marijuana Account Allocations

2017-19

This summary has not been adopted or officially endorsed by action of the committee.

SB 5529 A

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County Fairs

The 2001 Legislature statutorily dedicated one percent of net lottery proceeds, with certain limitations, for distribution to county fair programs throughout the state. This amount is adjusted by inflation each biennium.

Instead of the percentage allocation described in statute, the Subcommittee approved a fixed allocation of \$3,828,000 for the 2017-19 biennium.

Lottery Funds Expenditure Limitation

Lottery Funds expenditure limitation related to these allocations is generally contained within the respective agency budget bills and in House Bill 5006.

Allocation of Criminal Fine Account

ORS 137.300 establishes the Criminal Fine Account (CFA), and identifies program priorities for account moneys, but does not specify a funding level for the programs. A portion of the crime and violation fine payments collected by state and local courts are transferred into the account. The Expenditure limitations for programs receiving CFA allocations are established in the separate appropriation bills for the various receiving agencies. Any CFA revenues remaining after the specific program allocations are made are deposited into the General Fund.

The revenue forecast for the CFA for the 2017-19 biennium totals \$143.8 million. This amount is equal to the amount in the revenue forecast from the DAS Office of Economic Analysis as of May 2017, adjusted for the CFA revenue impacts of HB 2409 and HB 2797.

The Subcommittee approved allocations to agencies totaling \$77 million, leaving \$66.8 million to be deposited into General Fund. Those revenues are included in the General Fund expenditures authorized in the 2017-19 Legislatively Adopted Budget. The specific allocation amounts authorized in this bill are listed in the table of this budget report.

Allocation of Oregon Marijuana Account

Revenues from the state Marijuana taxes are deposited into the Oregon Marijuana Account. The Department of Revenue transfers 10 percent of Account funds to cities, and 10 percent to counties, by formulas established in statute. The remaining 80 percent of moneys in the Oregon Marijuana Account is allocated to state programs in this bill.

Oregon statutes dedicate the remaining 80 percent of moneys to be distributed as follows:

- 40 percent to the State School Fund
- 20 percent to the Mental Health Alcoholism and Drug Services Account
- 15 percent to the State Police Account
- 5 percent to alcohol and drug abuse prevention, early intervention and treatment services.

CRIMINAL FINE ACCOUNT ALLOCATIONS

| | 2015-17 Legislatively Approved Budget | 2017-19 Current Service Level | Percent Change | 2017-19 Legislatively Adopted Budget | Percent Change |
|--|--|--|-------------------|---|-------------------|
| Criminal Fine Account Revenues | \$ 122,859,199 | \$ 132,433,894 | 7.8% | \$ 143,803,894 | 17.0% |
| Criminal Fine Account Allocations: | | | | | |
| <i>Department of Public Safety Standards and Training</i> | | | | | |
| Operations | \$ 31,080,778 | \$ 34,549,738 | 11.2% | \$ 32,584,757 | 4.8% |
| Public Safety Memorial Fund | 128,420 | 200,030 | 55.8% | 200,030 | 55.8% |
| Subtotal | \$ 31,209,198 | \$ 34,749,768 | 11.3% | \$ 32,784,787 | 5.0% |
| <i>Department of Justice</i> | | | | | |
| Child Abuse Multidisciplinary Intervention (CAMI) | \$ 10,311,579 | \$ 10,690,929 | 3.7% | \$ 10,679,854 | 3.6% |
| Regional Assessment Centers | 787,663 | 816,807 | 3.7% | 815,961 | 3.6% |
| Criminal Injuries Compensation Account (CICA) | 8,775,830 | 9,100,536 | 3.7% | 9,095,393 | 3.6% |
| Child Abuse Medical Assessments | 666,107 | 690,752 | 3.7% | 690,667 | 3.7% |
| Subtotal | \$ 20,541,179 | \$ 21,299,024 | 3.7% | \$ 21,281,875 | 3.6% |
| <i>Department of Human Services</i> | | | | | |
| Domestic Violence Fund | \$ 2,224,675 | \$ 2,239,608 | 0.7% | \$ 2,239,608 | 0.7% |
| Sexual Assault Victims Fund | 533,332 | 518,399 | -2.8% | 518,399 | -2.8% |
| Subtotal | \$ 2,758,007 | \$ 2,758,007 | 0.0% | \$ 2,758,007 | 0.0% |
| <i>Oregon Health Authority</i> | | | | | |
| Emergency Medical Services & Trauma Services | \$ 331,824 | \$ 331,824 | 0.0% | \$ 331,824 | 0.0% |
| Alcohol & Drug Abuse Prevention | 42,884 | 42,884 | 0.0% | 42,884 | 0.0% |
| Law Enforcement Medical Liability Account (LEMLA) | 1,339,000 | 1,354,360 | 1.1% | 1,354,360 | 1.1% |
| Intoxicated Driver Program | 4,323,000 | 4,323,000 | 0.0% | 4,323,000 | 0.0% |
| Subtotal | \$ 6,036,708 | \$ 6,052,068 | 0.3% | \$ 6,052,068 | 0.3% |
| <i>Oregon Judicial Department</i> | | | | | |
| State court security and emergency preparedness | \$ 3,446,002 | \$ 3,588,745 | 4.1% | \$ 3,588,745 | 4.1% |
| County court facilities security | 4,148,922 | 3,161,732 | -23.8% | 2,824,208 | -31.9% |
| Capital improvements for courthouses and other state court facilities | 3,500,000 | - | -100.0% | - | -100.0% |
| State Court Technology Fund | - | - | 0.0% | 3,110,000 | N/A |
| Subtotal | \$ 11,094,924 | \$ 6,750,477 | -39.2% | \$ 9,522,953 | -14.2% |
| <i>Oregon State Police</i> | | | | | |
| Driving Under the Influence Enforcement | \$ 253,000 | \$ 351,572 | 39.0% | \$ 351,572 | 39.0% |
| <i>Department of Corrections</i> | | | | | |
| County correction programs and facilities, and alcohol and drug programs | \$ 4,391,472 | \$ 4,257,421 | -3.1% | \$ 4,257,421 | -3.1% |
| <i>Governor's Office</i> | | | | | |
| Arrest & Return for Extradition | \$ 22,500 | \$ 22,500 | 0.0% | \$ - | -100.0% |
| Total Allocations: | \$ 76,206,988 | \$ 76,240,837 | -0.1% | \$ 77,008,683 | 0.9% |
| Transfer to the General Fund: | \$ 46,552,211 | \$ 56,193,057 | 20.7% | \$ 66,795,211 | 43.5% |

SB 5529 A

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SB 5505 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Holvey

Joint Committee On Ways and Means

Action Date: 07/03/17

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 8 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith Warner, Williamson

Exc: 3 - Smith G, Stark, Whisnant

Senate Vote

Yeas: 11 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Winters

Nays: 1 - Thompson

Prepared By: Jean Gabriel, Department of Administrative Services

Reviewed By: Amanda Beitel, Legislative Fiscal Office

Various
2017-19

This summary has not been adopted or officially endorsed by action of the committee.

SB 5505 A

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Budget Summary

None.

Summary of Capital Construction Subcommittee Action

Senate Bill 5505 limits the maximum amount of bonds and third party financing agreements state agencies may issue and the amount of revenue state agencies may raise from such issuance. The proceeds from the issuance of bonds are included as revenues in agency budgets. This bill also allocates the federal tax-exempt private activity bond volume cap allowed under the Internal Revenue Code of 1986, as amended, to certain state agencies and the Private Activity Bond Committee established in ORS 286A.615.

The Subcommittee reviewed amendments to Senate Bill 5505 for the following purposes:

General Fund Obligations

1. The Subcommittee approved Article XI-G general obligation bond authority of \$204,570,000 to fund grants to Public Universities and Community Colleges to finance seven new capital projects for Public Universities, 12 new capital projects for Community Colleges, and three reauthorized capital projects approved during previous legislative sessions for Community Colleges. The proceeds of the bonds will be used to provide grants through grant programs administered by the Higher Education Coordinating Commission (HECC). Projects are described later in this report.
2. The Subcommittee approved Article XI-M general obligation bond authority of \$101,180,000, which includes net proceeds of \$100,000,000 and \$1,180,000 for costs of issuing bonds and approved Article XI-N general obligation bond authority of \$20,430,000, which includes net proceeds of \$20,000,000 and \$430,000 for costs of issuing bonds. The proceeds of the Article XI-M bonds will be used to provide grants for Seismic Rehabilitation of Public Education Buildings, and the proceeds of the Article XI-N bonds will be used to provide grants for Seismic Rehabilitation of Emergency Services Buildings through grant programs administered by the Oregon Business Development Department.
3. The Subcommittee approved Article XI-P general obligation bond authority of \$100,985,000, which includes \$100,000,000 in net proceeds and \$985,000 for costs of issuing bonds, to fund matching grants to school districts for capital costs including construction, improvement, or remodel of facilities and acquisition of equipment through a grant program administered by the Oregon Department of Education.

4. The Subcommittee approved General Fund supported Article XI-Q general obligation bond authority of \$563,839,225 to finance the capital costs of projects for real or personal property owned or operated by the state. The projects and agencies are listed below, with the exception of HECC; projects funded by grants from the HECC to Public Universities are described later in this report.
- Department of Human Services, ONE Integrated Eligibility and Medicaid Eligibility System: approved \$34,045,000 Article XI-Q bonds to finance \$33,523,000 of project costs and \$522,000 for costs of issuing the bonds. The project is to implement an IT system to integrate the determination of client eligibility for multiple programs into one system, including eligibility for TANF, ERDC, SNAP, and to expand Medicaid eligibility to include non-MAGI Medicaid populations. The Subcommittee also approved additional funding of \$11,477,000 for this project through the repurpose of \$6,500,000 of bond proceeds originally issued for the Oregon Military Department (OMD) Regional Training Institute and \$4,977,000 of bond proceeds originally issued for the OMD Youth Challenge project.
 - Department of Justice, Child Support Enforcement Automated System: approved \$16,585,000 Article XI-Q bonds to finance \$16,267,633 of project costs and \$317,367 for costs of issuing the bonds. The project is to develop and implement a new automated system for the Oregon Child Support Program that will function as a case management system, an accounting and distribution system, and a data exchange system which interfaces with multiple agencies within Oregon and nationwide.
 - Department of Revenue, Core Tax Revenue Systems Replacement: approved \$4,855,000 Article XI-Q bonds to finance \$4,781,944 of project costs and \$73,056 for costs of issuing the bonds. The project is to implement an IT system to replace outdated and disparate systems into one integrated system for improved tracking and reporting of tax revenues. This funding will complete implementation of the system in 2017-19.
 - Legislative Administration Committee, Capitol Accessibility, Maintenance, and Safety: approved \$13,960,000 Article XI-Q bonds to finance \$13,720,642 of project costs and \$239,358 for costs of issuing the bonds. The project is to make capital improvements to the State Capitol Building, including improvements to ADA accessibility and safety.
 - Oregon Judicial Department, Multnomah County Courthouse: approved \$102,495,000 Article XI-Q bonds to finance \$101,500,000 of project costs and \$995,000 for costs of issuing the bonds. Project costs of \$92,600,000 will be the final state matching funds to complete the construction of a new courthouse in Multnomah County. The remaining \$8,900,000 will be used to purchase state-owned furnishings and equipment.
 - Oregon Judicial Department, Lane County Courthouse: approved \$5,115,000 Article XI-Q bonds to finance \$5,000,000 of project costs and \$115,000 for costs of issuing the bonds. The project is to support replacement of the Lane County Courthouse, including making improvements to the new courthouse site to prepare it for construction.

HB 5201 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Johnson

Joint Committee On Ways and Means

Action Date: 03/02/18

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 11 - DeBoer, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, President Courtney, Roblan, Steiner Hayward, Thomsen

Exc: 1 - Winters

House Vote

Yeas: 10 - Gomberg, Holvey, McLane, Nathanson, Noble, Rayfield, Smith Warner, Stark, Whisnant, Williamson

Exc: 1 - Smith G

Prepared By: Linda Ames and Gregory Jolivette, Legislative Fiscal Office

Reviewed By: Paul Siebert, Legislative Fiscal Office

Emergency Board

2017-19

Various Agencies

2017-19

*** CORRECTED ***

This summary has not been adopted or officially endorsed by action of the committee.

HB 5201 A

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Budget Summary*

| | 2017-19 Legislatively Adopted Budget | 2018 Committee Recommendation | Committee Change from 2017-19 Leg. Adopted | |
|---|---|----------------------------------|---|----------|
| | | | \$ Change | % Change |
| <u>PUBLIC SAFETY PROGRAM AREA</u> | | | | |
| <u>Department of Corrections</u> | | | | |
| General Fund | \$ 1,568,314,745 | \$ 1,593,929,231 | \$ 25,614,486 | 1.6% |
| General Fund Debt Service | \$ 112,749,173 | \$ 112,706,132 | \$ (43,041) | 0.0% |
| Other Funds | \$ 43,244,547 | \$ 43,508,746 | \$ 264,199 | 0.6% |
| Other Funds Debt Service | \$ - | \$ 43,042 | \$ 43,042 | |
| <u>Oregon Criminal Justice Commission</u> | | | | |
| General Fund | \$ 64,926,239 | \$ 65,021,569 | \$ 95,330 | 0.1% |
| Other Funds | \$ 511,392 | \$ 961,392 | \$ 450,000 | 88.0% |
| Federal Funds | \$ 7,170,201 | \$ 8,224,498 | \$ 1,054,297 | 14.7% |
| <u>District Attorneys and their Deputies</u> | | | | |
| General Fund | \$ 12,478,724 | \$ 12,592,454 | \$ 113,730 | 0.9% |
| <u>Department of Justice</u> | | | | |
| General Fund | \$ 72,122,805 | \$ 73,202,693 | \$ 1,079,888 | 1.5% |
| General Fund Debt Service | \$ 12,530,237 | \$ 12,507,190 | \$ (23,047) | -0.2% |
| Other Funds | \$ 321,296,607 | \$ 330,308,027 | \$ 9,011,420 | 2.8% |
| Federal Funds | \$ 179,004,039 | \$ 186,688,612 | \$ 7,684,573 | 4.3% |
| <u>Oregon Military Department</u> | | | | |
| General Fund | \$ 25,608,114 | \$ 27,578,231 | \$ 1,970,117 | 7.7% |
| Other Funds | \$ 106,851,901 | \$ 112,711,583 | \$ 5,859,682 | 5.5% |
| Federal Funds | \$ 271,814,624 | \$ 289,973,794 | \$ 18,159,170 | 6.7% |
| <u>Oregon Board of Parole</u> | | | | |
| General Fund | \$ 8,868,686 | \$ 9,048,876 | \$ 180,190 | 2.0% |
| <u>Department of State Police</u> | | | | |
| General Fund | \$ 269,292,257 | \$ 280,526,031 | \$ 11,233,774 | 4.2% |
| Lottery Funds | \$ 8,069,250 | \$ 8,145,961 | \$ 76,711 | 1.0% |
| Other Funds | \$ 136,707,491 | \$ 151,266,325 | \$ 14,558,834 | 10.6% |
| Federal Funds | \$ 12,249,830 | \$ 12,274,226 | \$ 24,396 | 0.2% |

| Position Summary | 2017-19 Legislatively Adopted Budget | 2018 Committee Recommendation | Committee Change from 2017-19 Leg. Adopted | |
|--|---|----------------------------------|---|----------|
| | | | Change | % Change |
| HUMAN SERVICES PROGRAM AREA | | | | |
| <u>Oregon Health Authority</u> | | | | |
| Authorized Positions | 4,646 | 4,177 | (469) | -10.1% |
| Full-time Equivalent (FTE) positions | 4,591.03 | 4,274.45 | (316.58) | -6.9% |
| <u>Department of Human Services</u> | | | | |
| Authorized Positions | 8,349 | 9,056 | 707 | 8.5% |
| Full-time Equivalent (FTE) positions | 8,164.07 | 8,612.17 | 448.10 | 5.5% |
| <u>Long Term Care Ombudsman</u> | | | | |
| Authorized Positions | 25 | 27 | 2 | 8.0% |
| Full-time Equivalent (FTE) positions | 24.50 | 25.50 | 1.00 | 4.1% |
| NATURAL RESOURCES PROGRAM AREA | | | | |
| <u>State Department of Agriculture</u> | | | | |
| Authorized Positions | 489 | 501 | 12 | 2.5% |
| Full-time Equivalent (FTE) positions | 370.46 | 375.73 | 5.27 | 1.4% |
| <u>Department of Environmental Quality</u> | | | | |
| Authorized Positions | 745 | 751 | 6 | 0.8% |
| Full-time Equivalent (FTE) positions | 723.89 | 730.67 | 6.78 | 0.9% |
| <u>Department of State Lands</u> | | | | |
| Authorized Positions | 111 | 113 | 2 | 1.8% |
| Full-time Equivalent (FTE) positions | 109.33 | 110.67 | 1.34 | 1.2% |
| PUBLIC SAFETY PROGRAM AREA | | | | |
| <u>Department of Justice</u> | | | | |
| Authorized Positions | 1,374 | 1,379 | 5 | 0.4% |
| Full-time Equivalent (FTE) positions | 1,348.42 | 1,355.40 | 6.98 | 0.5% |

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As of January 25, 2018, the Department of Corrections had 297 inmates in custody over the age of 70. Elderly inmates are housed throughout the state, depending on the location of infirmary and hospice beds, single-story and single-bunk cells and dormitories, and proximity to health care facilities.

The Department of Corrections is directed to evaluate the feasibility of using the Oregon State Penitentiary - Minimum as a dedicated facility for housing male prison inmates over the age of seventy-five. The Department should evaluate the suitability of using OSPM to house elderly inmates and identify any and all facility modifications that would be required to safely house a population that has an above average incidence of mobility limitations and serious health conditions. The suitability evaluation should include a detailed cost analysis and an estimated construction timeframe for those modifications to the existing facility necessary to provide an adequate number of infirmary and hospice beds for this population, as well as any security upgrades, infirmary improvements, medical equipment purchases, and accessibility modifications. The Department is directed to report to the Legislature by February 2019 on the cost and timeframe for remodeling and equipping OSPM, and on the estimated cost of operating the facility, including any extraordinary costs for medical staff, transportation, and other reasonably necessary resources for housing an elderly inmate population.

Criminal Justice Commission

The Subcommittee increased the Criminal Justice Commission's Federal Funds expenditure limitation by \$1,045,940 for two grants awards received in larger amounts than anticipated in the 2017-19 legislatively adopted budget. The awards supplement an existing program supporting Local Public Safety Coordinating Councils in rural Oregon counties and the state's Statistical Analysis Center program.

The Criminal Justice Commission's Other Funds expenditure limitation was increased by \$450,000 for implementation of a new case management system for Oregon's specialty courts. Revenues supporting the expenditure limitation are from asset forfeitures, statutorily dedicated to specialty courts.

Oregon Department of Justice

The Subcommittee approved an increase of \$53,241 Other Funds, \$159,723 Federal Funds, and 0.25 full-time equivalent for the Civil Enforcement Division's Medicaid Fraud Unit. The Unit is projecting a personal services budget shortfall and requested a temporary funding increase. The Subcommittee recommended a permanent resolution of the underlying budget issues with the upward reclassification of two Assistant Attorney General positions to Senior Assistant Attorney General, an upward reclassification of a Principal Executive Manager C to a D (Chief Investigator), and adding 0.25 FTE to an existing Legal Secretary position budgeted at 0.75 FTE.

The Subcommittee approved \$2.8 million Other Funds expenditure limitation for the Child Support Enforcement Automated System (CSEAS), which is to be financed with Article XI-Q bonds authorized in SB 5702. The Subcommittee also approved \$5.4 million Federal Funds expenditure limitation and an increase of 0.25 full-time equivalent. These are one-time costs. Other Funds expenditure limitation of \$56,463 was also added

for the cost of issuance of the bonds. The Subcommittee reduced General Fund Debt Service by \$23,047 to account for a delayed issuance in previously authorized bonding authority. The 2017-19 Article XI-Q bond authority for the project totals \$19.4 million, including \$19,026,170 for project costs and \$373,830 costs of issuance. General Fund Debt Service totals \$12.5 million.

Since 2010, the Oregon Department of Justice's Division of Child Support has been working on a multi-biennia plan to replace its current COBOL-based mainframe child support case management and financial system with a transfer or hybrid solution with custom development that will use some existing software from three states. CSEAS is expected to be completed by 2021 with an implementation cost estimated at \$137.3 million. Federal Funds will provide 66% of eligible program costs under Title IV-D of the federal Social Security Act for both development and ongoing operations and maintenance costs.

The project is within scope, on schedule, and within budget. The primary purpose of the additional bond authority is to safeguard the progress of the project should there be a major issue during User Acceptance Testing (UAT). UAT started in February of 2018 and continues through May of 2018. If by September 30, 2018 any of the additional bonding authority provided for UAT is unneeded, the unused portion is to be released for other statewide purposes. The project does, however, require the immediate expenditure of \$120,738 Other Funds and \$234,374 Federal Funds for contract change orders. The Department of Administrative Services is directed to unschedule \$2,637,799 Other Funds and \$5,164,513 Federal Funds, which may be rescheduled upon the approval of the Legislative Fiscal Office, but only if unanticipated UAT issues arise.

The bill includes an increase of \$185,916 General Fund and the establishment of one permanent full-time Assistant Attorney General (0.63 FTE) in the Criminal Justice Division for the prosecution of election fraud violations under ORS 260.345, which have increased over the course of the last several biennia. The 2019-21 cost totals \$293,381 General Fund.

