

SB 5515 BUDGET REPORT and MEASURE SUMMARY

Joint Committee On Ways and Means

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Department of Justice

2019-21

PRELIMINARY

Budget Summary*

| | 2017-19 Legislatively Approved Budget ⁽¹⁾ | 2019-21 Current Service Level | 2019-21 Committee Recommendation | Committee Change from 2017-19 Leg. Approved | |
|------------------------|---|----------------------------------|-------------------------------------|--|-------------|
| | | | | \$ Change | % Change |
| General Fund | \$ 77,186,409 | \$ 85,128,005 | \$ 96,760,086 | \$ 19,573,677 | 25.4% |
| General Fund Debt Svcs | \$ 12,507,190 | \$ 14,165,382 | \$ 14,165,382 | \$ 1,658,192 | 13.3% |
| Other Funds Limited | \$ 332,801,936 | \$ 326,302,268 | \$ 353,633,536 | \$ 20,831,600 | 6.3% |
| Federal Funds Limited | \$ 201,118,887 | \$ 138,497,693 | \$ 187,511,050 | \$ (13,607,837) | (6.8%) |
| Total | \$ 623,614,422 | \$ 564,093,348 | \$ 652,070,054 | \$ 28,455,632 | 4.6% |

Position Summary

| | | | | |
|--------------------------------------|----------|----------|----------|-------|
| Authorized Positions | 1,379 | 1,314 | 1,448 | 69 |
| Full-time Equivalent (FTE) positions | 1,355.40 | 1,304.01 | 1,416.74 | 61.34 |

⁽¹⁾ Includes adjustments through December 2018

* 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 program, protecting civil rights, and for state match for federal child support enforcement funds. General Fund is 17.0 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 2017-19 legal services rate (also known as the Attorney General rate) was \$182 per hour and is budgeted to generate an estimated \$174.8 million. The Attorney General rate for the 2019-21 Legislative Adopted Budget is \$214 and is estimated to generate \$229.3 million, with a projected ending balance of \$9.3 million. This represents approximately one month of operating capital for the Legal Services Fund. The increase in the legal services rate from \$182 to \$214 per hour, or by 17.6%, is explained primarily by the following factors: (a) current services level adjustments for: collective bargaining agreements, merit increases, inflation on services and supplies; and mandated caseload adjustments; (d) policy package adjustments; (c) an estimate for yet-to-be negotiated compensation plan adjustments; and (d) a one-month working capital reserve. The single largest increase to the hourly rate is the \$10 attributable to the working capital reserve. The percentage increase in legal services rate without adding the working capital reserve would have been 12.1%.

The change to the Legal Services rate in agency budgets will be addressed in separate legislation.

Other sources of Other Funds include allocations from the Criminal Fines Account to support: the Criminal Injuries Compensation Account, the Child Abuse Multidisciplinary Intervention Account, the Child Abuse Medical Assessment program, and regional assessment centers. The 2019-21 Criminal Fines Account allocation is estimated to be approximately \$20.1 million. The Department will also be using their 2017-19 biennium ending balance of \$2 million during the 2019-21 biennium. If approved by the Legislature, it will be allocated under separate legislation. The 2019-21 Master Tobacco Settlement Agreement fund allocation of \$1.6 million is being reduced for this biennium, and the Department is using the \$2.2 million 2017-19 ending balance. 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; and federal performance incentives partially fund the Child Support program. Other Funds revenue makes up 54.2 percent of the Department's budget.

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 28.8 percent of the Department's 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, as well as 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 recommended a budget of \$652,070,054 total funds; \$110,925,468 General Fund, \$353,633,536 Other Funds expenditure limitation, \$187,511,050 Federal Funds expenditure limitation and 1,448 positions (1,416.74 FTE). The budget represents a 4.6 percent increase in total funds from the 2017-19 Legislatively Approved Budget as of December 2018.

Office of the Attorney General and Administration Division

The Office of the Attorney General is the executive management of the Department and sets direction and policy. This biennium the Civil Rights Unit is being transferred to this office from the Civil Enforcement Division to focus and continue efforts in protecting Oregon citizens, by investigating civil rights violations. The Administration Division provides administrative and financial oversight, support, and information technology services to the operating divisions.