The Subcommittee approved an increase of \$1.3 million Other Funds expenditure limitation and the establishment of four limited duration positions (2.68 FTE) in the General Counsel Division as one-time costs. The position cost is \$1 million and includes: one Assistant Attorney General position for Health and Human Services; one Assistant Attorney General position for Tax and Finance; one Assistant Attorney General position for Business Transactions; and one Senior Assistant Attorney General position for Government Services. The Division is experiencing higher caseload work related to: procurement, bonding, expended lottery offerings, litigation agreement implementation, legal sufficiency reviews, and agency administrative rules development. An additional \$258,252 was approved for administratively-authorized limited duration position costs that the agency incurred pending the approval of this request. The revenue to support this request will come from billings to state agencies, which will total \$1.9 million (\$574,288 above the limitation request to account for agency overhead costs).

Two technical adjustments were approved to the Civil Enforcement Division's General Fund appropriation. HB 5015 (2017) eliminated a \$3.2 million General Fund appropriation for enforcement of the Master Tobacco Settlement Agreement (MTSA) as the Department no longer requires the General Fund for defending the state's enforcement actions to the arbitration panel. A portion of the reduction included \$127,059

General Fund for standard inflation; however, HB 5006 (2017), as part of a statewide adjustment, also included a reduction of \$127,059 for inflation. The Subcommittee's action restores the inflation reduction to provide funding for civil rights enforcement.

The Subcommittee also approved a technical adjustment to transfer \$25,646 General Fund from the Appellate Division to the Civil Enforcement Division to correct for an Oregon Law reference error in HB 5006 (2017).

A technical adjustment to the Child Support Enforcement Automated System (CSEAS) information technology project was approved. The adjustment increases months on six existing positions by 3.17 FTE. This adjustment is self-financed by reducing budgeted services and supplies by \$708,017 and increasing personal services by a corresponding amount. This adjustment aligns budgeted indirect charges for the program with agency practice.

Oregon Military Department

The Subcommittee approved a one-time General Fund appropriation of \$260,724 to cover expenses incurred by the Oregon Military Department for services provided by the Oregon National Guard during and after the total solar eclipse on August 21st, 2017.

The Other Funds expenditure limitation for the Community Support program was increased, on a one-time basis, by \$5,442,829 to reimburse wildland firefighting expenses incurred by the Oregon Military Department during the 2017 fire season.

The Subcommittee increased the agency's Federal Funds expenditure limitation by \$16,421,308 for lead dust abatement projects at eight armories located throughout Oregon.

Pending federal approval of the agency's proposed indirect cost allocation plan, the Subcommittee recommended \$1,590,544 General Fund be added to the Office of Emergency Management to cover 2017-19 administrative expenses that can no longer be charged to federal grants. The Subcommittee also approved the following budget note:

Budget Note:

The Oregon Military Department - Office of Emergency Management (OEM) is directed to assess and update OEM's processes, policies, and practices for internal control over grants management, separate from and in addition to any external financial or programmatic audits currently underway. The updated practices should align to the Internal Control-Integrated Framework as updated in 2013 by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). The Military Department is to undertake immediate action to correct any identified deficiencies.

Legislative Fiscal Office

900 Court St. NE, H-178
Salem OR 97301
503-986-1828



**Oregon Legislative
Emergency Board**

Sen. Peter Courtney, Senate Co-Chair
Rep. Tina Kotek, House Co-Chair

Certificate

September 26, 2018

Pursuant to the provisions of ORS 291.328, and acting under the authority of ORS 276.390; ORS 291.326(1)(a), (b), (c), and (d); and ORS 291.375; this hereby certifies that the Emergency Board, meeting on September 26, 2018, took the following actions:

- 1. Treasurer of State**
Acknowledged receipt of a report on investment expenses related to the Oregon Public Employees Retirement Fund.
- 2. Secretary of State**
Acknowledged receipt of a report on Help America Vote Act funds, with the understanding that the agency will include an update on the actions taken to enhance elections security with its 2019-21 biennium agency request budget.
- 3. Department of Education
Department of Human Services**
Increased the Federal Funds expenditure limitation established for the Department of Education by section 5(1), chapter 590, Oregon Laws 2017, Early learning programs, by \$7,207,837 and authorized the establishment of 12 limited duration positions (3.96 FTE) for the expenditure of additional federal Child Care Development Block Grant funding.
- 4. Department of Education**
Allocated \$13,547 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of Education by section 1(1), chapter 590, Oregon Laws 2017, Operations, and allocated \$338,687 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of Education by section 2(4), chapter 590, Oregon Laws 2017, Other K-12 grant-in-aid programs, for grants to school districts for connecting schools to high-speed telecommunications and the internet and for related administrative costs.
- 5. Department of Education**
Increased the Other Funds expenditure limitation established for the Department of Education by section 3(1), chapter 590, Oregon Laws 2017, Operations, by \$163,889 and authorized the establishment of three limited duration positions (0.87 FTE) to increase the capacity of business services staff.

17. **Department of Human Services**
Acknowledged receipt of a report and allocated \$300,000 from the special purpose appropriation made to the Emergency Board by section 132(1), chapter 99, Oregon Laws 2018, to supplement the appropriation made to the Department of Human Services by section 1(3), chapter 597, Oregon Laws 2017, Aging and people with disabilities and intellectual/developmental disabilities programs, for ventilator-assisted services in nursing facilities.
18. **Department of Human Services**
Approved, retroactively, the submission of a federal grant application to the Administration on Children, Youth and Families for one-time funding in the amount of \$301,558 to support kinship navigator efforts for the Child Welfare program.
19. **Department of Human Services**
Acknowledged receipt of a report on increasing rural jobs in Oregon.
20. **Department of Justice**
Department of Human Services
Acknowledged receipt of a report on the phased-in implementation of full legal representation for child welfare caseworkers.
21. **Oregon Health Authority**
Allocated \$160,450 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Oregon Health Authority by section 1(1), chapter 545, Oregon Laws 2017, Programs, for the Drinking Water Services Program and authorized the establishment of one permanent Natural Resources Specialist 4 position and one limited duration Natural Resources Specialist 3 position for a total of 0.66 FTE to work on emerging contaminants and emergency preparedness related to water quality.
22. **Oregon Health Authority**
Approved, retroactively, the submission of a federal grant application to the Centers for Disease Control and Prevention, State Physical Activity and Nutrition (SPAN) Program, in the amount of up to \$1.3 million annually over five years, to support the state in its continued efforts to improve nutrition and increase safe and accessible physical activities.
23. **Oregon Health Authority**
Approved, retroactively, the submission of a federal grant application to the Centers for Disease Control and Prevention, State Actions to Improve Oral Health Outcomes, in the amount of up to \$3,125,000 over five years, to support the state in its efforts to decrease dental caries and oral health disparities.
24. **Oregon Health Authority**
Approved, retroactively, the submission of a federal grant application to the Substance Abuse and Mental Health Services Administration, Improving Life Trajectories for Youth and Young Adults with Serious Mental Disorders Program, in the amount of up to \$1 million per year for up to five years, to improve access to developmentally appropriate

- 32. Department of State Police**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Bureau of Justice Statistics in the amount of \$159,520 over a two-year period to purchase finger- and palm-print biometric scanning equipment for local criminal justice agencies.
- 33. Department of State Police**
Allocated \$134,709 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of State Police by section 1(4), chapter 581, Oregon Laws 2017, Administrative services, agency support, criminal justice information services and office of the State Fire Marshal, to pay for the balance of the agency's implementation costs for the technology solution chosen for the STOP program.
- 34. Department of State Police**
Allocated \$9,865,644 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of State Police by section 1(4), chapter 581, Oregon Laws 2017, Administrative services, agency support, criminal justice information services and office of the State Fire Marshal, and increased the expenditure limitation established for the Department of State Police by section 2(4), chapter 581, Oregon Laws 2017, Administrative services, agency support, criminal justice information services and office of the State Fire Marshal, by \$7,104,707, to address costs incurred during the 2018 wildfire season, with instructions.
- 35. Military Department**
Acknowledged receipt of a report on the agency's assessment of its processes, policies, and practices for internal control over grants management.
- 36. Military Department**
Allocated \$123,275 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Military Department by section 1 (4), chapter 566, Oregon Laws 2017, Community Support, to reimburse the agency for costs associated with state activation of the Oregon National Guard to support two drinking water delivery missions for the City of Salem during May and June 2018.
- 37. Military Department**
Deferred action on the request for a \$50,000 Emergency Fund allocation and a limited duration position to coordinate emergency drinking water resources until the 2019 legislative session.
- 38. Department of Justice**
Authorized the transfer of \$87,193 from the General Fund appropriation established for the Department of Justice, by section 1(2), chapter 576, Oregon Laws 2017, Civil Enforcement Division, to the General Fund appropriation established for the Department of Justice, by section 1(3), chapter 576, Oregon Laws 2017, Criminal Justice Division, for the Regional Automated Information Network (RAIN) coordinator position.

39. Department of Justice

Allocated \$2,640,456 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of Justice by section 1(6), chapter 576, Oregon Laws 2017, Division of Child Support, for a revenue shortfall in Temporary Assistance for Needy Families (TANF) recoveries and additional various program budget shortfalls, with the understanding that the Department of Administrative Services will unschedule \$1,250,000 for the TANF shortfall.

40. Department of Justice

Increased the Federal Funds expenditure limitation for the Department of Justice established by section 3(3), chapter 576, Oregon Laws 2017, Crime Victims' Services Division, by \$14,430,275; authorized the transfer of \$5,000,000 from the Federal Funds expenditure limitation established by section 3(4), chapter 576, Oregon Laws 2017, Division of Child Support, to the Federal Funds expenditure limitation established by section 3(3), chapter 576, Oregon Laws 2017, Crime Victims' Services Division; and authorized the transfer of \$553,521 from the Federal Funds expenditure limitation established by section 36, chapter 702, Oregon Laws 2017, for the child support enforcement automated system in the child support enforcement automated program, to the Federal Funds expenditure limitation established by section 3(3), chapter 576, Oregon Laws 2017, Crime Victims' Services Division, for expenditure of federal grant funding.

41. Department of Human Services

Department of Justice

Judicial Department

Public Defense Services Commission

Acknowledged receipt of a report on progress made toward implementing strategies to improve juvenile dependency systems.

42. Department of Justice

Increased the Other Funds expenditure limitation established for the Department of Justice by section 2(2), chapter 576, Oregon Laws 2017, Appellate Division, by \$507,367; increased the Other Funds expenditure limitation established for the Department of Justice by section 2(3), chapter 576, Oregon Laws 2017, Civil Enforcement Division, by \$356,936; increased the Other Funds expenditure limitation established for the Department of Justice by section 2(6), chapter 576, Oregon Laws 2017, General Counsel Division, by \$1,185,059; increased the Other Funds expenditure limitation established for the Department of Justice by section 2(7), chapter 576, Oregon Laws 2017, Trial Division, by \$444,547; authorized the transfer of \$196,115 General Fund from the appropriation made to the Department of Justice by section 1(2), chapter 576, Oregon Laws 2017, Civil Enforcement Division, to the appropriation made to the Department of Justice by section 1(3), chapter 576, Oregon Laws 2017, Criminal Justice Division; and authorized, within the Other Funds expenditure limitations established for the Department of Justice by section 2, chapter 576, Oregon Laws 2017, the transfer of \$500,000 from subsection (5), Crime Victims' Services Division, to subsection (3), Civil Enforcement Division; for intra-agency charges to fund the Administration Division.

- 43. Department of Justice**
Allocated \$1,343,260 from the Emergency Fund established by section 1, chapter 702, Oregon Laws 2017, to supplement the appropriation made to the Department of Justice by section 1(6), chapter 576, Oregon Laws 2017, Division of Child Support, for the Child Support Enforcement Automated System Project; authorized the transfer of \$553,521 from the Other Funds expenditure limitation established for the Department of Justice by section 2(5), chapter 576, Oregon Laws 2017, Crime Victims' Services Division, to supplement the expenditure limitation established for the Department of Justice by section 33, chapter 702, Oregon Laws 2017, for the child support enforcement automated system in the child support enforcement automated program; authorized the transfer of \$886,798 from the Other Funds expenditure limitation established for the Department of Justice by section 2(8), chapter 576, Oregon Laws 2017, Division of Child Support, to supplement the expenditure limitation established for the Department of Justice by section 33, chapter 702, Oregon Laws 2017, for the child support enforcement automated system in the child support enforcement automated program; for project expenditures.
- 44. District Attorneys and Their Deputies**
Deferred action on the request to allocate funds from the special purpose appropriation made to the Emergency Board for costs related to grand jury recordation until the December 2018 meeting of the Emergency Board.
- 45. Department of Public Safety Standards and Training**
Increased the Federal Funds expenditure limitation established for the Department of Public Safety Standards and Training by section 3, chapter 583, Oregon Laws 2017, by \$325,955, for expenditure of a grant award from the federal Assistance to Firefighters grant program.
- 46. Department of Public Safety Standards and Training**
Increased the Other Funds expenditure limitation established for the Department of Public Safety Standards and Training by section 2(1), chapter 583, Oregon Laws 2017, Operations, by \$77,282 and authorized the establishment of one limited duration Training and Development Specialist 2 position (0.38 FTE) in the Private Security Program.
- 47. Criminal Justice Commission**
Approved, retroactively, a grant application to the U.S. Department of Justice, Bureau of Justice Assistance in the amount of \$181,887 for a Project Safe Neighborhoods grant.
- 48. Department of Corrections**
Approved, retroactively, the submission of a federal grant application to the U.S. Department of Justice, Bureau of Justice Assistance in the amount of \$750,000 over a three-year period to provide treatment to both adults in custody and offenders re-entering the community who suffer from co-occurring substance abuse and mental health disorders.

Department of Justice

10% Reduction Options

Department of Justice (DOJ) Administration Division
2019 - 2021 Biennium

| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|---|-------------|----|-------------|----|-------------|-------------|-------------|------|---------------------------------------|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | |
| Dept | Prgm/ Div | | | | | | | | | | | | | |
| 1 | 1 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | | (306,028) | (1) | (1.00) | |
| 1 | 1 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | | (1,450,138) | (6) | (6.00) | |
| 2 | 1 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | | (5,165,700) | | (8,013,193) | (41) | (40.80) | |
| 2 | 1 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | | (2,962,222) | (17) | (10.40) | |
| 3 | 1 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | | (1,207,395) | (2) | (2.75) | |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | | (1,133,861) | (4) | (4.00) | |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,525) | | | | | | (17,525) | 0 | 0.00 | |
| 4 | 1 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | | (1,794,123) | (11) | (10.00) | |
| 5 | 1 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | (1,208,229) | | | | (1,208,229) | (2) | (1.93) | |
| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | | (37,247) | 0 | (0.12) | |
| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | | (3,016,016) | (10) | (12.50) | |
| 5 | 3 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | | (97,163) | 0 | (0.60) | |
| 6 | 1 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,984) | | | | | | (1,311,984) | 0 | 0.00 | |
| 6 | 1 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | | (19,604) | 0 | 0.00 | |
| 6 | 2 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | | (278,623) | 0 | 0.00 | |
| 6 | 3 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | | (229,273) | 0 | 0.00 | |
| 6 | 4 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence | (478,007) | | | | | | (478,007) | 0 | 0.00 | |
| 6 | 5 | 13700 | 045-00-000-00000 | Address Confidentiality Program (ACP) | (136,628) | | | | | | (136,628) | 0 | 0.00 | |
| 6 | 6 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMI) | (82,850) | | (599,699) | | | | (682,549) | 0 | 0.00 | |
| 7 | 2 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | | (306,028) | (1) | (1.00) | |
| 7 | 2 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | | (1,450,138) | (5) | (5.00) | |
| 8 | 2 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | | (5,165,701) | | (8,013,194) | (38) | (37.92) | |
| 8 | 2 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | | (2,962,222) | (8) | (8.00) | |
| 9 | 2 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | | (1,207,395) | (1) | (1.00) | |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | | (1,133,861) | (6) | (5.09) | |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,526) | | | | | | (17,526) | 0 | 0.00 | |
| 10 | 2 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | | (1,794,123) | (10) | (10.00) | |
| 11 | 4 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | (1,208,229) | | | | (1,208,229) | (3) | (2.50) | |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | | (37,247) | 0 | (0.12) | |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | | (3,016,016) | (13) | (13.00) | |
| 11 | 6 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | | (97,163) | 0 | (0.55) | |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|--|-------------|----|-----------|----|-------|-------------|-------------|-----|---------------------------------------|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | |
| Dept | Prgm/ Div | | | | | | | | | | | | | |
| 12 | 2 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,983) | | | | | | (1,311,983) | 0 | 0.00 | |
| 12 | 7 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | | (19,604) | 0 | 0.00 | |
| 12 | 8 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | | (278,623) | 0 | 0.00 | |
| 12 | 9 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | | (229,273) | 0 | 0.00 | |
| 12 | 10 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence Services Fund (ODSVS) | (614,635) | | | | | | (614,635) | 0 | 0.00 | |
| 12 | 11 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMI) | (82,850) | | (599,699) | | | | (682,549) | 0 | 0.00 | |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|---|-----------|----|-------------|----|-------|-------------|-------------|------|---------------------------------------|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | |
| Dept | Prgm/ Div | | | | | | | | | | | | | |
| 1 | 1 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | | (306,028) | (1) | (1.00) | |
| 1 | 1 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | | (1,450,138) | (6) | (6.00) | |
| 7 | 2 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | | (306,028) | (1) | (1.00) | |
| 7 | 2 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | | (1,450,138) | (5) | (5.00) | |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | | (1,133,861) | (4) | (4.00) | |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,525) | | | | | | (17,525) | 0 | 0.00 | |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | | (1,133,861) | (6) | (5.09) | |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,526) | | | | | | (17,526) | 0 | 0.00 | |
| 5 | 1 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | (1,208,229) | | | | (1,208,229) | (2) | (1.93) | |
| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | | (37,247) | 0 | (0.12) | |
| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | | (3,016,016) | (10) | (12.50) | |
| 5 | 3 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | | (97,163) | 0 | (0.60) | |
| 11 | 4 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | (1,208,229) | | | | (1,208,229) | (3) | (2.50) | |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | | (37,247) | 0 | (0.12) | |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | | (3,016,016) | (13) | (13.00) | |
| 11 | 6 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | | (97,163) | 0 | (0.55) | |
| 3 | 1 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | | (1,207,395) | (2) | (2.75) | |
| 9 | 2 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | | (1,207,395) | (1) | (1.00) | |
| 6 | 1 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | | (19,604) | 0 | 0.00 | |
| 6 | 2 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | | (278,623) | 0 | 0.00 | |
| 6 | 3 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | | (229,273) | 0 | 0.00 | |
| 6 | 4 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence Services Fund (ODSVS) | (478,007) | | | | | | (478,007) | 0 | 0.00 | |
| 6 | 5 | 13700 | 045-00-000-00000 | Address Confidentiality Program (ACP) | (136,628) | | | | | | (136,628) | 0 | 0.00 | |
| 6 | 6 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMIL) | (82,850) | | (599,699) | | | | (682,549) | 0 | 0.00 | |
| 12 | 7 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | | (19,604) | 0 | 0.00 | |
| 12 | 8 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | | (278,623) | 0 | 0.00 | |
| 12 | 9 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | | (229,273) | 0 | 0.00 | |
| 12 | 10 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence Services Fund (ODSVS) | (614,635) | | | | | | (614,635) | 0 | 0.00 | |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|---|-------------|----|-------------|----|-------------|-------------|-------------|------|---------------------------------------|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | |
| Dept | Prgm/ Div | | | | | | | | | | | | | |
| 12 | 11 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMI) | (82,850) | | (599,699) | | | | (682,549) | 0 | 0.00 | |
| 2 | 1 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | | (2,962,222) | (17) | (10.40) | |
| 8 | 2 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | | (2,962,222) | (8) | (8.00) | |
| 4 | 1 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | | (1,794,123) | (11) | (10.00) | |
| 10 | 2 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | | (1,794,123) | (10) | (10.00) | |
| 6 | 1 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,984) | | | | | | (1,311,984) | 0 | 0.00 | |
| 12 | 2 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,983) | | | | | | (1,311,983) | 0 | 0.00 | |
| 2 | 1 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | | (5,165,700) | | (8,013,193) | (41) | (40.80) | |
| 8 | 2 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | | (5,165,701) | | (8,013,194) | (38) | (37.92) | |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|--|-------------|----|-------------|-------------|-------|-------------|-------------|------|---------------------------------------|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | Impact of Reduction on Services and Outcomes | |
| Dept | Prgm/ Div | | | | | | | | | | | | | | |
| 1 | 1 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | | (306,028) | (1) | (1.00) | | <p>The Attorney General's Office provides the policy direction, strategy, leadership, oversight, budgeting, and accountability for the effective and efficient operation of the Department.</p> <p>The Administrative Services Division (ASD) delivers business services that enable all Department employees to do their jobs. This ranges from issuing invoices to managing federal grants, and working with landlords on work space. All of this work is enabled by the technology, financial, operational, and employee services that ASD provides throughout DOJ.</p> <p>As part of the Division's 5% reduction, the Office could eliminate one (1) full-time (1.00 FTE) Honor's Attorney position. Nine Honor's Attorney positions (8.00 FTE) would remain. This reduction results in fewer attorneys working in DOJ to meet the demand of state agencies for legal advice.</p> |
| 1 | 1 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | | (1,450,138) | (6) | (6.00) | | <p>A 5% reduction means the loss of six (6) positions (6.00 FTE). Reductions at this level consist of positions performing HR support, business administration, training, accounting, and technology support.</p> <p>The loss of these positions will jeopardize our ability to plan, execute, and report on the Department's business continuity program. Additionally, we will lose the core functionality of our classification and compensation team. This work would need to be contracted out to DAS. Finally, the loss of our technology support positions and trainer will dramatically increase the response time and time to market for technology solutions in both our infrastructure and application teams.</p> |
| 2 | 1 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | (5,165,700) | | | (8,013,193) | (41) | (40.80) | | <p>The Division will lose 41 positions in addition to the positions lost in revenue reduction package 070. The positions eliminated are spread across classifications to minimize the impact to the overall Oregon Child Support Program performance and future collections for Oregon families.</p> <p>At this level, child support collections are reduced by \$48,847,443 during the 2019-21 biennium. The loss to families who are not on public assistance is \$47,027,864. Families receiving public assistance also lose \$235,346 in collections passed through to them in accordance with state and federal law. The recovery loss for other agencies (Department of Human Services – Child Welfare, Oregon Youth Authority, and Oregon Health Authority) is \$566,619. The Program loses \$1,017,614 in recoveries and the associated federal matching dollars of \$1,975,369 for a total loss to the Program of \$2,992,983. The total caseload size does not decrease, so the caseload per FTE increases from 287 to 314. Managing the workload becomes more difficult and will cause the production of new orders to drop from 2,984 to 2,730, a reduction of 254 orders, as well as the production of modifications decreasing from 4,075 to 3,728, for a reduction of 347 modifications.</p> <p>Operating payments to the county DA offices will be reduced by \$1,228,146. These are a combination of state General Fund dollars and pass-through federal funds (matching and incentives) that the Division of Child Support will be unable to distribute to the DA offices for child support program operation expenses. These cuts are in addition to any reductions in county general funds, and federal timber revenue that many counties are already experiencing.</p> <p>Sustained over time, the cuts can result in performance decline, failure to meet federal performance measures, loss in federal incentive dollars, increased risk of federal penalties for failure to meet performance benchmarks, and risk of compliance issues with the federally required state plan.</p> |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|------------------------------------|-----------|----|-------------|----|-------|-------------|------|---------|---------------------------------------|--|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | Impact of Reduction on Services and Outcomes | |
| Dept | Prgm/ Div | | | | | | | | | | | | | | |
| 2 | 1 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | (2,962,222) | (17) | (10.40) | | In general, some work requested by state agencies will not be done and some work will be delayed. Priority will be given to requests for service 1) that impact public safety or welfare (for example, advice to Department of Corrections or representation of a medical licensing board in a license revocation proceeding); 2) that affect state revenue (for example, advice to Lottery related to new games and representation of Department of Revenue in the Tax Court); and 3) involving advice on issues having immediately apparent potential for significant state liability (for example, advice on significant employment matters and advice related to major contract disputes). In addition, the division is statutorily required to review certain contracts for legal sufficiency. That work also will be given priority. Training would be significantly curtailed, and the AG's Public Law Conference scheduled for Autumn 2019 would be substantially reduced in scope or canceled. | |
| 3 | 1 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | (1,207,395) | (2) | (2.75) | | The first 5% reduction would have a significant negative impact on the Criminal Justice Division by substantially reducing the number of cases the Division could investigate and greatly increasing the amount of time it will take to conduct investigations. We would lose one forensic examiner and one criminal investigator and 0.50 FTE legal secretary. The loss of a forensic examiner position would mean that the Division would no longer be able to conduct a significant number of forensic examinations in major cases such as internet crimes against children and homicides. Computer forensic exams are time-consuming, often taking more than a week per device analyzed. Losing a forensic examiner would reduce the number of exams we could do by a third, meaning we would have to turn away approximately 30 cases each year. We also bear primary responsibility for investigating allegations of criminal misconduct by public employees and elected officials in the state. Those investigations are critical to maintaining trust in government. The loss of a criminal investigator position would detrimentally impact our ability to conduct those types of investigations in a timely manner, which, ultimately, will result in less accountability for public officials and more disruption to local communities. The reduction of a full-time legal secretary position to half time would mean it would take longer to provide discovery and to respond to public records requests. The first 5% cut to General Fund would also cause a reduction of 0.25 Research Analyst 3 from the Oregon TITAN Fusion Center. This would reduce the center's ability to provide information sharing, analysis and training that is essential to Oregon law enforcement and public safety organizations. The 5% reduction would be a substantial loss for the Division and the state. | |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | (1,133,861) | (4) | (4.00) | | <p>The Appellate Division represents the state and its officers in state and federal appellate courts. Approximately 2/3 of the work of the Appellate Division involves the Defense of Criminal Convictions (DCC) (including direct criminal appeals, state post-conviction relief and federal habeas corpus appeals, and post-conviction and habeas corpus trial work in capital cases). The rest of the work of the Division involves civil and administrative appeals. All budget reductions would likely be spread proportionally across the Division (thus, having a greater impact on the Department's DCC program). The reductions to the DCC program are detailed more in the following section.</p> <p>Any reductions in the Appellate Division's overall budget would:</p> <ol style="list-style-type: none"> 1) Reduce significantly the quality of the work produced, making it more likely that the state will lose both routine and important appeals; 2) Impair victims' rights by preventing the state from advocating for those rights adequately; 3) Increase the work load of the appellate courts especially the Court of Appeals; and 4) Lengthen the time it takes for appeals to be submitted to the appellate court and decided. <p>A 5% reduction of Other Funds would require the Division to eliminate 3 attorney positions and 1 support staff position.</p> <p>A reduction at this level could require waiving appearance in cases. Waiving appearance means that the state's legal position simply would not be presented to the appellate courts. Waiving appearance shifts the workload to the Court of Appeals and increases the risk that the state's legal position is not upheld when it otherwise would have. If that happens, the "cost" is shifted to other state agencies that have to address the issues on remand.</p> | |

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Detail of Reductions to 2019-21 Current Service Level Budget

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
|---|-----------|-----------------------------|-----------------------------------|------------------------------------|----------|----|-------------|----|-------|-------------|------|---------|---------------------------------------|--|---|
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | Impact of Reduction on Services and Outcomes | |
| Dept | Prgm/ Div | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | <p>Some of the briefs that we do file would have to be substantially shorter (possibly in "bullet" or "outline" form). These shorter briefs would provide a weaker representation of the state's position, and they would provide less assistance to the courts compared to the Division's current briefs. This would mean more resources would have to be expended by the state's courts to conduct the legal research that the Division's attorneys were not able to perform. Some criminal convictions are likely to be reversed unnecessarily because of the Division's inability to defend them adequately. The Division also may be unable to advocate as effectively for victims' rights in cases that implicate that issue.</p> <p>A 5% cut would curtail our ability to take state's appeals in criminal and post-conviction cases-appeals where the state lost in the trial court but the decision appears to be legally incorrect. This would force us to leave some arguably incorrect legal decisions in place inconsistently around the state, hampering our ability to advance the law and to assist local prosecutors on individual cases in which evidence was wrongly suppressed by a circuit court.</p> <p>We would also likely need to curtail the amount of advice we could provide to other public agencies, especially on criminal-law issues. Currently we provide weekly updates to prosecutors statewide on significant developments in the law, conduct training for prosecutors and law-enforcement officials, and provide advice to District Attorneys' offices by phone. This advice helps prevent problems that could lead to dismissal of criminal cases or reversals of convictions. If we curtail it, we are likely to see more criminal convictions that cannot be defended on appeal.</p> |
| 3 | 1 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,525) | | | | | (17,525) | 0 | 0.00 | | | <p>A reduction of 5% General Funds would reduce the agency's ability to work on Ballot Titles by nearly 100 hours. This will hamper our ability to provide correct, legally defensible summaries for the voters about legislative referrals and citizen initiatives. It will also prevent us from giving adequate consideration to comments on draft ballot titles. The result will likely be more litigation about the ballot titles, and it ultimately will shift much of the work to the Supreme Court to sort out the matter without the usual level of help from the Division.</p> |
| 4 | 1 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | (1,794,123) | (11) | (10.00) | | | <p>Approximately 79% of Trial's Other Funds budget is personnel cost. These personnel costs, as well as other costs, are recovered through billings to state agencies. DOJ, of course, has no direct ability to limit the number of cases that others file against our clients; in fact, those suits and the hours to litigate them may increase as our clients are forced to adjust to their own budget cuts. We can assist our clients in determining how best to provide services in a way that should limit the number of meritorious claims, and how to provide services in a way that will allow for the strongest defense.</p> <p>To make these reductions, Trial would have to lay off attorneys, paralegals, investigators, and support staff, even though the division's attorneys already bill hundreds of hours above their required billable hours and there is no indication that future workloads will decrease. The division's ability to provide an effective and comprehensive defense in each case would diminish significantly as the reduction percentage increases. At a minimum, we would be forced to become less responsive to our agency clients as each remaining attorney juggles a heavier workload. Trial would not have the resources to take on as much environmental enforcement work for our clients or to intervene in private litigation to protect state interests or statutes. Agencies would have three options: to retain private lawyers, at two to three times the hourly rate charged by Trial; or to accept the losses that an enforcement suit should have recovered; or to accept that a court might invalidate a statute as unconstitutional without the State having any voice in the decision. And this would not be limited to enforcement or constitutional challenges work; the Trial Division would not be able to capably defend the State in every suit. Some agencies would have to retain private firms to defend themselves in cases that the Trial Division lawyers otherwise could handle, simply because Trial would not have the necessary lawyers and staff.</p> |

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| Detail of Reductions to 2019-21 Current Service Level Budget | | | | | | | | | | | | | | | |
|--|-----------|-----------------------------|-----------------------------------|---|----------|----|-------|-------------|-------|-------------|-------------|-----|---------------------------------------|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | Impact of Reduction on Services and Outcomes | |
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| | | | | | | | | | | | | | | | <p>Agencies' litigation budgets would be depleted quickly by the higher rates charged by private firms, and their objectives would suffer in the absence of a vigorous defense (or, in some cases, any defense at all). In short, the Trial Division would not be able to carry out its vital mission of protecting limited state resources. State agencies would ultimately bear the cost in the form of increased exposure to liability and a diversion of resources from service to the public to involvement in litigation.</p> <p>Finally, the reductions would prevent Trial from undertaking proactive efforts to improve government by educating client agencies to consider the possible litigation implications of their day-to-day decisions. We anticipate that those efforts would likely result in lower verdicts and fewer lawsuits, not to mention even better service to the public from its public servants. But if Trial's lawyers are struggling to keep up with an unsustainable workload, there will be no opportunity to take on this initiative, and the State will lose the economic benefit of such proactive measures.</p> <p>A 5% reduction would require elimination of eleven positions: three attorneys, one investigator, three paralegals, and four support staff positions. In doing so, the division would lose thousands of hours of capacity annually, damaging Trial's ability to address the civil cases filed against the State.</p> <p>Any increase from the current level of complex cases will have to be outsourced to private law firms; Trial simply would not have the capacity to take them on.</p> <p>Cuts at this level would overload Trial Division lawyers on a permanent basis. To this point, Trial has benefited from our lawyers' willingness to work longer hours than their contract requires. But at the 5%-reduction level, the attorneys still would not have the capacity to handle in a timely manner all the cases that come into the Trial Division, even when putting in long hours. Lawyers and staff cannot maintain an extraordinary work schedule for a sustained period of months without resulting in an increased risk of error, low morale and increased staff turnover - all of which lead to a further decrease in quality of work and in productivity.</p> <p>This extraordinary workload would also cause substantial delays in the handling of cases, because the attorneys would have more cases than can be moved briskly. Delay results in increased costs because Risk Management funds remain committed for undue periods of time. And litigation delays invariably make certain testimony and evidence less available - documents are lost, witnesses move, memories fade.</p> <p>The quality of representation would also, inevitably, suffer. When the Trial Division's lawyers, paralegals, and staff are all forced to spread their effort and talent too thinly across a too-great number of cases, small details will be missed in the rush to get work completed, and the lawyers will not have the time or freedom to develop creative solutions together. These small details and new ideas can make the difference between a win and a loss.</p> <p>Another effect of this reduction would be that agencies might have to stipulate to temporary restraining orders or injunctions against them. Those matters require intensive and sometimes round-the-clock preparation in a very short period of time, and the Trial Division would not have lawyers who could put aside all their other work in order to focus on a shorter-term emergency. Stipulating to such motions and orders can cost agencies significant sums of money and prevent them from carrying out legislative mandated activities.</p> |
| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | | (37,247) | 0 | | (0.12) | <p>Reduce investigative staff in the Civil Rights Unit. This would reduce the unit's ability to investigate and pursue civil rights issues.</p> |
| 5 | 1 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | | (1,208,229) | | | (1,208,229) | (2) | | (1.93) | <p>Reduce Financial Fraud Consumer Protection Section Other Funds. This reduction would cause a decrease in staffing for the state's consumer protection efforts, including but not limited to reducing the section's education, outreach, investigation and prosecution. Reductions to the Protection and Education Fund (P&E) include reduced Attorney General limitation due to Civil Legal and Financial Fraud/Consumer Protection attorneys that bill to P&E being reduced.</p> |

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| 5 | 2 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | | (3,016,016) | (10) | (12.50) | | <p>Reduce Child Advocacy Section Other Funds with a corresponding reduction in attorney and support staff. This section protects children through juvenile dependency hearings, termination of parental rights cases, and by providing legal services to DHS Child Welfare. This reduction would put vulnerable children at risk of injury or death if they were forced to remain in an abusive family situation because of a lack of DOJ staffing.</p> <p>Reduce Civil Recovery Section Other Funds with a corresponding reduction in attorney and support staff. This would reduce the ability of section attorneys to provide legal services to the Division of Child Support related to the collection of child support. This reduction in staffing would affect the state's poorest families by decreasing the amount of child support funds coming to them. It would increase the state's welfare payments to make up for the reduction.</p> |
| 5 | 3 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | | (97,163) | 0 | (0.60) | | <p>Reduce Tobacco-NPM Other Funds funding. This would result in reduced staffing in the 6-person unit that protects the income of \$80 million per year for the State of Oregon from the Tobacco Master Settlement Agreement.</p> |
| 6 | 1 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,984) | | | | | | (1,311,984) | 0 | 0.00 | | <p>The DCC Program is the funding source for both Appellate and Trial Division work on criminal cases.</p> <p>For the criminal trial, the District Attorney represents the state. Once a conviction is obtained, the DCC program represents the state in the subsequent proceedings. The challenges occur through direct appeal, post-conviction proceedings in state trial and appellate courts and federal habeas corpus proceedings in federal trial and appellate courts. Those convicted of crimes have constitutional and statutory rights to contest their convictions in each of these subsequent stages. The DCC caseload is driven primarily by the decisions of individuals convicted of crimes to contest their convictions and is not discretionary with the state.</p> <p>The obligatory nature of these cases as well as the importance and necessity of trying to uphold these criminal convictions led the legislature to designate the DCC caseload as a mandated caseload. The funding of the mandated caseload is based on two primary factors: our projections of how many cases we will have in each category in the coming biennium and our projections of the average cost per case.</p> <p>If the funding is inadequate to cover all of the work, we have three options. The first is to look for ways to reduce the time we spend on each case. We have taken a number of steps to bring down this cost and continue to search for more ways of increasing our efficiency. Lawyers are not taking depositions, nor hiring experts to rebut the expert testimony provided by the petitioner unless absolutely necessary. They often brief cases without exploring or advancing backup arguments, and Court of Appeals briefs are generally filed without independent review by other attorneys in the office. But with each cost cutting measure taken, the likelihood of a valid criminal conviction being unnecessarily overturned increases.</p> |

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| | | | | | | | | | | | | | | | <p>The second option is to work with the courts involved in the cases to delay the processing of the cases. While we have been able to do this successfully with the Oregon Court of Appeals, this is not a viable option for the Trial Division. Trial court judges in both state and federal courts look upon requests for a continuance with disfavor, particularly in cases where a person's liberty interests are at stake. In a recent federal habeas corpus matter, the court order noted that continuances will only be granted upon a showing of "good cause" and that "work load issues do not constitute good cause." (underscore in original).</p> <p>Additionally even if this approach is, at times, successful, while it produces a fictitious savings for one biennium, it does so only by shifting those costs to a future biennium and so these savings are merely deferred expenditures. Additionally, further delaying the briefing and resolution of cases beyond the current 210 days delay runs the very significant risk of the federal courts' determining that proceedings in the Oregon Court of Appeals take too long and intervening in state court proceedings.</p> <p>The third option is to concede the case by failing to file an appearance in a number of cases. If the State does not appear, the petitioner may prevail by entrance of a default judgment against the State resulting in a retrial, or in some cases a release of the once convicted prisoner. This approach will present a significant burden upon the 36 County District Attorneys who then must retry the cases.</p> <p>Thus, any reductions in the program's budget would:</p> <ul style="list-style-type: none"> • Reduce significantly the quality of the work produced, making it more likely that valid criminal convictions are erroneously overturned; • Impair victims' rights by preventing the state from advocating for those rights adequately; • Increase the work load of the appellate courts—especially the Court of Appeals; and • Lengthen the time it takes for appeals to be submitted to the appellate court and decided. <p>A 5% reduction will require waiving appearance in up to 120 appellate cases. Some of the briefs that we do file would have to be substantially shorter (possibly in "bullet" or "outline" form). These briefs would not provide as good a representation of the state's position, and they would not be of as much assistance to the courts as the Division's briefs currently are. This would mean more resources would have to be expended by the state's courts to conduct the legal research. If the case is remanded to the District Attorney and the prosecutor cannot re-try a case because of stale evidence or deceased or absent witnesses, the convicted criminal would be released. The cost of new trials will be borne by the District Attorney's office and fall primarily on counties.</p> <p>Because deferral is not a viable option in trial courts, the reduction will result in the State not having the funding to prepare 43 cases per biennium that likely will result in the petitioner prevailing in each case.</p> <p>The reduction would curtail our ability to take state's appeals in criminal and post-conviction cases—appeals where the state lost in the trial court but the decision appears to be legally incorrect. This would force us to leave some arguably incorrect legal decisions in place inconsistently around the state, hampering our ability to advance the law and to assist local prosecutors on individual cases in which evidence was wrongly suppressed by a circuit court.</p> | | |

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| | | | | | | | | | | | | | | | <p>We would also likely need to curtail the amount of advice we provide to prosecutors and law-enforcement agencies on criminal-law issues. Currently we provide weekly updates to prosecutors statewide on significant developments in the law, conduct training for prosecutors and law-enforcement officials, and provide advice to District Attorneys' offices by phone. This advice helps prevent problems that could lead to dismissal of criminal cases or reversals of convictions. If we curtail it, we are likely to see more criminal convictions that cannot be defended on appeal.</p> <p>Reductions would also require the division to cut back on the amount of resources we could devote to our capital cases. This reduction would cause the division to defer approximately 779 hours (5%) of work on our capital cases. This would significantly delay a process that is already moving at a glacial pace, and the deferred expenditures would be shifted to a future biennium.</p> |
| 6 | 4 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence Services Fund (ODSVS) | (478,007) | | | | | (478,007) | 0 | 0.00 | | | <p>Cuts to the allocation of ODSVS funds will reduce state funding that directly supports 56 non-profit and Tribal domestic and sexual violence programs throughout the state. These services are critical to providing victims of domestic and sexual violence with safety planning, shelter and supports for recovery in every county. Victims are primarily women and children, but services are provided for any victim. ODSVS funding also plays a critical role for grantees to be able to provide the required match funds for federal grant funding. This match is vital to maintaining the level of federal funds available to these programs. ODSVS funding emphasizes stabilizing programs to ensure support for fundamental core services. Any reduction here will be distributed among all grant recipients. ODSVS dollars are also the most flexible funding source for these programs; they allow organizations to pay for vital infrastructure costs not covered by other funding. As such, their loss would be particularly devastating and destabilizing.</p> |
| 6 | 5 | 13700 | 045-00-000-00000 | Address Confidentiality Program (ACP) | (136,628) | | | | | (136,628) | 0 | 0.00 | | | <p>A 5% reduction in GF will end the Address Confidentiality Program (ACP). The ACP is a critical part of a victim's safety planning. The Program is designed to prevent offenders from using state and local government records to locate their victims. We have over 1500 participants and process over 2000 pieces of mail each month.</p> |
| 6 | 1 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | (19,604) | 0 | 0.00 | | | <p>The division is appropriated general fund to be passed through to the Crime Victims' Law Center.</p> |
| 6 | 6 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMI) | (62,850) | | (599,699) | | | (682,549) | 0 | 0.00 | | | <p>The Child Abuse Multidisciplinary Intervention (CAMI) Program is the sole source of state funding for the assessment, investigation, and prosecution of child abuse cases. A 5% reduction would adversely affect the already underfunded 36 county Multidisciplinary Child Abuse Intervention Teams (MDTs).</p> <p>MDTs are essential to the effective response to child abuse, and such a coordinated, multi-disciplinary response is considered best practice in child abuse intervention nationally. Each MDT is statutorily mandated to design a child abuse intervention plan for their county and create a budget to support that plan. Additionally, each MDT is required to draft and revise child abuse response protocols and conduct child abuse and child fatality case reviews to coordinate, evaluate, and improve child abuse intervention. Reductions will impede Oregon's ability to maintain this multidisciplinary response. Cuts to CAMI funding would result in duplication of efforts, inefficiency, and increased trauma to child victims because of decreased coordination among law enforcement, child welfare, physicians, forensic interviewers, and prosecutors in their response to child abuse cases.</p> <p>MDTs direct and distribute a large portion of their CAMI funds to Child Abuse Intervention Centers (CAICs) that provide direct services to child victims including medical examinations and forensic interviews. A decrease in funding means a reduction in the availability of assessment and investigation services for child victims throughout Oregon. Decreasing funding will reduce credible evidence available for use in the prosecution of child sexual and physical abuse offenders by reducing counties' ability to provide trained first responders, physicians, and forensic interviewers to timely and appropriately collect evidence.</p> |