The Subcommittee recommended a budget of \$744,939 General Fund, \$39,896,329 Other Funds expenditure limitation, and 120 positions (117.96 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 104, Essential Costs of Information Technology. This package adds a net increase of \$3,883,444 Other Funds expenditure limitation for Department-wide information technology costs. The Other Funds revenue to support this package comes from Intra-agency transfers from the

various operating program areas and a reduction of \$465,697 Other Funds Capital Outlay. The revenue source to support this package is from transfers from the Department's operating program areas.

This package is a re-baseline of DOJ's information technology centralized costs, as well as Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses. This package includes \$1,095,847 of one-time Other Funds expenditure limitation that is to be phased-out in the 2021-23 budget.

Package 152, Legal Tools Expenditure Limitation. This package adds \$595,610 Other Funds expenditure limitation and establishes two limited duration positions (1.58 FTE). The revenue to support this package comes from a one-time Legal Tool Replacement information technology project settlement.

The purpose of this package is the re-authorization of the Legal Tool Replacement information technology project that is expected to provide a single source electronic application, which would manage the agency's legal documents for approximately 300 attorneys, as well as provide billing around 100 client agencies. The package supports two Operations and Policy Analyst 2 limited duration positions. This package requests that the Department of Administrative Services (DAS) unschedule \$300,000 Other Funds expenditure limitation. Scheduling of these funds would not be considered without a joint status report between DOJ, Office of the Chief Information Officer and the selected independent quality assurance vendor. This report must be submitted and approved by the Legislative Fiscal Office and the Chief Financial Office prior to rescheduling any of the funds.

Package 153, Inclusion and Equity. This package adds \$227,608 Other Funds expenditure limitation and establishes one permanent full-time Operations and Policy Analyst 3 position (0.88 FTE). The revenue to support this package comes from the Legal Services Fund.

This position would be the internal coordinator for the Equal Employment Opportunity Commission Title V and VII issues related to diversity, inclusion, equity, equal opportunity, civil rights, and affirmative action.

Package 801, LFO Analyst Adjustments. This package reduces \$400,000 Other Funds expenditure limitation in Services and Supplies and includes a technical revenue adjustment to reduce Other Revenues by \$8,693,359. This eliminates budgeted operations and maintenance costs associated with the former Legal Tool Replacement information technology project, as the original vendor contract was terminated.

Package 803, Transfer Civil Rights Unit. This package transfers \$744,939 General Fund and two permanent full-time positions (2.00 FTE) from the Civil Enforcement Division, Civil Rights Unit to the Office of the Attorney General and the Administration Division.

Package 804, Position Reconciliation. This package adds \$460,563 Other Funds expenditure limitation to reclassify nine positions and transfers of three positions from Civil Enforcement Division (3.83 FTE). The following nine positions are being reclassified as follows: an Assistant Human Resource (HR) Director from a Principal Executive Manager (PEM) A to PEM D; an Office Specialist 2 to an Administrative Specialist 1; increase months from 4 to 24 for an Information System Specialist (ISS) 5; two ISS4's to two ISS5's; two ISS4's to two ISS2s; an ISS7 to an Operations and Policy Analyst 3; and an ISS4 to ISS3.

A Public Service Representative 2, a Public Service Representative 3, and an Office Specialist 1 are being transferred in from the Civil Enforcement, Recovery Unit.

Package 805, Internal Auditor. This package adds \$5,792 Other Funds expenditure limitation and establishes one permanent full-time Internal Auditor 3 position (0.75 FTE). The revenue source to support this package comes from the Legal Services Fund.

During the 2017 Legislative Session, DOJ had a vacant long-term Internal Auditor 3 position eliminated in exchange for adding \$200,000 Other Funds expenditure limitation in Services and Supplies for contracted auditing services. This 2017 Legislative action proved to be less advantageous than having an internal auditor on staff. The cost for the Internal Auditor 3 position is expected to be \$205,792 Other Funds. This package will transfer \$183,600 Other Funds expenditure limitation from Services and Supplies to Personal Services, to support this package and the elimination of an external audit contract.

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 recommended a budget of \$350,507 General Fund, \$23,851,965 Other Funds expenditure limitation and 57 permanent positions (56.50 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 100, Reconcile Intra-Agency Charges. This package adds \$1,013,733 Other Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services, provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$161,013 Other Funds expenditure limitation in Services and Supplies for information technology costs. The revenue source to support this package comes from the Legal Services Fund.