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| | | | | | | | | | | | | | | | <p>Lack of sufficient funding to pay medical providers leaves many communities dependent on volunteers to provide medical services to child victims. Cuts to the CAMI Program would mean cuts to Law Enforcement and Prosecutors specializing in child abuse intervention.</p> <p>CAMI funding also provides the matching funds required to receive federal grant funding. Without this match, many grantees would not be able to receive federal funding.</p> <p>In addition to loss in coordinated response and direct services to child victims, available services provided by the five Regional Child Abuse Service Providers (RSPs) would be reduced. This would mean less availability of expertise in complex case consultations, peer review for forensic interviews and medical staff, referrals and technical assistance to MDTs throughout the state. Training required by the CAMI statute, provided by RSPs to county MDTs at no cost, would be cut.</p> |
| 6 | 3 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | (229,273) | 0 | 0.00 | | | The Other Funds reduction in this category would result in a significant reduction of a 60% federal match provided annually through the Victims of Crime Act grant. |
| 6 | 2 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | (278,623) | 0 | 0.00 | | | Prosecutor Based Victim Assistance Programs in all 36 counties would receive a proportionate reduction in funding. Services to victims of crime such as direct victim advocacy, referral to community services and navigation of the criminal justice system, all critical to a victim's recovery, would be compromised. These services are already underfunded due to county economic struggles and could result in the criminal justice system in some counties failing to meet the statutory and constitutional rights of victims. If this were to happen, there will be an increase in victims of crime seeking remedy in the courts when their rights are violated. |
| 7 | 2 | 13700 | 010-00-000-00000 | Attorney General's Office - Legal | | | (306,028) | | | (306,028) | (1) | (1.00) | | | As part of a 10% reduction, the Office could eliminate one (1) additional full-time (1.00 FTE) Honor's Attorney position. Eight Honor's Attorney positions (7.00 FTE) would remain. This reduction results in fewer attorneys working in DOJ to meet the demand of state agencies for legal advice. |
| 7 | 2 | 13700 | 010-00-000-00000 | Administrative Services Division - Legal | | | (1,450,138) | | | (1,450,138) | (5) | (5.00) | | | <p>A 10% reduction means the loss of an additional five (5) positions (5.00 FTE). Reductions at this level include positions performing business continuity, technology support, and employee services.</p> <p>In addition to the impacts described in the 5% section, this level of reduction requires that the Department reduce desktop technology support, as well as lose our ability to maintain an HR generalist in our most populated facility in Portland. We would then need to outsource even the smallest of employee workspace moves, and potentially cancel or delay IT projects necessary to efficiently deliver legal services and child support.</p> <p>Reduction at this level will compromise our efforts to increase our information transparency and information security and will restrict resources available for keeping current information available through our website and online applications. Additionally it will eliminate our software testing, quality and security review capabilities. Other staff already at capacity would need to attempt to add those skills and tasks to their workload, but we would not be able to maintain the progress we have made in securing our information resources.</p> <p>With this level of reductions, ASD will have to discontinue work currently being performed. The Division is running critically thin and cannot take reductions of this magnitude without eliminating work. The difficulty comes in deciding what does not get done as everything being done seems to be critical in nature or mandated by federal or local partners.</p> |

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| 8 | 2 | 13700 | 160-00-00-00000 | Division of Child Support | (1,399,679) | | (1,447,814) | | (5,165,701) | | (8,013,194) | (38) | (37.92) | | <p>In addition to the 5 percent losses, the Division will lose another 38 positions. Although the eliminated positions are spread across classifications to minimize the overall impact to the Child Support Program, staffing cuts of this magnitude would result in the closure of one state child support office and a reductions in service levels provided in centralized functions, including case intake and creation, locating participants or assets, special collections activities, and payment processing and distribution.</p> <p>At this level, in addition to the previous reductions, child support collections are reduced by \$45,399,388 during the 2019-21 biennium. The loss to families who are not on public assistance is \$43,708,250. Families receiving public assistance also lose \$218,733 in assigned collections passed through to them. The recovery loss for other agencies (Department of Human Services – Child Welfare, Oregon Youth Authority, and The Oregon Health Plan) is \$526,622. The Program loses an additional \$945,783 in recoveries and the associated federal matching dollars of \$1,835,931 for a total loss to the Program of \$2,781,714.</p> <p>The total caseload size does not decrease, so the caseload per FTE increases from 314 to 344. Managing the workload becomes more difficult and will cause the production of new orders to drop from 2,730 to 2,494, a reduction of 236 orders, as well as the production of modifications decreasing from 3,728 to 3,405, for a reduction of 323 modifications.</p> <p>Operating payments to the county DA offices will be reduced by \$1,228,146. These are a combination of state general fund dollars and pass-through federal funds (matching and incentives) that the Division of Child Support will be unable to distribute to the DA offices for child support program operation expenses. These cuts are in addition to any reductions in county general funds, and federal timber revenue that many counties are already experiencing.</p> <p>Sustained over time, the cuts will result in significant performance decline, failure to meet federal performance measures, loss in federal incentive dollars, federal penalties for failure to meet performance benchmarks, and failure to comply with the federally required state plan.</p> |
| 8 | 2 | 13700 | 050-00-000-00000 | General Counsel Division - Legal | | | (2,962,222) | | | | (2,962,222) | (8) | (8.00) | | <p>A 10% reduction in division funding will require that additional classes of contracts be exempted from the legal review requirement. Lack of legal review increases the risk that the contract does not clearly express the intent of the parties or does not comply with procedural requirements, making contract disputes more likely.</p> <p>Contracts for transportation infrastructure construction and other economic development projects often are on expedited schedules, requiring immediate attention to legal issues. A 10% reduction in funding for the General Counsel Division may impair DOJ's capacity to timely prepare these contracts, or could require use of outside counsel at two to three times the cost of division attorneys.</p> <p>At this level of budget reduction division work increasingly would focus on litigation and on legal advice involving the most immediately critical public health and safety, state revenue and state liability issues. Litigation primarily would entail representation of the Department of Revenue in the Tax Court and Tax Magistrate Court, representation of agencies in administrative hearings involving employment and labor disputes, and appearance in administrative hearings involving professional licenses (for example, revocation of medical practitioner's licenses and actions involving nursing homes and child care facilities). Division attorneys would no longer appear in some hearings, based on risk assessment. Attorney unavailability for hearings would mean that some hearings would need to be delayed for many months before the hearing could occur, effectively delaying finalization of many decisions of licensing and regulatory agencies. In some cases, judges or administrative law judges may decline to delay hearings, raising the possibility of a default dismissal of the agency for non-appearance or requiring attorneys to appear with little or no preparation.</p> |

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| 9 | 2 | 13700 | 040-00-00-00000 | Legal & DA Asst/ Org Crime & Other | (772,727) | | (434,668) | | | | (1,207,395) | (1) | (1.00) | | <p>Routine review of bond and loan documents, legislative concepts, and administrative rules, except where legal questions involving obvious high levels of substantial risk to the state are raised by an agency, would be eliminated. This will increase the likelihood that activities and transactions where the risk was less obvious will result in legal problems which might have been prevented or reduced by legal review. Legal review also operates as a check against fraud or abuse in the public contracting process; reducing or eliminating legal review will increase the opportunity for fraud or abuse. Consultation between attorneys in the division would be reduced, increasing the likelihood of inconsistent advice on legal issues. General Counsel litigation support for the Trial and Appellate Divisions would be substantially curtailed, increasing the possibility of otherwise avoidable problems in litigation.</p> <p>A second 5% reduction would be devastating. With this cut, the Division would lose an attorney position. In addition to the impacts above, the Division would significantly reduce the number and types of prosecutions it undertakes. The Division would not be able to provide prosecution support for many cases involving criminal misconduct by public officials, white-collar crimes, organized criminal activity, and homicides. The loss of the ability to investigate and prosecute those serious crimes would be detrimental to all of the counties, particularly the smaller counties that lack the investigative or prosecution resources for complex cases. Overall, the loss of a prosecutor would mean approximately 25 cases that the Division could not prosecute per year. It would also impact our ability to provide training and advice to prosecutors around the state. The second 5% cut to General Fund would also increase the reduction of the Fusion Center Research Analyst 3 to 0.50 FTE. This would seriously degrade the center's ability to provide information sharing, analysis and training that is essential to Oregon law enforcement and public safety organizations</p> |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Legal | | | (1,133,861) | | | | (1,133,861) | (6) | (5.09) | | <p>A 2nd 5% reduction of Other Funds would require the division to eliminate one attorney position and reducing several more to permanent partial positions.</p> <p>In addition to the effects outlined above, a cut at this level would require waiving appearance in more cases, and drafting rudimentary, "bullet" briefs in even more cases. The more cases in which we waive appearance or do not fully brief the legal issues, the greater likelihood that a serious criminal conviction will be reversed, a dangerous offender will be released, or that a state agency will be saddled with a significant monetary loss by an adverse appellate court decision.</p> <p>An additional 5% cut would probably eliminate our ability to file state's appeals in all but the most serious of cases. This level of reduction would also probably require drastically curtailing any advice we give to prosecutors or law-enforcement officials.</p> |
| 9 | 2 | 13700 | 020-00-000-00000 | Appellate Division - Ballot Titles | (17,526) | | | | | | (17,526) | 0 | 0.00 | | <p>A reduction of 5% General Funds would reduce the agency's ability to work on Ballot Titles by another 100 hours.</p> |
| 10 | 2 | 13700 | 060-00-000-00000 | Trial Division - Legal | | | (1,794,123) | | | | (1,794,123) | (10) | (10.00) | | <p>At this level, the Trial Division would be required to cut an additional ten positions: one attorney, one investigator, two paralegals, and six support staff.</p> <p>The additional cut, on top of the earlier 5% cut, would devastate the division's remaining lawyers, support staff and paralegals. The division simply would not be able to accommodate the more than 11,000 lost hours of production annually through the remaining attorneys. As a result, state agencies would be forced to retain private law firms, whose lawyers would have to spend significant time educating themselves on the technical defenses and immunities and considerations involved in defending the States-knowledge that Trial's lawyers already have. Those lawyers also would not have the same incentive to limit state expenditures and thus would not share Trial's focus on helping clients reach a prompt and efficient resolution. In addition, the agencies would be using state resources to pay private firms hourly rates between \$250 - \$450 per hour, which are well above the 19-21 proposed rate charged by DOJ.</p> |

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| Priority (ranked with highest priority first) | Agency | SCR or Activity Initials | Program Unit/Activity Description | GF | LF | OF | NL-OF | FF | NL-FF | TOTAL FUNDS | Pos. | FTE | Used in Gov. Budget Yes / No | Impact of Reduction on Services and Outcomes | |
| Dept | Prgm/ Div | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | <p>The Trial Division would no longer be involved in some classes of cases, such as intervening in a private dispute that implicates an important State interest, filing enforcement actions to protect Oregon's natural resources, or stepping into an ongoing lawsuit to defend the constitutionality of an important state statute. The affected agency would then have to determine whether to abandon the interest that the Trial Division could have protected, or to hire a private law firm to represent the agency in court.</p> <p>On the cases it did handle, Trial resources would be so depleted that some cases will receive little preparation. This will expose the State to higher verdicts than a careful defense would have yielded, and it will potentially leave important State interests unguarded. As the plaintiffs' bar learned of the division's short-handed staffing, they would press harder for higher settlements knowing the division could not properly staff all of its cases through to a successful verdict.</p> <p>Because the Criminal and Collateral Remedies section defends criminal convictions at the trial-court level, the Trial Division would not only be neglecting our civil cases. We would also have to choose whether to defend certain convictions, which would damage DOJ's goal of ensuring public safety. Trial would also have to consider forgoing appearances in Psychiatric Safety Review Board and State Hospital Review Panel hearings, where agencies determine whether criminal offenders at the State Hospital should be released into communities (see DCC program reductions).</p> <p>In short, cuts at these levels would not only result in undue delays, increased costs to the State, and reduced litigation quality, but they would also result in an increased risk to public safety.</p> |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Rights | (37,247) | | | | | (37,247) | 0 | (0.12) | | | See above for Civil Rights |
| 11 | 4 | 13700 | 030-03-01-00000 | Civil Enforcement - Protection & Education Fund | | | (1,208,229) | | | (1,208,229) | (3) | (2.50) | | | See above for P&E |
| 11 | 5 | 13700 | 030-01-00-00000 | Civil Enforcement - Civil Legal (Child Advocacy and Civil Recovery) | | | (3,016,016) | | | (3,016,016) | (13) | (13.00) | | | See above for Civil Legal |
| 11 | 6 | 13700 | 030-03-04-00000 | Civil Enforcement - NPM | | | (97,163) | | | (97,163) | 0 | (0.55) | | | See above for NPM |
| 12 | 2 | 13700 | 100-00-000-00000 | Defense of Criminal Convictions | (1,311,983) | | | | | (1,311,983) | 0 | 0.00 | | | <p>A 10% reduction will require waiving appearance in an additional 120 appellate cases. Again, many more of the briefs that we do file would be substantially shorter and would not provide as good representation of the state's position, and they would not be of as much assistance to the courts as the Division's briefs that are currently filed.</p> <p>Because deferral is not a viable option in trial courts, the reduction will result in the State not appearing in an additional 34 cases per biennium that likely will result in the petitioner prevailing in each case. This reduction would cause the division to defer an additional 779 hours (5%) of work on our capital cases. This would significantly delay a process that is already moving at a glacial pace, and the deferred expenditures would again be shifted to a future biennium.</p> <p>As explained above, the more cases in which we waive appearance or do not fully brief the legal issues, the greater likelihood there is that a serious criminal conviction will be reversed or a dangerous offender will be released.</p> <p>An additional 5% cut would probably eliminate our ability to file state's appeals in all but the most serious of cases. This level of reduction would also probably require drastically curtailing any advice we give to prosecutors or law-enforcement officials.</p> |
| 12 | 10 | 13700 | 045-00-000-00000 | Oregon Domestic and Sexual Violence Services Fund (ODSVS) | (614,635) | | | | | (614,635) | 0 | 0.00 | | | See above for OSDVS |
| 12 | 7 | 13700 | 045-00-000-00000 | Crime Victims' Law Center | (19,604) | | | | | (19,604) | 0 | 0.00 | | | See Crime Victims' Law Center above |
| 12 | 11 | 13700 | 045-00-000-00000 | Child Abuse Multidisciplinary Intervention Program (CAMI) | (82,850) | | (599,699) | | | (682,549) | 0 | 0.00 | | | See CAMI above |
| 12 | 9 | 13700 | 045-00-000-00000 | Crime Victims' Compensation Program | | | (229,273) | | | (229,273) | 0 | 0.00 | | | See Compensation above. |
| 12 | 8 | 13700 | 045-00-000-00000 | Prosecutor Based Victims' Assistance Program | | | (278,623) | | | (278,623) | 0 | 0.00 | | | See above for Prosecutor Based Assistance program |

Department of Justice

Secretary of State Audits

AUDIT SUMMARIES

SECRETARY OF STATE OR JOINT LEGISLATIVE AUDIT COMMITTEE

2017-19

Secretary of State, June 2018

The Secretary of State (SOS) Audits Division completed an audit in June, 2018 on the Department of Justice's Central Services Cost Allocation Plan, in support of the Statewide Single Audit Report for the year ending June 30, 2018. The SOS Audit Division did not identify any deficiencies in internal control over compliance that was considered to be material weaknesses. However, SOS Audit Division recommended that department management contact DHHS to obtain guidance on whether the use of the pilot program is appropriate and update the SWCAP narrative to reflect processes used.

Secretary of State, January 2018

The Secretary of State (SOS) Audits Division completed an audit in January, 2018. The audit was conducted as part of the audit of the State of Oregon's Comprehensive Annual Financial Report (CAFR). The audit was based on the state fiscal year ending June 30, 2017. The SOS Audits Division did not identify any deficiencies in internal control that was considered a material weakness; however they did identify issues that required management attention. The following issues did not require a response from management, but were regarded as opportunities for strengthening internal controls:

1. For state agencies paying a flat quarterly rate for legal services, the department should ensure only quarterly billings are recorded as revenue in the accounting records. While the department needs to track "actual" costs in order to establish future quarterly billing rates, these amounts should not be recorded in the accounting records for agencies paying the flat rate.
2. Recommend that the department's attorneys' record their hours timely so that the department revenue is timely invoiced and recorded.

2015-17

Secretary of State, February 2017

The Secretary of State (SOS) Audits Division completed an audit in February, 2017. The audit was conducted as part of the audit of the State of Oregon's Comprehensive Annual Financial Report (CAFR). The audit was based on the state fiscal year ending June 30, 2016. The SOS Audits Division did not identify any deficiencies in internal control that was considered a material weakness.

Secretary of State, March 2016

The Secretary of State (SOS) Audits Division completed in March 2016 a federal compliance audit of the Child Support Program as required by the federal law known as the Single Audit Act. This audit was based on the state fiscal year ending June 30, 2015. The SOS Audits Division did not identify any deficiencies in internal control over compliance that was considered a material weakness.

Secretary of State, March 2015

The Secretary of State (SOS) Audits Division completed in March 2015 a federal compliance audit of the Child Support Program as required by the federal law known as the Single Audit Act. This audit was based on the state fiscal year ending June 30, 2014. Two audit findings were cited as follows:

1. Improve Controls and Ensure Compliance with Transparency Act Reporting
2. Continue to Strengthen Controls Over Financial Reporting

For the compliance in reporting, the FY2014 Federal Fund Accountability and Transparency Act Report was completed and certified on April 30, 2015. For the audit finding on strengthening controls over financial reporting, corrective actions have been taken for the overstatement by reducing expenses on the Child Support Programs Financial Report for the quarter ended March 30, 2015. For the two findings, procedures have been established to improve controls to ensure completeness, accuracy, and timely reporting.

2013-15

Secretary of State, March 2014

The Secretary of State (SOS) Audits Division completed in March 2014 a federal compliance audit of the Child Support Program as required by the federal law known as the Single Audit Act. This audit was based on the state fiscal year ending June 30, 2013. Two audit findings were cited as follows:

1. Insufficient controls in place to ensure reported amounts are complete, accurate and agree to the accounting records.
2. Inadequate / Insufficient documentation in connection with cash draws

For the insufficient controls, as of August 31, 2014 DOJ has implemented some corrective actions and anticipates this finding will be fully resolved by September 30, 2014. For the finding on cash draws, as of August 31, 2014, this finding has been fully resolved.

Department of Justice

Capital Construction/IT Projects

Department of Justice

Capital Budgeting

In the 2013-15, 2015-17 and 2017-19 Legislatively Approved Budgets, the Oregon Child Support Program — representing the entire Oregon Department of Justice Division of Child Support and 22 partner District Attorney offices — received state legislative and federal approval to move forward with a multi-biennia project to design and implement a replacement child support system. Both federal and state funding contributions were made during state fiscal years 2013-15, 2015-17, and 2017-19, which enabled the completion of the planning phase, the procurement of necessary vendors, and the initiation of the system development phase. Due to the scope of the project, both the funding requirement and project work extend over several biennia. The new child support system will allow the Oregon Child Support Program to keep up with caseload demands in an economic climate where significantly increasing staff size is not a favorable or realistic alternative and with data security and other program requirements not supported by the current system's technology.

The legislature recognized that the current system cannot sustain even current performance levels, let alone meet future growth needs, nor enable the Department to successfully meet performance goals or compete for federal incentive dollars.

The System Project anticipated a 34-month design and development period, a 12-month transition period for regional rollouts of the system, and a 24-month maintenance transition period. The Project is expected to be complete in 2021.

MAJOR CONSTRUCTION / ACQUISITION PROJECT NARRATIVE

| | | | | | |
|--|------------------------------|----------------------|----------------|---------------------------|-----------------|
| Agency: | Department of Justice | Priority (Agency #): | 1 | Schedule | |
| Project Name: | Child Support System Project | Cost Estimate | Cost Est. Date | Start Date | Est. Completion |
| | | \$ 132,999,822 | 08/17/18 | 12/1/2013 | 4/30/2021 |
| Address/Location: | | GSF | # Stories | Land Use/Zoning Satisfied | |
| | | N/A | N/A | N/A | N/A |
| Funding Source/s: Show the distribution of dollars by funding source for the full project cost. | | General Funds | Lottery | Other | Federal |
| | | \$ 43,613,269 | | \$2,972,494 | \$86,414,059 |

| |
|--|
| Description of Agency Business/Master Plan and Project Purpose/Problem to be Corrected |
|--|

The Oregon Child Support Program's current computerized case management and accounting system (a mainframe system based on COBOL programming), one of the oldest in the nation, is utilized to provide federally mandated child support services to Oregon's most vulnerable families. Although still functioning, it is cumbersome and becoming impossible to maintain or enhance due to its aging platform and architecture. Each passing year increases the risk of critical system failure and data requirement inadequacy. If left, the diminished performance and system limitations could easily lead to an inability to meet federal performance measures, resulting in a loss of funding or imposed financial penalties. The Child Support Program's goals, as described in its strategic plan, focus on increasing the support to children, improving performance, providing consistently high-quality customer service, and developing and strengthening collaborative partnerships—all to support parents supporting children. The existing child support automated system will not sustain the Program's present and future needs and certainly will not move the Program forward toward its goals. In a performance audit, the Secretary of State Audits Division recommended that the Program engage in efforts to improve the valuable services provided to Oregonians. Oregon must harness the power of automated means to deliver services wherever possible (1) to keep up with the demands of an increasing caseload and increasingly complex financial transactions, (2) to compete with other states for federal incentive dollars, (3) to take advantage of technological developments, and (4) to best utilize the State's resources devoted to the Program—especially when support to families helps them avoid public assistance services and poverty. Recognizing the impending critical failure of the current system and the approximately two-thirds federal financial contribution, the Program and its federal oversight office began a multi-year effort to develop a new child support system. Working closely with the federal office, which prescribes the system development process and certifies the system as eligible for federal funding, the Program completed the first major milestone and federal requirement in 2012, a comprehensive feasibility study. This study provided the Division with the best solution to address the need and provided the foundation on which the Program built this multi-year project. The Program also completed a related milestone in 2013, the Business Process Reengineering project, which included a review of all business processes for potential redesign, to identify streamlined processes before building an automated solution. Project team members worked closely with DAS Procurement Services, the State's Office of the Chief Information Officer, and federal partners to draft and release four separate procurements (Project Management, Quality Assurance, Independent Verification & Validation, and Implementation contractors) to hire the necessary expertise to ensure project objectives are successfully met and federal certification is achieved. Since that time, the contractors and the Department of Justice and Oregon Child Support Program have been working together through design, development, system and user testing, and now implementation.

Major Construction / Acquisition Project Narrative (cont.)

Project Scope and Alternatives Considered

The Feasibility Study documented the federally prescribed process that the Program undertook to define functional and technical requirements for the new system and to select the best system replacement alternative objectively. The needs assessment and gap analysis concluded that the Oregon Child Support Program must proactively prepare to replace its system in order to mitigate the risks of the failure and to deliver services more efficiently, more effectively, and with higher quality. Using the results from the needs assessment and gap analysis, the Program defined a set of functional and technical requirements for a replacement system. In turn, these requirements became the foundation for the Program's objective evaluation to select the best solution from among four system replacement alternatives. The alternatives evaluated were:

1. Build from scratch
2. Modernize CSEAS (the current system)
3. Transfer alternative (adapt a system from another state)
4. Hybrid (combine best of breed features from multiple systems)

The evaluation process judged each alternative against criteria that considered system implementation risks, the total cost of the alternative, the total benefits generated from the alternative, and the length of time from project start until implementation.

Based on the results of an objective evaluation of four system replacement alternatives, the Oregon Child Support Program determined that the best solution to replace CSEAS was to develop a system that combines the best features from the newest child support systems in other states. This hybrid solution is based on transferring base system functional and technical components from three state systems (California, Michigan, and New Jersey).

Major Construction/Acquisition 10-Year Plan, Lease Plans, Disposals

2017-19 Biennium

Agency Name: Department of Justice

Proposed New Construction or Acquisition - Complete for 5 Biennia

| Biennium | Priority | Concept/Project Name | Description | GSF | Position Count | General Fund | Other Funds | Lottery Funds | Federal Funds | Estimated Cost/Total Funds |
|----------|----------|--|---|-----|----------------|--------------|-------------|---------------|---------------|----------------------------|
| 2019-21 | 1 | Child Support Enforcement Automated System | The Child Support Program is in the process of replacing the Child Support Enforcement Automated System (CSEAS) in order to meet the current and future needs of the Program. | | 27 | 1,043,194 | 2,740,635 | | 10,971,224 | 14,755,053 |
| 2021-23 | | | | | | | | | | 0 |
| 2023-25 | | | | | | | | | | 0 |
| 2025-27 | | | | | | | | | | 0 |
| | | | | | | | | | | |

CAPITAL FINANCING SIX-YEAR FORECAST SUMMARY 2019-21

AGENCY: Department of Justice
Agency #:13700

Provide amounts in the table below, by expected use and repayment source, of agency financing needs for the 2019-21 biennium. Include proposed project amounts only (do not include debt service either from previously issued debt or from new issue).

| Use of Bond Proceeds | Bond Type | | Totals by Repayment Source | |
|---|--------------------------|---------------------|----------------------------|------------------|
| | General Obligation Bonds | Revenue Bonds | | |
| Major Construction/ Acquisition Projects | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Major Construction | \$ | \$ | \$ | |
| Equipment/Technology Projects over \$500,000 | | | | |
| Subtotal for General Fund Repayment: | \$ | 1,868,047 \$ | \$ | 1,868,047 GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Equipment/Technology | \$ | \$ | \$ | |
| Debt Issuance for Loans and Grants | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Loans and Grants: | \$ | \$ | \$ | |
| Total All Debt Issuance | \$ | \$ | \$ | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| GRAND TOTAL 2019-21 | \$ | 1,868,047 \$ | \$ | 1,868,047 |

CAPITAL FINANCING SIX-YEAR FORECAST SUMMARY 2021-23

AGENCY: Department of Justice
Agency #:13700

Provide amounts in the table below, by expected use and repayment source, of agency financing needs for the 2021-23 biennium. Include proposed project amounts only (do not include debt service either from previously issued debt or from new issue).

| Use of Bond Proceeds | Bond Type | | | Totals by Repayment Source |
|---|-----------------------------|---------------|-----------|----------------------------|
| | General Obligation Bonds | Revenue Bonds | | |
| Major Construction/Acquisition Projects | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Major Construction | \$ | \$ | \$ | |
| Equipment/Technology Projects over \$500,000 | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Equipment/Technology | \$ | \$ | \$ | FF |
| Debt Issuance for Loans and Grants | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for loans and grants: | \$ | \$ | \$ | |
| Total All Debt Issuance | \$ | \$ | \$ | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| GRAND TOTAL 2021-23 : | \$ | 0 | \$ | 0 |

CAPITAL FINANCING SIX-YEAR FORECAST SUMMARY 2023-25

AGENCY: Department of Justice
Agency #:13700

Provide amounts in the table below, by expected use and repayment source, of agency financing needs for the 2023-25 biennium. Include proposed project amounts only (do not include debt service either from previously issued debt or from new issue).

| Use of Bond Proceeds | Bond Type | | | Totals by Repayment Source |
|---|-----------------------------|---------------|-----------|----------------------------|
| | General Obligation Bonds | Revenue Bonds | | |
| Major Construction/Acquisition Projects | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Major Construction | \$ | \$ | \$ | |
| Equipment/Technology Projects over \$500,000 | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for Equipment/Technology | \$ | \$ | \$ | FF |
| Debt Issuance for Loans and Grants | | | | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| Total for loans and grants: | \$ | \$ | \$ | |
| Total All Debt Issuance | \$ | \$ | \$ | |
| Subtotal for General Fund Repayment: | \$ | \$ | \$ | GF |
| Subtotal for Lottery Funds Repayment: | \$ | \$ | \$ | LF |
| Subtotal for Other Funds Repayment: | \$ | \$ | \$ | OF |
| Subtotal for Federal Funds Repayment: | \$ | \$ | \$ | FF |
| GRAND TOTAL 2023-25 : | \$ | 0 | \$ | 0 |

Major Information Technology Projects/Initiatives

Child Support System Project

The previous Child Support Enforcement Automated System (CSEAS) was designed and implemented in the early 1980s. Although it has been modified over the years to keep current with federal system certification requirements and state mandates, it retained much of its original functional and technical design for performing the essential functions of the Child Support Program (Program). As a result, the changes made to CSEAS over the years resulted in a patchwork of code modules that, as a whole, made it difficult to maintain and keep current with changes to requirements, new mandates, and evolving best practices. Program staff used the aged CSEAS and more recent peripheral applications daily to manage their ever-increasing workload. With the complexity of the child support regulations, statutes, and policies, and with the size of the caseload, automation is essential to ensure due process in legal proceedings and enforcement actions, to process high volumes of case actions, and to maintain accurate financial records. System failure would be tantamount to shutting down the entire Program and would be catastrophic to Oregon families who depend on child support payments. The age of the underlying technology for the former version of CSEAS put the system at risk of failure, and this risk was compounded with each passing year. System failure would have resulted in the Program's inability to comply with the federally mandated State Plan, loss of eligibility for the federal financial participation and incentive funds, and exposed the state to financial penalties.

The Oregon Legislative Assembly committed state support to the Child Support System Project by approving funding during the 2013 legislative session. The funding and authorization to expend funds are codified in a number of legislative measures, which the Governor signed into law. Following federal and state approval, the Department of Justice Division of Child Support began the lengthy procurement process to hire four separate contractors to provide Project Management, Quality Assurance, Independent Verification and Validation (IV&V), and Implementation (System Integration) services. At the same time, the Program began drafting some of the key foundational project governance plans. Replacement of the current system with a child support system that meets the requirements of Title IV-D of the Social Security Act (42 USC 651 et seq) and enables the Oregon Child Support Program to deliver child support services in Oregon. Federally mandated requirements for operating and maintaining a child support program are in a "State Plan" required by 45 CFR 302. ORS Chapters 25 and 416 set out the processes for obtaining services, establishing and enforcing support orders, and distributing money. ORS 180.345 provides authority or promulgates administrative rules for child support guidelines (OAR 137-050-0700 et seq) and establishing a support obligation and rules for operation (OAR 137-050-1020 et seq). The Child Support System Project anticipates a 34-month design and development period, a 12-month transition period for regional rollouts of the system, and a 24-month maintenance transition period.

Legal Case and Records Management System

Our current tools are not meeting the needs of our legal staff. The increasing workload, the complexities of the job and the increasing need to provide better quality service are driving a need to re-invent their business processes and upgrade their tools. Our attorneys need to be able to engage with other firms on a level playing field when providing the necessary legal services for the State of Oregon. The innovations in the legal case management software over the last several years have produced products that address the needs of Oregon's largest law firm. While we do not anticipate any staffing level changes, we do expect client agencies will receive more value for the money they spend on their legal services. We also expect to provide better consumer protection services. Using our scoring system to evaluate the various alternatives it is clear the best option for obtaining tools that meet the needs of the various legal divisions is to acquire a suite of legal case management/document management software that integrates the major functions of a large law firm. By implementing these new tools and adopting the improved business processes enabled by the software, the staff payroll savings will return the investment back to the state in approximately thirty months. While state agencies frequently feel their processes and needs are unique from the private sector, the Department's research demonstrates that its needs are fundamentally the same as any large, diverse, law firm. The Department should take advantage of these similarities, purchase an existing high performing product, and not invest the resources to reinvent a solution already offered by at least three software companies. The currently proposed policy option package increases Other Funds expenditure limitation for the completion of the replacement of the legal case management system. Originally starting in the 2015-17 biennium where DOJ received a one-time limitation increase for the purposes of this life cycle replacement project, a long procurement process delayed the original purchase and project start date. Limitation was moved to the 2017-2019 biennium where the main project implementation was to begin. This project is scheduled to finish in mid-2022.

Essential Costs for Information Technology

This initiative enables DOJ to meet mandated state and federal data security requirements which include Federal Tax Information (FTI), Federal Office of Child Support Enforcement (OCSE), Personally Identifiable Information (PII), Health Insurance Portability & Accountability Act (HIPAA), and Criminal Justice Information Services (CJIS), by sustaining ongoing support, maintenance, upgrades, and life cycle replacement of DOJ's infrastructure, hardware, and software that directly support the mission and security of the data entrusted to DOJ and the State of Oregon. During the last decade, the Department of Justice has struggled to address increasingly important and complex information security needs within its current technology budget as our current service funding levels have not kept pace with technology costs and inflation. As the Department has increased its use of and reliance on technology to maintain customer service levels and improve work efficiency, it regularly has to choose between mission critical priorities. These competing priorities have forced the Department to make difficult decisions between lifecycle replacement and information security. To fully complying with mandatory information security requirements and to protect our data and the data entrusted to us by our Federal, State, and local partners, DOJ needs the following package to provide the necessary resources to maintain a fully functioning, reliable, efficient, current and secure information technology environment.

INFORMATION TECHNOLOGY PROJECTS

Agency: #137 Department of Justice

| Project Name | Project Description | Estimated Start Date | Estimated End Date | Project cost to date | Estimated 19-21 Costs | All biennia total project cost | Base or POP | Project Phase: I=Initiation, P=Planning, E=Execution, C=Close-out | If continuing project - Has it been rebaselined for either cost, scope or schedule? Y/N - If Y, how many times? | Purpose: L=Lifecycle Replacement; U=Upgrade existing system; N= New system | What Program or line of business does the project support? |
|--|---|----------------------|--------------------|-----------------------------|-----------------------|--------------------------------|-------------|---|--|--|--|
| Child Support System Project | Replacement of the current system with a child support system that meets the requirements of Title IV-D of the Social Security Act (42 USC 651 et seq) and enables the Oregon Child Support Program to deliver child support services in Oregon. Federally mandated requirements for operating and maintaining a child support program are in a "State Plan" required by 45 CFR 302. ORS Chapters 25 and 416 set out the processes for obtaining services, establishing and enforcing support orders, and distributing money. ORS 180.345 provides authority or promulgates administrative rules for child support guidelines (OAR 137-050-0700 et seq) and establishing a support obligation and rules for operation (OAR 137-050-1020 et seq). The Child Support System Project anticipates a 34-month design and development period, a 12-month transition period for regional rollouts of the system, and a 24-month maintenance transition period. | 12/1/2013 | 4/30/2021 | \$88,025,460 thru June 2018 | \$16,623,100 | \$133,004,372 | POP #475 | E | Yes - 6 | N | Child Support Program |
| Legal Case and Records Management System | This package increases Other Funds expenditure limitation for the completion of the replacement of the legal case management system. Originally starting in the 2015-17 biennium where DOJ received a one-time limitation increase for the purposes of this life cycle replacement project, a long procurement process delayed the original purchase and project start date. Limitation was moved to the 2017-2019 biennium where the main project implementation was to begin. This project is scheduled is scheduled to finish in mid 2022. | 11/14/2016 | 6/30/2022 | \$1,114,865 | \$250,000 | \$2,090,017 | POP #152 | E | Yes - Project schedule rebaseline occurred in August 2018 | L/U | DOJ Legal Program |

INFORMATION TECHNOLOGY PROJECTS

Agency: #137 Department of Justice

| Project Name | Project Description | Estimated Start Date | Estimated End Date | Project cost to date | Estimated 19-21 Costs | All biennia total project cost | Base or POP | Project Phase: I=Initiation, P=Planning, E=Execution, C=Close-out | If continuing project - Has it been rebaselined for either cost, scope or schedule? Y/N - If Y, how many times? | Purpose: L=Lifecycle Replacement; U=Upgrade existing system; N= New system | What Program or line of business does the project support? |
|--|--|----------------------|--------------------|----------------------|-----------------------|--------------------------------|-------------|---|--|--|--|
| Essential Costs for Information Technology | <p>This package enables DOJ to meet mandated state and federal data security requirements which include Federal Tax Information (FTI), Federal Office of Child Support Enforcement (OCSE), Personally Identifiable Information (PII), Health Insurance Portability & Accountability Act (HIPAA), and Criminal Justice Information Services (CJIS), by sustaining ongoing support, maintenance, upgrades, and life cycle replacement of DOJ's infrastructure, hardware, and software that directly support the mission and security of the data entrusted to DOJ and the State of Oregon.</p> <p>During the last decade, the Department of Justice has struggled to address increasingly important and complex information security needs within its current technology budget as our current service funding levels have not kept pace with technology costs and inflation. As the Department has increased its use of and reliance on technology to maintain customer service levels and improve work efficiency, it regularly has to choose between mission critical priorities. These competing priorities have forced the Department to make difficult decisions between lifecycle replacement and information security. To fully complying with mandatory information security requirements and to protect our data and the data entrusted to us by our Federal, State, and local partners, DOJ needs the following package to provide the necessary resources to maintain a fully functioning, reliable, efficient, current and secure information technology environment.</p> <p>In 2017-19, DOJ submitted POP #101 and was granted a one-time increase. This increase allowed DOJ to replace identified critical aging technology systems and security devices. Lifecycle replacement and technology upgrades, however, are a constant and ongoing process however, and to continue to achieve DOJ's mission a permanent increase to current services levels is required as every biennium technology systems and software must be upgraded, augmented, and when required replaced. For the 2019-2021 biennium, DOJ is requesting that the current service level be made permanent. The additional increase in comparison to the 2017-2019 biennium is due to higher inflationary costs for technology hardware, maintenance and renewals, and lifecycle replacements which are necessary.</p> <p>This POP originated in DOJ's Administrative Services Division ASD covers only the Enterprise portion of the IT costs, but represented here in the All-DOJ section of POPs to make clear that it should also include the necessary increases to divisions' budgets for IT costs (e.g., fleet replacement), for which the Enterprise IT does not cover. Without the division budget increases for IT costs the Enterprise currently lifecycle increases do not reach the best value or benefit to DOJ.</p> | 7/1/2019 | N/A | \$ - | \$3,800,000 | \$3,800,000 | POP #104 | P | No | L/U | All DOJ programs |

Department of Justice

Other Funds Ending Balances

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2017-19 & 2019-21 BIENNIA

Agency: **Department of Justice 13700**
 Contact Person (Name & Phone #): Bill Odonnell (503) 373-1535

| (a) Other Fund | (b) Program Area (SCR) | (c) Treasury Fund #/Name | (d) Category/Description | (e) Constitutional and/or Statutory reference | (f) 2017-19 Ending Balance | | (g) 2019-21 Ending Balance | | (i) Revised CSL | (j) Comments |
|-------------------|---------------------------|--|--|--|----------------------------|------------|----------------------------|-------------|--|-----------------|
| | | | | | In LAB | Revised | ARB CSL | Revised CSL | | |
| Limited | 010-00-00-00000 | 0401 Oregon State General Fund | Operations/Legal Services | ORS 180.180 | 10,798,389 | 306,268 | 24,548,120 | 7,915,453 | 2017-19 Revised Ending Balance: Represents 0.03 months (one day) of working capital. This is a conservative estimate and DOJ is monitoring the balance closely. 2019-21 ARB Budget CSL ending balance represents 0.90 months of working capital using the ARB \$223 per hour AAG Billing Rate assumptions. | |
| Limited | 030-00-00-00000 | 0401 Oregon State General Fund | Operations/Charitable Trust /Reg Gaming | ORS 128.670 (9), 464,450 | 1,438,725 | 3,063,345 | 1,042,259 | 3,499,237 | 2017-19 Ending Balance: represents 12 months of working capital. By the end of 2019-21 the ending balance is projected to be at 13 months of working capital due to a fee increase effective Jan 2017 that should sustain the program for several more years without another fee change. | |
| Limited | 030-00-00-00000 | 0401 Oregon State General Fund | Operations/Consumer Protection & Education | ORS 180.095 | 28,991,966 | 29,180,184 | 16,351,123 | 17,188,593 | 2017-19 Ending Balance: represents 1.75 biennia of working capital and includes several extremely large and one-time settlements that are unlikely to occur in future biennia and a \$46,000,000 sweep to the General Fund. 2019-21 ending balance: represents just under 1 biennia of working capital. CP&E settlements are very volatile and it's unlikely to see another influx of revenue as in 17-19. The program needs the extra working capital to cover expenses when settlements are not coming in. | |
| Limited | 030-00-00-00000 | 0401 Oregon State General Fund | Operations/Medicaid Fraud | ORS 180.180 | 2,476,100 | 3,178,831 | 2,309,305 | 1,604,336 | 2017-19 Ending Balance: Represents 2 biennia of working capital. By the end of 2019-21 the amount represents just under 1 biennia of working capital. The program has collected one-time penalty awards from pharmaceutical companies over the last few years. These types of cases encourage companies not to participate in fraud, so the department does not expect significant penalty income in the future. With the lack of General Fund and the non-recurring nature of recoveries, these funds will be needed to finance the unit in the future. | |
| Limited | 045-00-00-00000 | 0401 Oregon State General Fund | Operations/Crime Victims | ORS 147.225, 31.735 | 2,716,044 | 8,149,419 | 2,970,517 | 852,604 | 2017-19 Ending Balance: Revised balance reflects a carry-over of \$685K CFA funds obligated to the District Attorneys' Victims Assistance Program. 2019-21 Ending Balance: Includes carry-over of \$685K CFA funds obligated to the District Attorneys' Victims Assistance Program. Revised 2019-21 CSL Balance represents under two months of working capital assuming CFA and GF funding does not change from ARB. At least three years of working capital is desired because revenue comes from extremely uncertain punitive damages award settlements. | |
| Limited | 040-00-00-00000 | 0401 Oregon State General Fund | Operations/CJ | ORS 180.180 | 255,800 | 0 | 346,669 | 0 | Reimbursement Account. Typically no ending balance. | |
| Limited | 160-00-00-00000 | 0401 Oregon State General Fund | Operations/DCS | ORS 180.180 | 61,629 | 0 | (4,670,467) | 0 | Modified ARB CSL Ending Balance (including Revenue Shortfall package #070) is \$94,676. The Program will be monitoring the ending balance and will manage with existing funds. Program recoveries of TANF have dropped significantly and projections have been adjusted accordingly. | |
| Non-Limited | All | 0882 DOJ Client Trust | Trust Fund | ORS 180.200 | 0 | 0 | 0 | 0 | Not Included in ORBITS - Client \$ | |
| Limited | 045-00-00-00000 | 0998 Child Abuse Multidis. Intervention Act. | Operations | ORS 418.746 | 565,960 | 1,322,441 | 913,590 | 1,322,441 | 2017-19 Ending Balance: Revised 2017-19 Ending Balance Represents less than three months of working capital. Is mainly the result of \$1.3M beginning balance at July 2017 that is statutorily committed to CAMI grant recipients. 2019-21 Ending Balance: Revised (CSL Budget) represents less than three months of working capital that is statutorily committed to CAMI grant recipients. | |

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2017-19 & 2019-21 BIENNIA

Agency: **Department of Justice 13700**
 Contact Person (Name & Phone #): Bill Odonnell (503) 373-1535

| (a) Other Fund | (b) Program Area (SCR) | (c) Treasury Fund #/Name | (d) Category/Description | (e) Constitutional and/or Statutory reference | (f) 2017-19 Ending Balance | | (g) 2019-21 Ending Balance | | (j) Comments |
|-------------------|---------------------------|---|---|--|----------------------------|-----------|----------------------------|-------------|--|
| | | | | | In LAB | Revised | ARB CSL | Revised CSL | |
| Non-Limited | 160-00-00-00000 | 1065 Child Support Deposit Account | Other - Pass Through of Child Support Payments for Obligees | ORS 180.365, 25.725 | 0 | 0 | 0 | 0 | Not Included in ORBITS - Client \$ |
| Limited | 045-00-00-00000 | 1123 Sexual Assault Victims Emergency Med Res | Operations | ORS 147.399 | 155 | 4,000 | 4,182 | 4,000 | 2017-19 Ending Balance: Represents less than one month of working capital. 2019-21 Ending balance: Represents less than one month of working capital. |
| Limited | 030-00-00-00000 | 1151 Tobacco Enforcement Fund | Operations | ORS 180.205 | 107,674 | 2,268,237 | 61,940 | 2,268,237 | 2017-19 Ending Balance: represents about 2 biennia of working capital. 2019-21 Ending balance: represents about 1 biennia of working capital. Expenditures in 17-19 were about \$850K less than revenue because of mandated vacancy savings in Civil and lower than anticipated S&S costs so 2019-21 is projected to start with a larger beginning balance. However, the transfer of revenue from DAS sometimes occurs around the 2nd or 3rd quarter of the biennium so a cash balance is needed to cover expenditures in the interim. |
| Limited | 030-00-00-00000 | 1440 Foreclosure Avoidance Mediation Fund | Operations | ORS 86.705 to 86.795 | 0 | 868,488 | 0 | 389,510 | 2017-19 Ending Balance: represents just over 5 months of working capital. 2019-21 is currently projected to have just under 3 months of working capital. This program is volatile making it hard to project. It is possible (and increasingly likely) there will be decreased expenditures next biennium as demand slows. Even while revenue is decreasing, professional services expenditures are decreasing at a similar rate. |
| Limited | 161-00-00-00000 | 0401 Oregon State General Fund | DCS Automated System | | 51,798 | 3,789,946 | 976,667 | (0) | The Program combined 2019-2021 bond needs into the February 2019 sale in 2017-19. The Project is expected to end in 2021 so the ending balance is expected to be \$0. |

Objective: Provide updated Other Funds ending balance information for potential use in the development of the 2017-19 legislatively adopted budget.