This package is a re-baseline of DOJ's information technology centralized costs, as well as Administrative Division's costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses.

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 (DHS) in juvenile dependency and termination of parental rights cases, (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 and taking enforcement action under the Unlawful Trade Act where necessary, (5) protecting of Master Tobacco Settlement Agreement funds; and, (6) 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 recommended a budget of \$113,441,977 Other Funds expenditure limitation, \$4,992,035 Federal Funds expenditure limitation and 305 positions (297.02 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 100, Reconcile Intra-Agency Charges. This package adds \$2,451,836 Other Funds expenditure limitation and \$151,061 Federal Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$114,034 Other Funds expenditure limitation in Services and Supplies for information technology costs. The revenue source to support this package primarily comes from the Legal Services Fund and the Protection and Education Fund.

This package is a re-baseline of DOJ's information technology centralized costs, as well as Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses.

Package 200, Reconcile Child Advocacy Positions. This package adds \$6,826,586 Other Funds expenditure limitation, reclassifies 15 positions, and establishes 20 new permanent full-time positions (16.83 FTE).

During the 2017 Legislative Session, funding was approved to provide full legal representation to DHS child welfare caseworkers in all juvenile dependency proceedings. The Legislature approved \$6.9 million Other Funds expenditure limitation and 35 permanent full-time positions (30.80 FTE) to support a three-phase rollout of the program statewide. DHS received General Fund to pay DOJ to expand services. Phase I and II of the rollout have been completed in 30 counties, however, DHS and DOJ modified the original schedule to accommodate specific county needs,

primarily due to advancing certain counties to an earlier schedule. The remaining six counties (Clackamas, Clatsop, Marion, Multnomah, Union, and Washington) have a revised implementation date of July 1, 2019.

The implementation has impacted the base budget of the Child Advocacy Section requiring additional resources, as well as reclassifications of 15 permanent full-time positions previously approved by the Legislature in 2017. This package approves the following reclassifications: three Office Specialist 1's to Senior Assistant Attorney General's (SAAG), an Office Specialist 1 to an Assistant Attorney General (AAG); two Investigator 1's to SAAG; three Investigator 1's to an Investigator 3; a Paralegal to an AAG; two AAG's to a SAAG; an Office Manager 2 to a PEM A; an Office Manager 2 to a PEM B; and a PEM B to a PEM C.

This package establishes the following 20 new permanent full-time positions (16.83 FTE): two SAAG (2.00 FTE); eight AAG's (6.19 FTE); four Legal Secretaries (3.63 FTE); four Paralegals (3.13 FTE); and two Office Specialist 1's (1.88 FTE).

This package excludes the implementation costs for Multnomah County, which is included in Package 201, Multnomah County Child Advocacy.

Package 201, Multnomah County Child Advocacy. This package adds \$9,862,822 Other Funds expenditure limitation and establishes 34 new permanent full-time positions (32.50 FTE).

During the 2017 Legislative Session, funding was approved to provide full legal representation to the DHS Child Welfare caseworkers in all juvenile dependency proceedings. The Legislature approved \$6.9 million Other Funds expenditure limitation and 35 permanent full-time positions (30.80 FTE) to support a three-phase rollout of the program statewide, excluding Multnomah County. DHS received General Fund to pay DOJ to expand services. Phase I and II of the rollout have been completed in 30 counties, however, DHS and DOJ modified the original schedule to accommodate the needs of specific counties, primarily due to advancing certain counties to an earlier schedule. The remaining six counties (Clackamas, Clatsop, Marion, Multnomah, Union, and Washington) have a revised implementation date of July 1, 2019. This package is exclusively related to the Multnomah County implementation.

This package establishes the following 34 new permanent full-time positions (32.50 FTE): one PEM H (Attorney in Charge, 1.00 FTE); eight SAAGs (8.00 FTE); seven AAGs (7.00 FTE); eight Legal Secretaries (7.50 FTE); seven Paralegals (7.00 FTE); and three Office Specialist 1s (2.00 FTE).

Package 202, Increase in Child Support Legal Caseload. This package adds \$2,218,614 Other Funds expenditure limitation and establishes eight permanent full-time positions (7.02 FTE). The revenue to support this package comes from the Legal Service Fund (billings to the Division of Child Support).