Instructions

- Column (a): Select one of the following: Limited, Nonlimited, Capital Improvement, Capital Construction, Debt Service, or Debt Service Nonlimited.
- Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2015-17 Legislatively Approved Budget. If this changed from previous structures, please note the change in Comments (Column (j)).
- Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (j).
- Column (d): Select one of the following: Operations, Trust Fund, Grant Fund, Investment Pool, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the
- Column (e): List the Constitutional, Federal, or Statutory references that establishes or limits the use of the funds.
- Columns (f) and (h): Use the appropriate, audited amount from the 2015-17 Legislatively Approved Budget and the 2017-19 Current Service Level as of the Agency Request Budget.
- Columns (g) Provide updated ending balances based on revised expenditure patterns or revenue trends. Do not include adjustments for reduction options that have been submitted unless the options have already been and (i): implemented as part of the 2015-17 General Fund approved budget or otherwise incorporated in the 2015-17 LAB. The revised column (i) can be used for the balances included in the Governor's budget if available at Column (j):

Please note any reasons for significant changes in balances previously reported during the 2015 session.

Additional

Materials: If the revised ending balances (Columns (g) or (i)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (h)), attach supporting memo or spreadsheet to detail the revised for

Department of Justice

Key Performance Measures

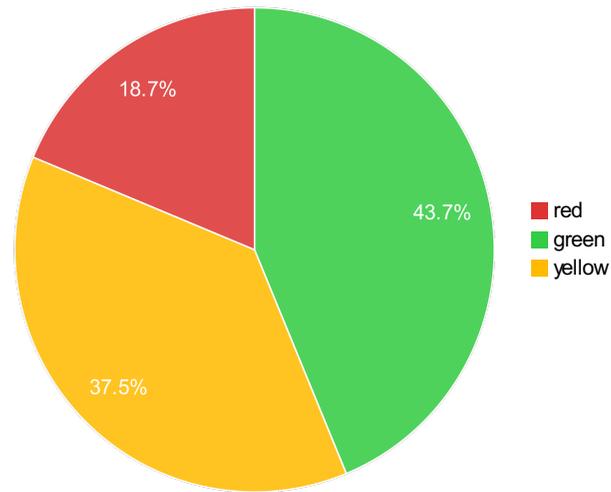
Justice, Department of

Annual Performance Progress Report

Reporting Year 2018

Published: 2/21/2019 2:27:12 PM

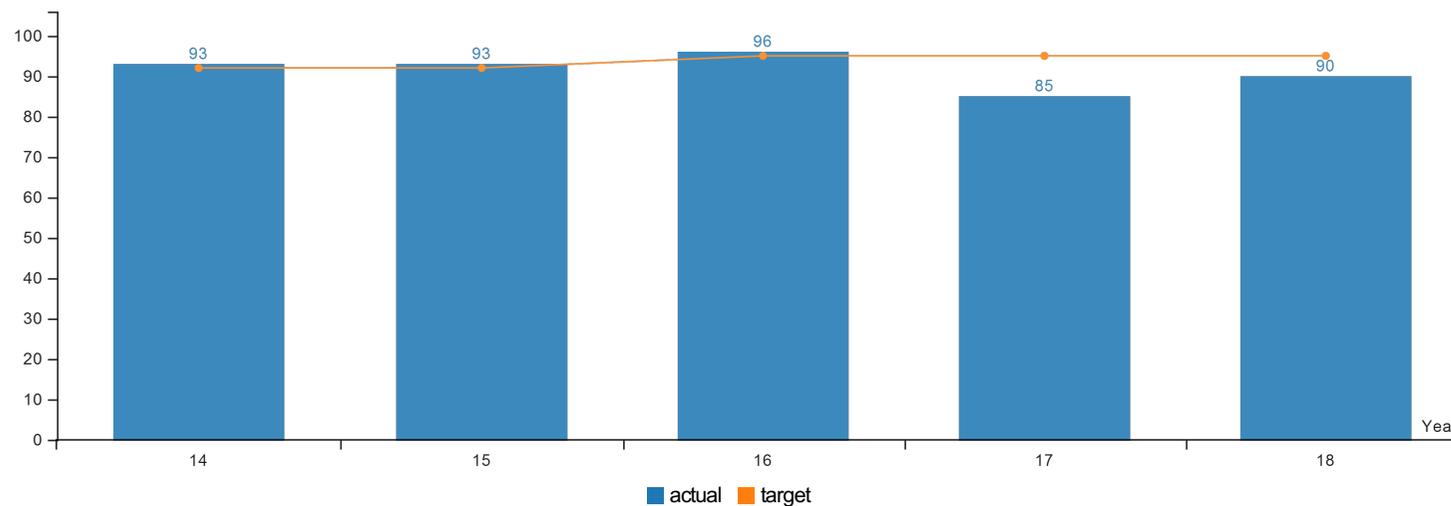
| KPM # | Approved Key Performance Measures (KPMs) |
|-------|---|
| 1 | Percentage of legal cases in which the state's position is upheld |
| 2 | Percentage of appropriate litigation resolved through settlement |
| 3 | Amount of monies recovered for the state divided by the cost of recovery |
| 4 | Average working days from receipt of contracting document to first substantive response to agency. - |
| 5 | Percentage of legal billings receivables collected within 30 days |
| 6 | Percentage of timely and complete charities' reports submitted relative to total charities registered |
| 7 | Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information |
| 8 | Percentage of Criminal Justice Division cases resolved successfully |
| 9 | Percentage of crime victims' compensation orders issued within 90 days of claim receipt |
| 10 | Percentage of support collected by the Child Support Program that is distributed to families - |
| 11 | Percentage of current child support collected relative to total child support owed - |
| 12 | Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due - |
| 13 | Percentage of Child Support Program cases with support orders relative to total Program cases - |
| 14 | Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more - |
| 15 | Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) |
| 16 | Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days. |



| Performance Summary | Green | Yellow | Red |
|---------------------|-----------------|----------------------|-----------------|
| | = Target to -5% | = Target -5% to -15% | = Target > -15% |
| Summary Stats: | 43.75% | 37.50% | 18.75% |

| | |
|--------|---|
| KPM #1 | Percentage of legal cases in which the state's position is upheld |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| PERCENTAGE OF LEGAL CASES IN WHICH THE STATE'S POSITION IS UPHELD | | | | | |
| Actual | 93% | 93% | 96% | 85% | 90% |
| Target | 92% | 92% | 95% | 95% | 95% |

How Are We Doing

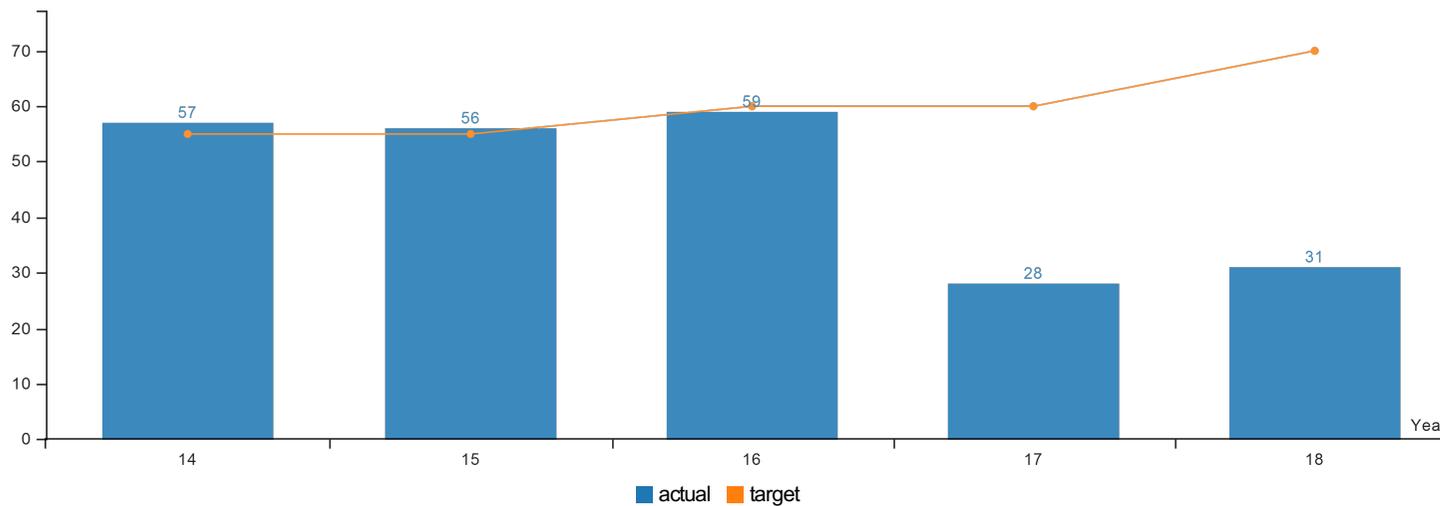
The results for the state fiscal year ending June 30, 2018 were below the target level, but increased from last years result. See Agency Management Report for explanation of change in measurements starting in 2017.

Factors Affecting Results

The definition of what "state's position upheld" means varies among the divisions due to the diversity of the Department's legal work and because DOJ seeks just results, not merely to prevail in a particular case. For example, the Trial Division defends civil lawsuits filed against the State, its agencies, and its officials in a variety of contexts. The state's position in a civil lawsuit is upheld when the trial court dismisses the lawsuit without awarding monetary damages or other forms of relief against the state, or, when the state prevails at trial. Additionally the state's legal position may also be upheld in a case in which the DOJ determines that justice requires some form of settlement with the opposing party. In those situations, the state's position can be upheld when the state reaches agreement with the opposing party and damages are limited to those required by law. In the Appellate Division, some cases involve in the state's legal position being upheld on some issues and not others.

| | |
|--------|--|
| KPM #2 | Percentage of appropriate litigation resolved through settlement |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------|------|------|------|------|
| PERCENTAGE OF APPROPRIATE LITIGATION RESOLVED THROUGH SETTLEMENT | | | | | |
| Actual | 57% | 56% | 59% | 28% | 31% |
| Target | 55% | 55% | 60% | 60% | 70% |

How Are We Doing

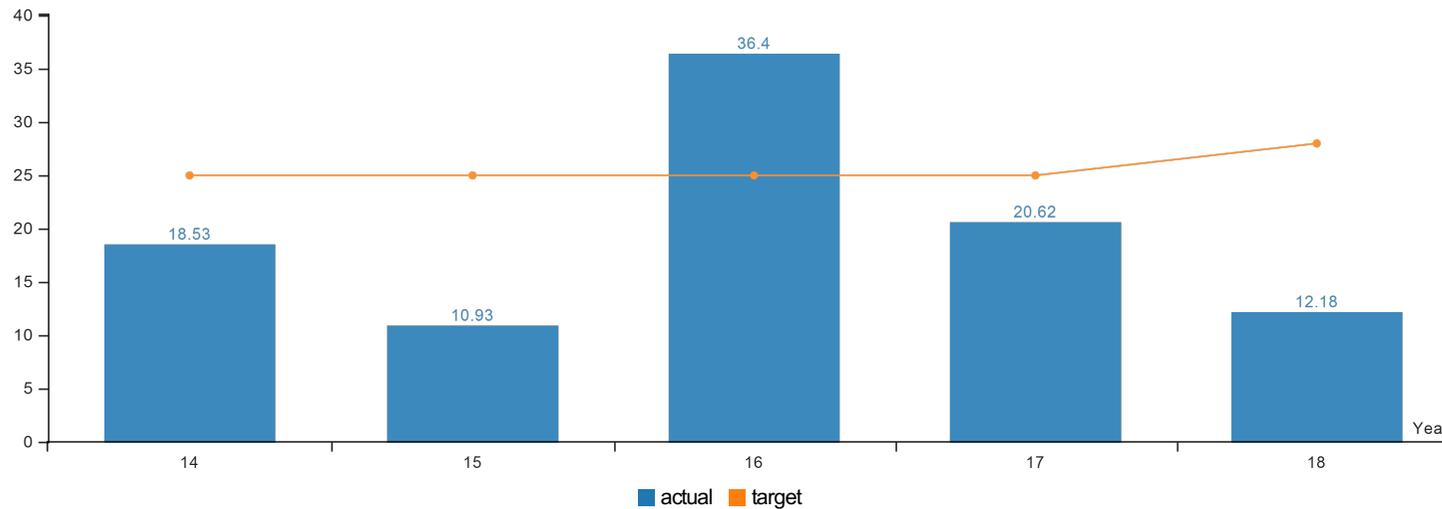
The results for the state fiscal year ending June 30, 2018 fell short of the target due to the nature of the cases and the policy decisions of clients and the Department of Justice. In non-settled cases, the state's position was upheld 96.5% of the time indicating the Division exercised good discretion on which cases to settle and which cases to litigate. See Agency Management Report for explanation of change in measurements starting in 2017.

Factors Affecting Results

The determination of which cases are appropriate for negotiation and settlement varies between the divisions due to the diversity of caseloads. Not all cases are appropriate for settlement. Many factors contribute to rendering a case inappropriate for settlement. In many instances, opportunity for settlement by the DOJ is limited by the fact that the agency represented in the litigation had attempted to settle the case before referring the case to DOJ. Some litigation may arise only after many other opportunities to vindicate the state's interests have been tried and failed. For example, lawsuits seeking the termination of parental rights are filed after social service agencies have exhausted other interventions intended to protect children. Other cases may be rendered inappropriate for compromise simply by the nature of the state's interest. Settlement may not be possible because of far reaching policy implications or because federal law precludes settlement. For example, unemployment benefit cases cannot be settled due to federal restrictions.

| | |
|--------|--|
| KPM #3 | Amount of monies recovered for the state divided by the cost of recovery |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|---------|---------|---------|---------|---------|
| AMOUNT OF MONIES RECOVERED FOR THE STATE DIVIDED BY THE COST OF RECOVERY | | | | | |
| Actual | \$18.53 | \$10.93 | \$36.40 | \$20.62 | \$12.18 |
| Target | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$28.00 |

How Are We Doing

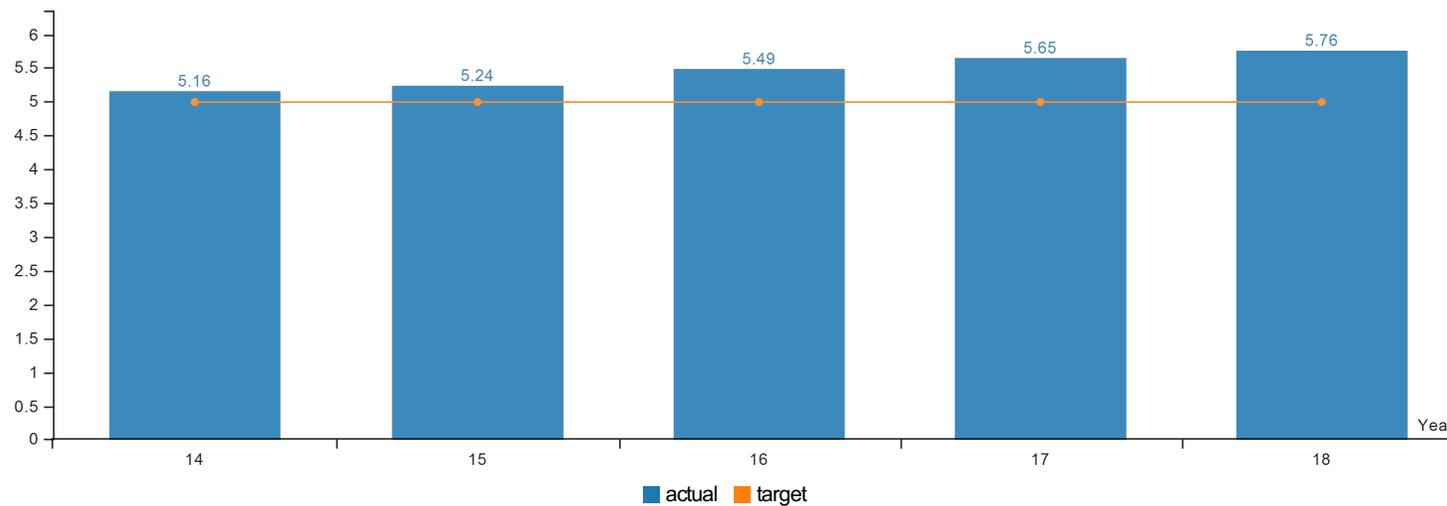
The results were below the target level for the state fiscal year ending June 30, 2018. DOJ recovered \$12.18 for every \$1.00 spent, rather than the \$28.00 target.

Factors Affecting Results

Very large claims can skew results and the \$25 target was established based on years that included very large punitive damages recoveries. For example, in 2006, DOJ helped recover \$25 million from parties responsible for leaving the New Carissa's rusting hulk on a south coast beach; some of the recovery actually accrued to the state in 2007. In 2012 DOJ received a punitive damages award of \$56 million and in 2016 DOJ received a punitive damages award of \$11 million, both of which significantly skewed the results in the respective years. Punitive damage awards of this nature are rare and to a certain extent out of DOJ's control.

| | |
|--------|--|
| KPM #4 | Average working days from receipt of contracting document to first substantive response to agency. - |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = negative result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| AVERAGE WORKING DAYS FROM RECEIPT OF CONTRACTING DOCUMENT TO 1ST SUBSTANTIVE RESPONSE | | | | | |
| Actual | 5.16 | 5.24 | 5.49 | 5.65 | 5.76 |
| Target | 5 | 5 | 5 | 5 | 5 |

How Are We Doing

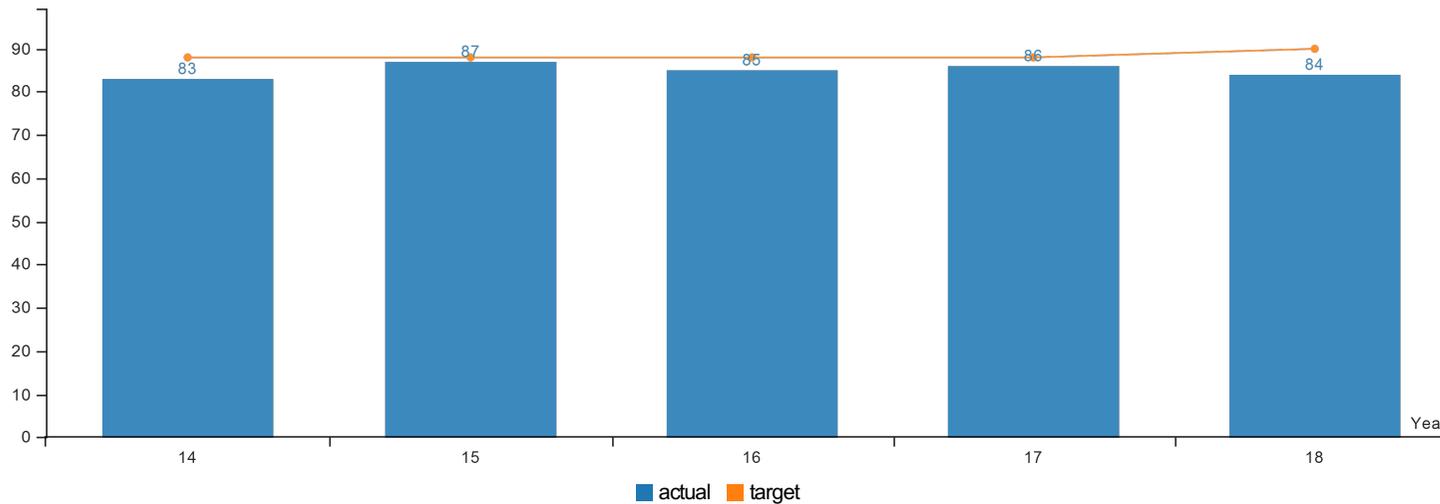
The results for the state fiscal year ending June 30, 2018 were slightly above the target. With this measure, the lower the number the better.

Factors Affecting Results

DOJ continues to exempt categories of contracts from legal sufficiency review. As this process continues, the remaining assignments become increasingly complex. The General Counsel Division continues to monitor work on the remaining types of contracts for additional efficiencies. Other factors to be considered include the variance in state agency resources devoted to the contract process. Some agencies have contract units and contract officers some of whom have a legal/contract background and some of whom received agency level training. Other agencies do not have this resource available and are more dependent on the involvement of DOJ.

| | |
|--------|---|
| KPM #5 | Percentage of legal billings receivables collected within 30 days |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------|------|------|------|------|
| PERCENTAGE OF LEGAL BILLING RECEIVABLES COLLECTED WITHIN 30 DAYS | | | | | |
| Actual | 83% | 87% | 85% | 86% | 84% |
| Target | 88% | 88% | 88% | 88% | 90% |

How Are We Doing

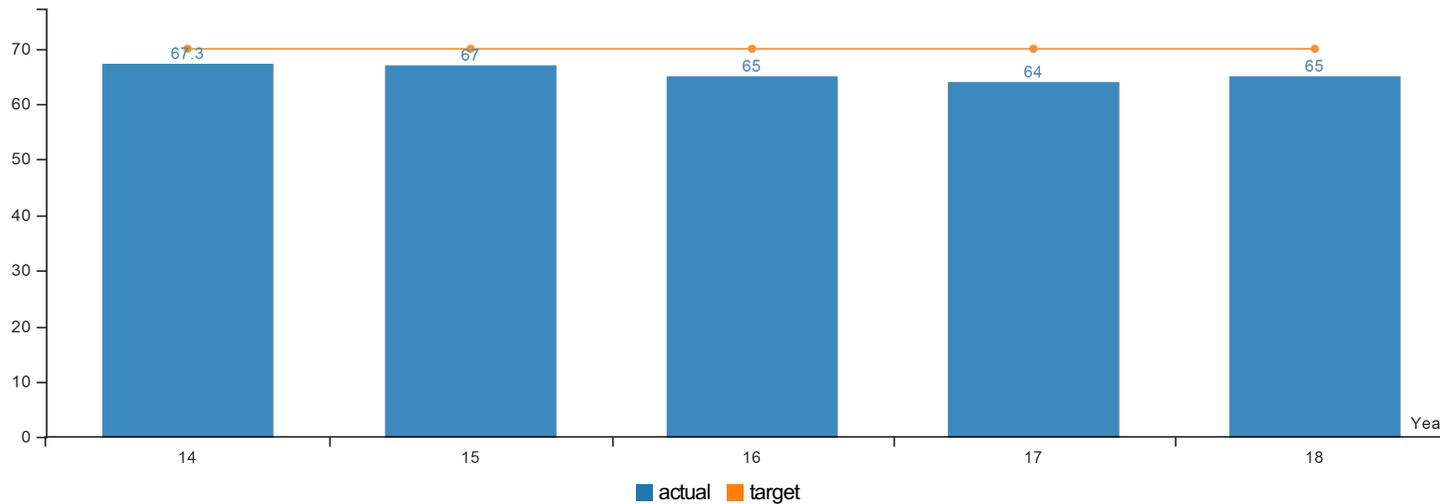
The results for the state fiscal year ending June 30, 2018 were below the target level.

Factors Affecting Results

Some agencies are heavy consumers of DOJ's legal services. Agencies occasionally have questions about their invoices, take time in circulating their invoices for the appropriate approvals, or even delay payment due to employee absence or vacancies. If even one of those agencies fails to timely pay a DOJ invoice, DOJ's performance on this KPM can slip below the target mark.

| | |
|--------|---|
| KPM #6 | Percentage of timely and complete charities' reports submitted relative to total charities registered |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|--------|------|------|------|------|
| % TIMELY & COMPLETE CHARITIES' REPORTS SUBMITTED RELATIVE TO TOTAL REGISTERED | | | | | |
| Actual | 67.30% | 67% | 65% | 64% | 65% |
| Target | 70% | 70% | 70% | 70% | 70% |

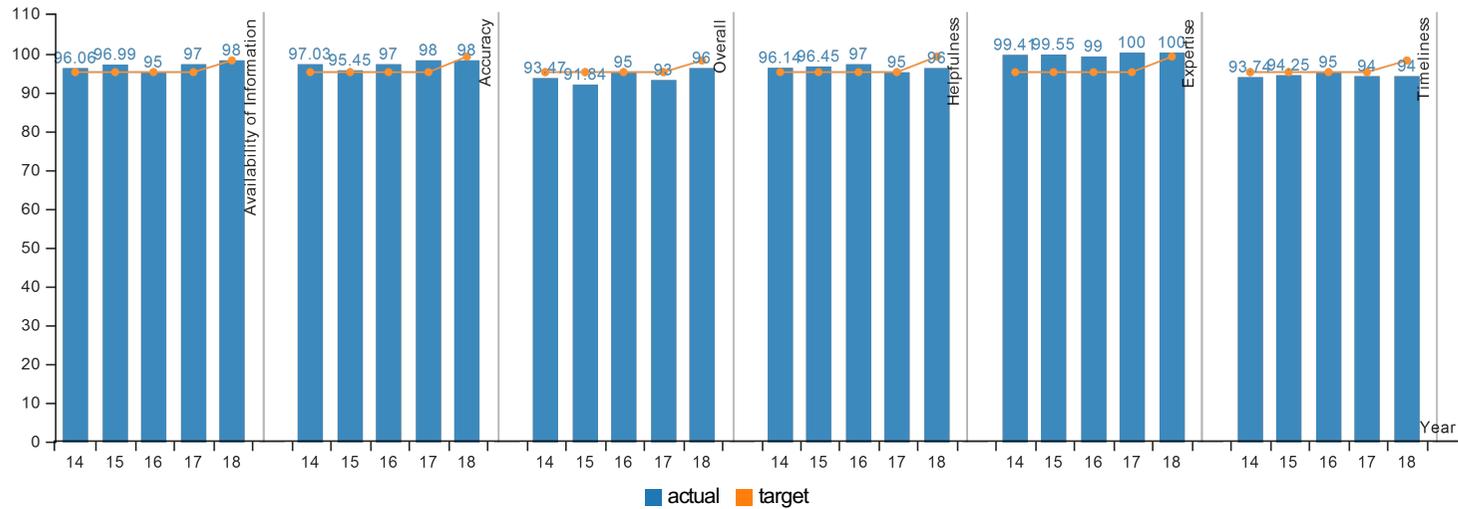
How Are We Doing

The results remained slightly below the target for the state fiscal year ending June 30, 2018.

Factors Affecting Results

The legislature reduced the target of this KPM to 70% for the 2005-07 biennium. The measure requires timely and complete reports. DOJ believes the target was established to measure performance on only one element; the timeliness of reports submitted by charities to DOJ. Additionally, for this reporting period the number of charitable organizations in Oregon continued to increase and as of June 30, 2018 there were 21,000 charities required to file reports. DOJ tries to make compliance as easy as possible by publishing reporting forms, training the personnel of charitable organizations, and answering technical assistance questions.

| | |
|--------|---|
| KPM #7 | Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information |
| | Data Collection Period: Jul 01 - Jun 30 |



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|------------------------------------|--------|--------|------|------|------|
| Availability of Information | | | | | |
| Actual | 96.06% | 96.99% | 95% | 97% | 98% |
| Target | 95% | 95% | 95% | 95% | 98% |
| Accuracy | | | | | |
| Actual | 97.03% | 95.45% | 97% | 98% | 98% |
| Target | 95% | 95% | 95% | 95% | 99% |
| Overall | | | | | |
| Actual | 93.47% | 91.84% | 95% | 93% | 96% |
| Target | 95% | 95% | 95% | 95% | 98% |
| Helpfulness | | | | | |
| Actual | 96.14% | 96.45% | 97% | 95% | 96% |
| Target | 95% | 95% | 95% | 95% | 99% |
| Expertise | | | | | |
| Actual | 99.41% | 99.55% | 99% | 100% | 100% |
| Target | 95% | 95% | 95% | 95% | 99% |
| Timeliness | | | | | |
| Actual | 93.74% | 94.25% | 95% | 94% | 94% |
| Target | 95% | 95% | 95% | 95% | 98% |

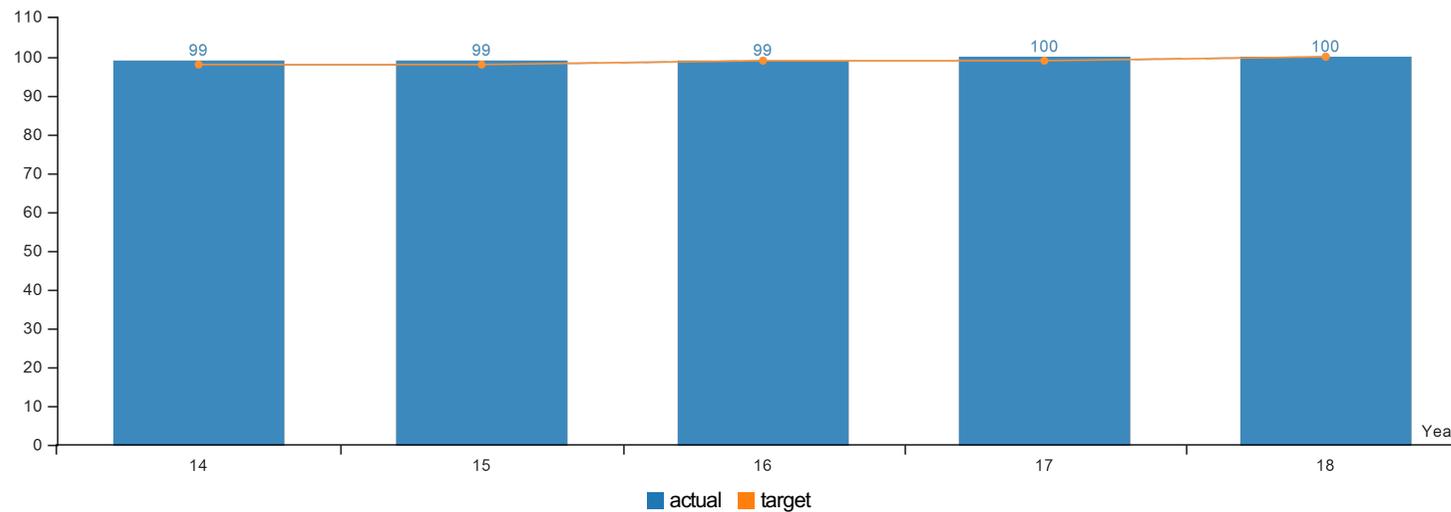
The aggregate average of the six categories was 96.85% for fiscal year ending June 30, 2018 , which did not meet the target level average of 98.50%. The targets had all just increased from 95% the previous fiscal year. One of the six individual categories met or exceeded the target while the other five individual categories came within 4% of the target.

Factors Affecting Results

Many things may affect the results for KPM 7. These factors include resources appropriated to DOJ by the Assembly and the complexity of the work in comparison to the length of time allowed to prepare legal advice about the issue.

| | |
|--------|---|
| KPM #8 | Percentage of Criminal Justice Division cases resolved successfully |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| PERCENTAGE OF CRIMINAL JUSTICE DIVISION CASES RESOLVED SUCCESSFULLY | | | | | |
| Actual | 99% | 99% | 99% | 100% | 100% |
| Target | 98% | 98% | 99% | 99% | 100% |

How Are We Doing

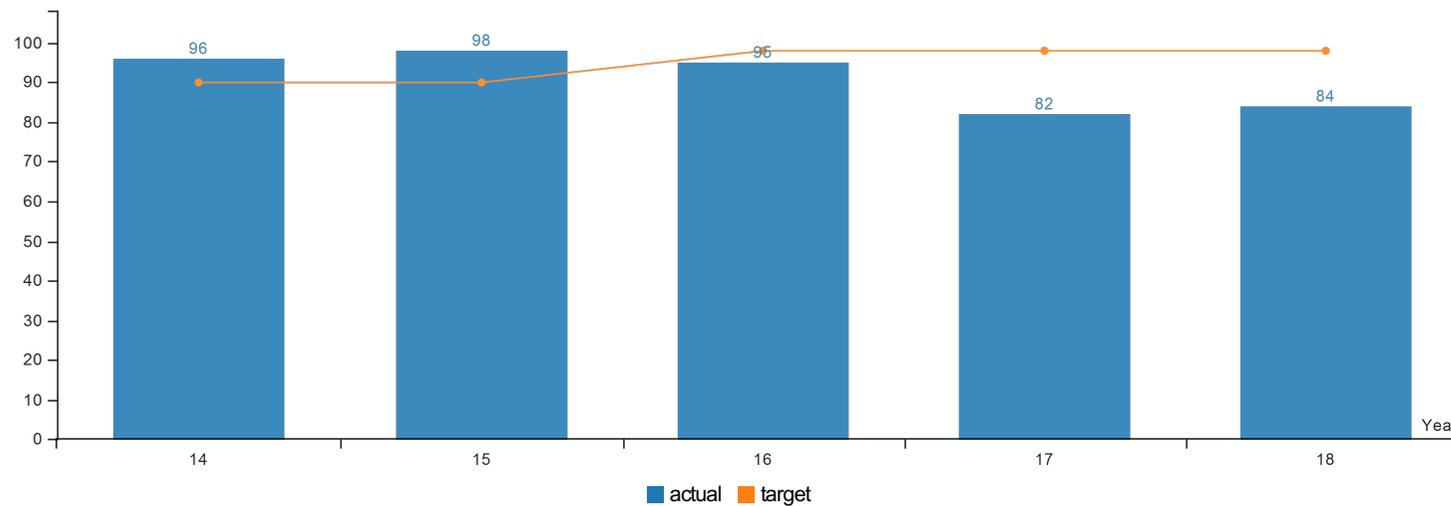
The results for fiscal year ending June 30, 2018 met the target.

Factors Affecting Results

Because the number of cases resolved in any given year is small (270 in fiscal year 2018), the outcome in a very small number of cases will be reflected on a percentage basis as an improvement or degradation in performance.

| | |
|--------|---|
| KPM #9 | Percentage of crime victims' compensation orders issued within 90 days of claim receipt |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| PERCENTAGE OF VICTIMS' COMPENSATION ORDERS ISSUED WITHIN 90 DAYS OF CLAIM RECEIPT | | | | | |
| Actual | 96% | 98% | 95% | 82% | 84% |
| Target | 90% | 90% | 98% | 98% | 98% |

How Are We Doing

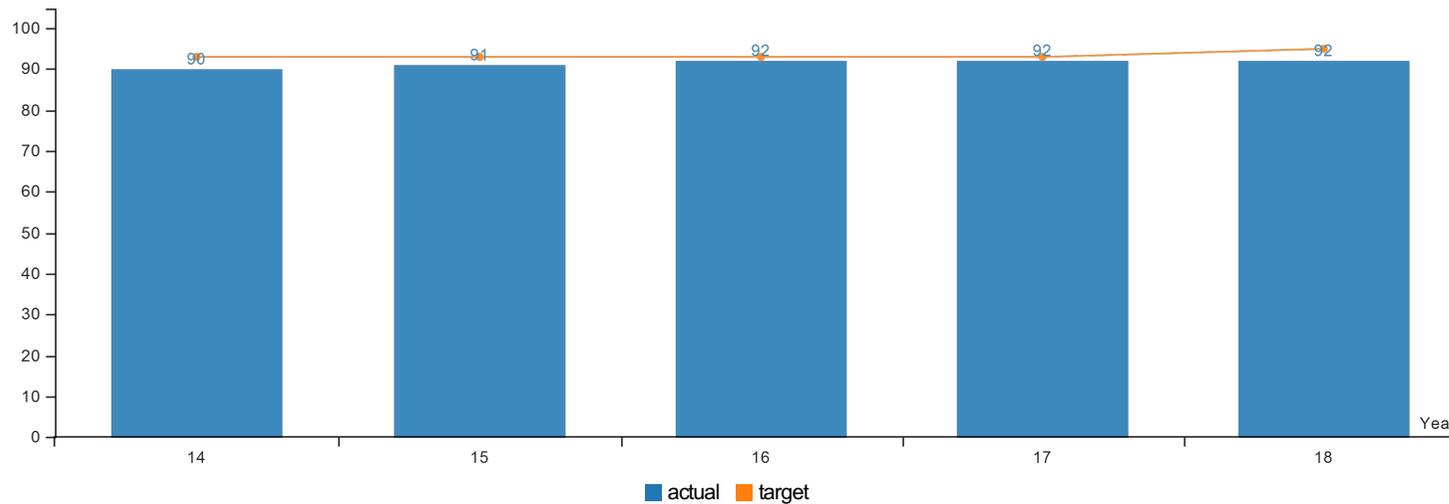
The results for fiscal year ending June 30, 2018 (84%) fell short of the target.

Factors Affecting Results

The number of incoming claims and the number of available staff are two factors that had a significant impact on our numbers last year. CVSSD experienced a significant and ongoing staffing shortage for nearly all of the 2016-17 fiscal year. Although the program is now fully staffed, training new staff takes at minimum 6 months. With 4 new claims examiners the number of claims reviewed within 90-days is slowly increasing as staff become fully trained. It is anticipated that by the end of 2018 CVSSD will be fully staffed and will be able to make determinations within the 90 day period.

| | |
|---------|--|
| KPM #10 | Percentage of support collected by the Child Support Program that is distributed to families - |
| | Data Collection Period: Oct 01 - Sep 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| % OF SUPPORT COLLECTED BY THE CSP, WHICH IS DISTRIBUTED TO FAMILIES | | | | | |
| Actual | 90% | 91% | 92% | 92% | 92% |
| Target | 93% | 93% | 93% | 93% | 95% |

How Are We Doing

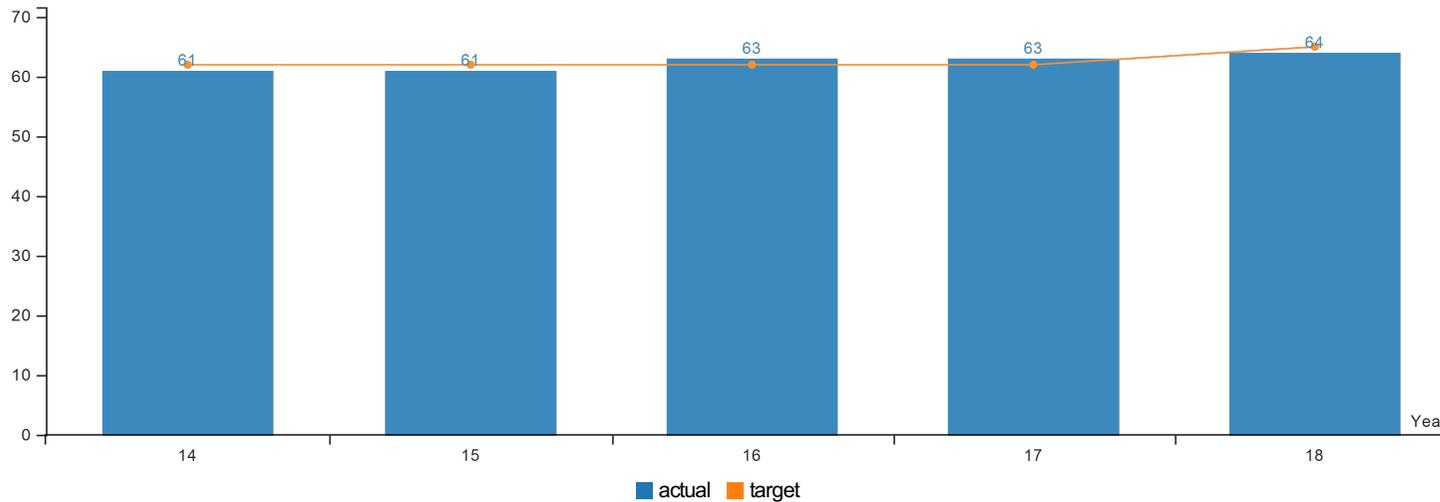
For the federal fiscal year ending September 30, 2018, the Child Support Program's performance is 92%.