This package establishes two permanent full-time SAAGs (2.00 FTE); two permanent full-time AAGs (1.88 FTE); two permanent full-time Paralegals (1.38 FTE); and, two permanent full-time Legal Secretaries (1.76 FTE). The need to increase staff is directly related to the District

Attorneys in Wasco, Josephine, Klamath and Benton counties opting to discontinue operating the child support programs in 2016. The caseloads have been reassigned to the Division of Child Support. The caseload increases impact both the Division of Child Support and Civil Enforcement, Civil Recovery section.

Package 801, LFO Analyst Adjustment. This package reduces \$2,664,475 Other Funds expenditure limitation. The package adjusts the Other Funds expenditure limitation to right-size the following sub-programs: 1) adds \$2,069,656 to Services and Supplies - Professional Services account in the Financial Fraud/Consumer Protection unit; 2) reduces \$3,850,546 Services and Supplies - Attorney General line item (\$2.8 million in Mortgage Mediation unit and \$1.05 million in Financial Fraud/Consumer Protection Unit); 3) reduces \$300,000 Services and Supplies in the Tobacco Enforcement for Non-Participating Manufactures program; and 4) reduces \$583,585 Special Payments in the Financial Fraud/Consumer Protection Unit.

Additionally, this package defines a one-time revenue allocation reduction based on DOJ reporting a sufficient 2017-19 estimated Other Funds ending balance. The allocation change is in lieu of a programmatic General Fund reduction as follows:

House Bill 5038 (2019) - Tobacco Master Settlement Agreement Allocation - The change will reduce DOJ's 2019-21 Tobacco Master Settlement Agreement allocation by \$1,596,345. The Department will be offsetting this reduction by using their \$2,268,237 Other Funds 2017-19 estimated ending balance.

Budget instructions - Beginning with the 2019-21 biennium, the Department of Justice, Civil Enforcement Division will establish the following Detail Cross References within their budget structure: Child Advocacy; Civil Recovery; Medicaid Fraud; Financial Fraud/Consumer Protection; Mortgage Mediation; Tobacco Enforcement; and, Charitable Activities.

Package 803, Transfer Civil Rights Unit. This package transfers \$744,939 General Fund and two permanent full-time positions from Civil Rights Unit to the Office of the Attorney General and Administration Division.

Package 804, Position Reconciliation. This package reduces \$374,760 Other Funds expenditure limitation, increases \$12,384 Federal Funds expenditure limitation to properly reclassify five positions, and transfers out the following three positions (3.00 FTE) to the Office of the Attorney General and Administration Division: one Public Service Representative 2; one Public Service Representative 3; and an Office Specialist 1.

The following five positions are being reclassified as follows: an Administrative Specialist 1 in the Medicaid Fraud Unit to an Administrative Specialist 2; a Legal Secretary in the Medicaid Fraud Unit to a Paralegal; an Office Specialist 2 in Charitable Activates Section to an Administrative Specialist 1; an Administrative Specialist 1 in the Child Advocacy Unit to a Legal Secretary; and a Revenue Agent 1 in the Child Advocacy Unit to a Legal Secretary.

Package 807, Consumer Privacy Fraud. This package adds \$486,637 Other Funds expenditure limitation and establishes two permanent full-time positions (1.38 FTE). The revenue to support this package comes from the Protection and Education Account.

This package establishes the following permanent full-time positions: one Assistant Attorney General (0.88 FTE) and one Financial Investigator 1 (0.50 FTE) within the Financial Fraud/Consumer Protection Section to pursue consumer data privacy, data security and high technology cases related to violations of the Unlawful Trade Practice Act. DOJ expects to pursue between 5-20 additional cases per biennium depending upon the size and scope of the matter.

Package 812, Vacant Position Elimination. This package reduces \$79,844 Other Funds expenditure limitation, \$239,533 Federal Funds expenditure limitation, and abolishes one vacant Assistant Attorney General position (1.00 FTE) in the Medicaid Fraud Unit, which has been vacant for over 16 months.

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 recommended a budget of \$14,940,476 General Fund; \$9,665,093 Other Funds expenditure limitation; \$1,433,726 Federal Funds expenditure limitation; and 59 positions (59.00 FTE).

The Subcommittee adopted the following budget note:

Budget Note

The Department of Justice support for the District Attorneys Association is to be limited to supporting the administrative functions of the state agency, District Attorneys and Their Deputies, as such functions relate to the Association, and to the exclusion of all political, legislative, or lobbying activities.