Factors Affecting Results

Federal law establishes priorities for the distribution of collected funds. For example, federal law requires that collected funds be distributed first to current ongoing support amounts due to families before any is distributed to reimburse the state for the costs of previously provided public assistance. Since October 2007, federal law has allowed the DOJ to provide a portion of child support payments to be made directly to families receiving public assistance (commonly known as "pass through"). Beginning in late 2009, federal requirements reduced the amount of child support assigned to the state and increased the amounts due to families. Current economic conditions have a direct impact on this measure. As employment levels rise and the quantity of individuals receiving public assistance is reduced, the portion of support assigned to and collected for families will move closer to target.

| | |
|---------|--|
| KPM #11 | Percentage of current child support collected relative to total child support owed - |
| | Data Collection Period: Oct 01 - Sep 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| % OF CURRENT CHILD SUPPORT COLLECTED RELATIVE TO TOTAL CHILD SUPPORT OWED | | | | | |
| Actual | 61% | 61% | 63% | 63% | 64% |
| Target | 62% | 62% | 62% | 62% | 65% |

How Are We Doing

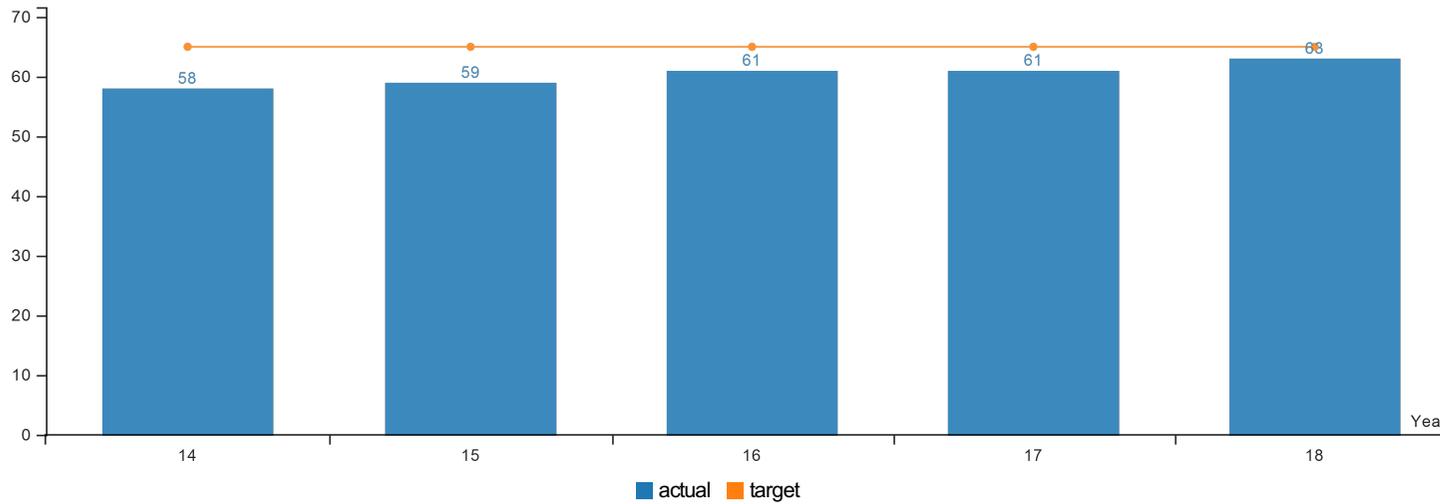
For the federal fiscal year ending September 30, 2018, the Child Support Program's performance is 64%.

Factors Affecting Results

The amount collected depends in part on the effectiveness and efficiency of the tools available to DOJ under state and federal law for non-custodial parents who are able but unwilling to meet their obligations. Oregon is generally well equipped with the tools required to persuade obligors to fulfill their obligations and to compel them to do so when necessary. The results for KPM 11 are also affected by the reality that a few obligors are willing but unable to pay and the size of this group increased when job losses increased and the economy struggled. This measure tends to lag economic recovery. DOJ's effectiveness in collecting funds from obligors who have the ability to pay depends to a great extent on the resources invested to carry out collection activities. Timing of payments is also a factor. Payments received even one day into the following month do not count as a current support payment.

| | |
|---------|---|
| KPM #12 | Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due - |
| | Data Collection Period: Oct 01 - Sep 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------|------|------|------|------|
| % OF CSP CASES PAYING TOWARDS ARREARS RELATIVE TO TOTAL CSP CASES WITH ARREARS DUE | | | | | |
| Actual | 58% | 59% | 61% | 61% | 63% |
| Target | 65% | 65% | 65% | 65% | 65% |

How Are We Doing

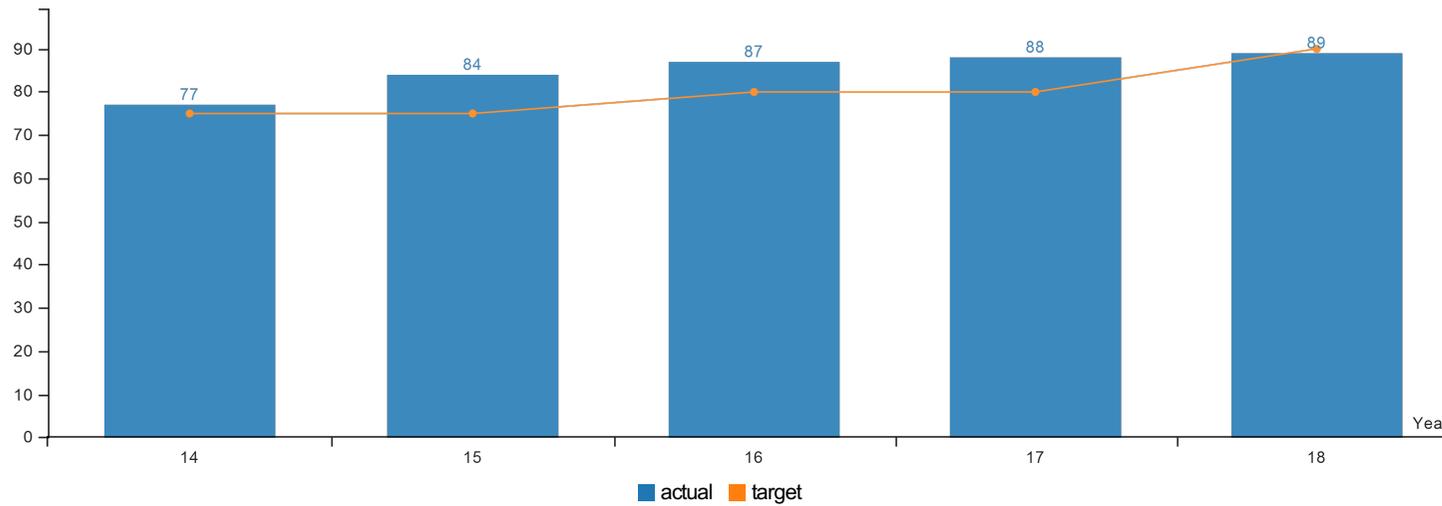
For the federal fiscal year ending September 30, 2018, the Child Support Program's performance is 63%.

Factors Affecting Results

Results for KPM 12 are affected by the same factors that affect KPM 11. The number of cases that carry arrears increases when the economy struggles. The number of parents who cannot pay all or part of the support due increases as well. This equates to additional work needed just to maintain current percentages. Conversely, good economic conditions in general contribute to increased child support collections as noncustodial parents have improved employment opportunities.

| | |
|---------|---|
| KPM #13 | Percentage of Child Support Program cases with support orders relative to total Program cases - |
| | Data Collection Period: Oct 01 - Sep 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| PERCENTAGE OF CSP CASES WITH SUPPORT ORDERS RELATIVE TO TOTAL CSP CASES | | | | | |
| Actual | 77% | 84% | 87% | 88% | 89% |
| Target | 75% | 75% | 80% | 80% | 90% |

How Are We Doing

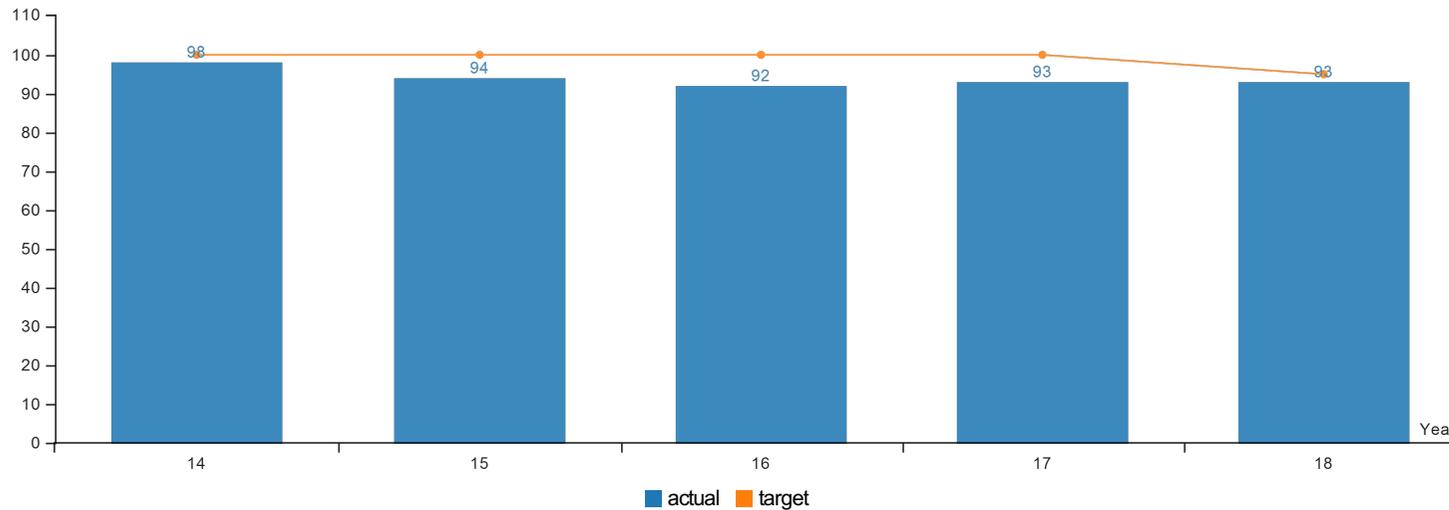
For the federal fiscal year ending September 30, 2018, the Child Support Program's performance is 90%.

Factors Affecting Results

Efforts to enhance and streamline the order establishment process will have a positive impact on this measure. Working more closely with customers to establish fair and equitable orders in a collaborative effort will assist as well. The Child Support Program continues to close cases in which no services are required. All of these factors will affect future results for KPM 13.

| | |
|---------|---|
| KPM #14 | Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more - |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------|------|------|------|------|
| % OF ADULT VICTIMS LEAVING DV SHELTERS WITH A SAFETY PLAN AFTER STAY OF 5 DAYS OR MORE | | | | | |
| Actual | 98% | 94% | 92% | 93% | 93% |
| Target | 100% | 100% | 100% | 100% | 95% |

How Are We Doing

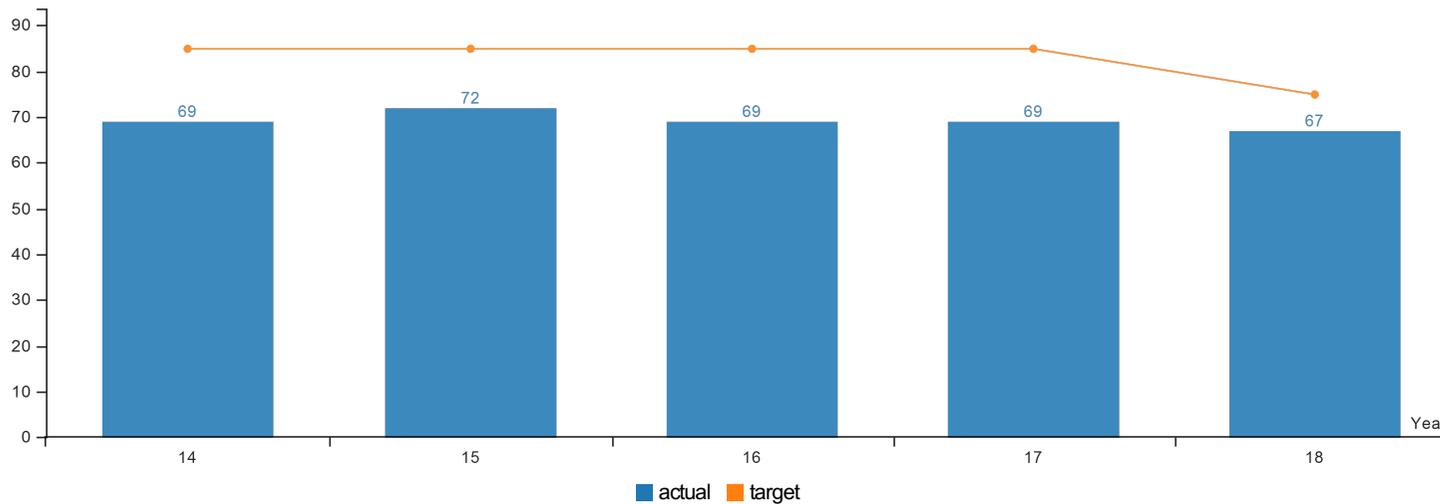
The results (93%) for the state fiscal year ending June 30, 2017, are short of meeting the target of 95% but are in the same range as the last several years.

Factors Affecting Results

DOJ makes grants to support domestic violence shelters. The shelters are operated by private non-profit agencies, not DOJ personnel. The result measured by KPM 14 may be affected by several outside factors including staffing levels at shelters. DOJ along with other statewide partners provides training and technical assistance to these organization but DOJ is not directly responsible or involved in day-to-day operations of shelters.

| | |
|---------|---|
| KPM #15 | Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------|------|------|------|------|
| % OF SEXUAL ASSAULT EXAMS CONDUCTED BY SPECIALLY TRAINED SANES | | | | | |
| Actual | 69% | 72% | 69% | 69% | 67% |
| Target | 85% | 85% | 85% | 85% | 75% |

How Are We Doing

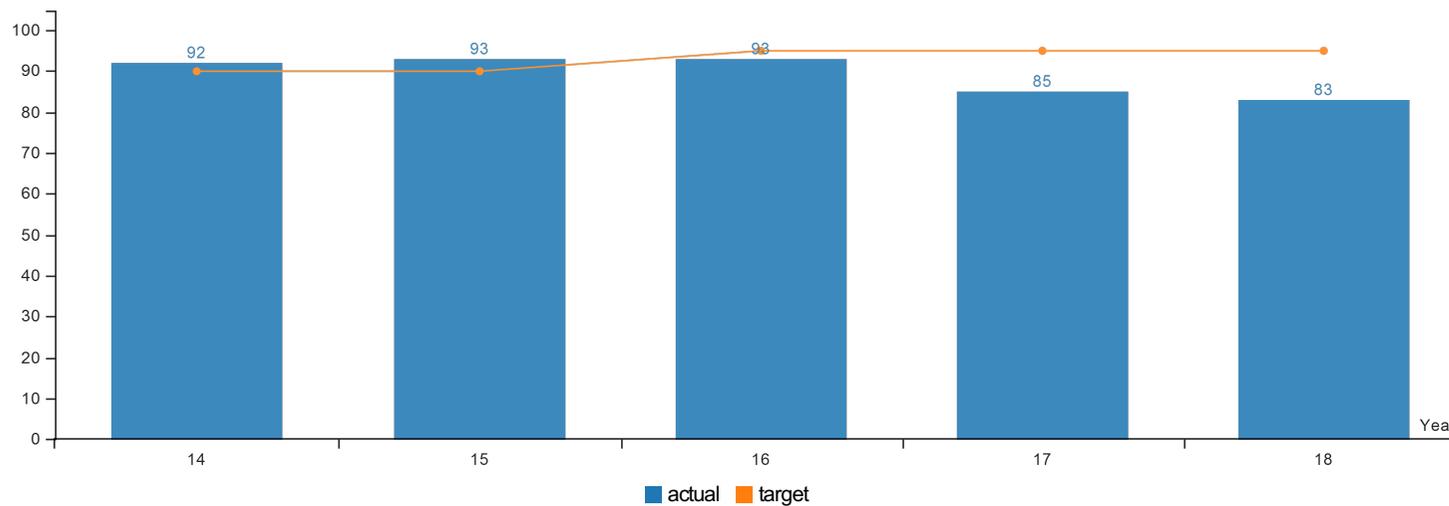
The results for state fiscal year ending June 30, 2018 were below the target level but consistent with prior years results.

Factors Affecting Results

DOJ administers the Sexual Assault Victims Emergency Medical Response (SAVE) Fund. The SAVE Fund helps offset costs arising from SANE training and from the examination of victims of sexual assault by trained SANES. The SANES are employed by health care providers; they are not DOJ personnel. The result measured by KPM 15 is, therefore, affected directly by personnel who do not serve under the Attorney General's direction or control. The availability of SANES is still an issue in some areas of the state, due to both geographic challenges and lack of funding for 24/7 hour coverage. The ongoing training provided by the Attorney General's Sexual Assault Task Force to certify more SANES is a critical element contributing to this measure. There are approximately 135 trained SANES in Oregon. There will always be a need for ongoing training as SANE certifications expire after 3 years.

| | |
|---------|--|
| KPM #16 | Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days. |
| | Data Collection Period: Jul 01 - Jun 30 |

* Upward Trend = positive result



| Report Year | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------|------|------|------|------|
| Percentage of Defense of Criminal Convictions (DCC) Cases Briefed within 210 days | | | | | |
| Actual | 92% | 93% | 93% | 85% | 83% |
| Target | 90% | 90% | 95% | 95% | 95% |

How Are We Doing

The results for the state fiscal year ending June 30, 2018, did not meet the target.

Factors Affecting Results

This KPM represents how efficiently we are briefing cases and keeping up with the number of cases coming in. We categorize cases in terms of difficulty and then set a target time for attorneys to spend briefing cases in each of the categories. We have no control over the number of cases that we respond to, but we can control our productivity by adjusting the time we devote to each case. This year, four factors contributed to a decrease in efficiency: (1) We continued to have some vacancies among our support staff responsible for processing these cases, which led to a backlog of cases not being closed, which skewed the data upon which this KPM is based. (2) As of January 2018, we had four unfilled attorney positions. We filled two of those positions in late June, but we are not yet up to full strength to maximize briefing efficiency. (3) One particularly significant matter consumed significant resources for preparation for and participation in a three-week trial in April. This trial took three attorneys off of DCC briefing for approximately two months. (4) We had an unusually high number of attorneys on extended OFLA/FMLA leave during portions of this fiscal year. This decreased the number of attorneys we had available to decrease the backlog of DCC cases.

Department of Justice

Supervisory Span of Control

SUPERVISORY RATIO



PROPOSED SUPERVISORY SPAN OF CONTROL REPORT

In accordance with the requirements of ORS 291.227, the Oregon Department of Justice presents this report to the Joint Ways and Means Committee regarding the agency's Proposed Maximum Supervisory Ratio for the 2019-2021 biennium.

Supervisory Ratio for the last quarter of 2017-2019 biennium

The agency actual supervisory ratio as of 6/30/18 is 1: 10.49
 (Date) (Enter ratio from last Published DAS CHRO Supervisory Ratio)

The Agency actual supervisory ratio is calculated using the following calculation:

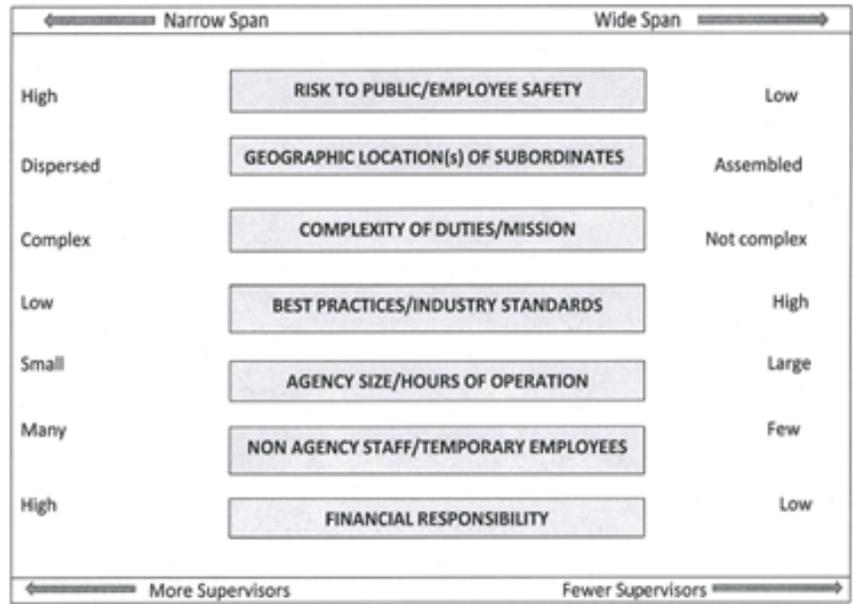
$$\frac{115}{\text{(Total supervisors)}} = \frac{101}{\text{(Employee in a supervisory role)}} + \frac{15}{\text{(Vacancies that if filled would perform a supervisory role)}} - \frac{1}{\text{(Agency head)}}$$

$$\frac{1259}{\text{(Total non-supervisors)}} = \frac{1119}{\text{(Employee in a non-supervisory role)}} + \frac{140}{\text{(Vacancies that if filled would perform a non-supervisory role)}}$$

The agency has a current actual supervisory ratio of-

$$1: \frac{10.49}{\text{(Actual span of control)}} = \frac{1259}{\text{(Total non-Supervisors)}} / \frac{115}{\text{(Total Supervisors)}}$$

When determining an agency maximum supervisory ratio all agencies shall begin of a baseline supervisory ratio of 1:11, and based upon some or all of the following factors may adjust the ratio up or down to fit the needs of the agency.



Ratio Adjustment Factors

The Oregon Department of Justice requests to add 96 non-supervisory positions and subtract one supervisory position in its Agency Requested budget. There is no significant change to the Agency Supervisory Ratio.

Based upon the described factors above the agency proposes a Maximum Supervisory Ratio of 1: 11.88.

Unions Requiring Notification SEIU, OAJA, and CIA

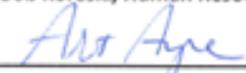
Date unions notified 8/17/18

Submitted by: Bob Koreski
Human Resources Director

Date: 8/13/18

Signature Line 
Bob Koreski, Human Resources Director

Date 8/13/18

Signature Line 
Art Ayre, Chief Financial Officer

Date 8-13-18

Signature Line 
Frederick Boss, Deputy Attorney General

Date 8/13/18