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

Package 100, Reconcile Intra-Agency Charges. This package adds \$947,433 Other Funds expenditure limitation and \$27,068 Federal Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$205,599 Other Funds expenditure limitation and \$8,904 Federal Funds expenditure limitation in Services and Supplies for information technology costs. The revenue source to support this package primarily comes from the Legal Services Fund.

This package is a re-baseline of DOJ's information technology centralized costs, as well as the Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses.

Package 250, Ongoing Grants (UASI & SHSG). This package adds one-time funding of \$569,430 Other Funds expenditure limitation and establishes two limited duration positions (2.00 FTE). The revenue source to support these grants comes from the Oregon Military Department, Office of Emergency Management.

This package funds two Research Analyst 3 limited duration positions; the continuation of the Urban Area Security Initiative (UASI) grant (\$279,827) and the State Homeland Security (SHSG) grant (\$289,603) programs. The UASI grant provides risk and threat assessments to prevent terrorist events in the Portland urban area, which include Multnomah, Clackamas, Washington, Columbia, and Clark counties. In addition, the grant provides for tactical and strategic analytical case support, conducts Criminal Infrastructure and Key resources assessments, conducts seminars, and all crime briefings to the Regional Disaster Preparedness Organization (RDPO), as well as on-site analytical support during major events. The SHSG provides for continued work on the Oregon state critical infrastructure plan.

Package 251, Strengthen Criminal Analysis Team. This package fund shifts \$212,329 Other Funds expenditure limitation to General Fund to partially support one existing permanent full-time position.

The Regional Automated Information Network (RAIN) is a non-profit organization of state and local law enforcement agencies, which voluntarily participates in a cooperative to purchase access to "Coplink." Coplink was developed and housed at DOJ. It was designed as a clearinghouse to share criminal case data across jurisdictions. RAIN connects locally administered criminal justice records management systems to a single network accessible to participating RAIN members.

Since November of 2009, RAIN has contracted with DOJ to pay the cost for a coordinator position (Information System Specialist 7). The position has managed the RAIN network, technical support, and training issues, as well as supported the administrative and financial function of the RAIN Board. In 2017, RAIN migrated to a new cloud-based software solution, as a cost-saving measure, thereby eliminating the need for DOJ servers. In January of 2018, the RAIN Board notified the Criminal Justice Division of the Board's intent to eliminate the RAIN Coordinator position effective July 1, 2018.

Rather than eliminate the position entirely or relocate the RAIN Coordinator position to another participating agency, the RAIN Board agreed to continue funding one-half of the position. This package funds the other half of the position costs not covered by RAIN. DOJ plans to use the state funded portion of the position to perform a variety of information technology related-tasks in the Criminal Intelligence Unit that will then free-up a Special Agent to focus on criminal investigations. The half-time equivalent state work includes: desktop support; database application support, querying, report-writing, and analysis; vendor service call supervision; and investigative case support.

Package 252, Change Criminal Justice Funding Source. This package is a technical adjustment to provide increased transparency to the Criminal Justice Division's budget, by moving Other Funded positions indirectly funded with General Fund to being budgeted as General Fund positions. This eliminates double-budgeting of these expenses.

This package removes \$6,342,973 Other Funds expenditure limitation and shifts \$6,342,973 General Fund from Services and Supplies (Attorney General line-item) to Personal Services and associated Services and Supplies.

Package 801, LFO Analyst Adjustments. This package reduces \$772,727 General Fund, Services and Supplies - Attorney General line-item. This reduction assists in meeting the spending targets established for the legislatively adopted budget. This reduction is expected to have a nominal impact on operations of the Criminal Justice Division, as the reduction may be offset by Other Funds (Racketeering Influenced and Corruption Organized Crime (RICO) funding).

Package 804, Position Reconciliations. This package fund shifts \$46,336 Other Funds to General Fund. The fund shift also shifts 0.14 FTE of a Principal Executive Manager F position to be paid with General Fund. The program no longer manages High Intensity Drug Trafficking Area (HIDTA) grant distributions, and the HIDTA funding is no longer available to support this position's primary duties. The position assists the 36 District Attorney offices in criminal cases and matters relating to prosecution and law enforcement in their respective counties by providing trial and investigative assistance, technical-legal, and prosecutorial advice and services, and legal education and training in criminal law and procedures.

Crime Victims and Survivor Services Division

The Crime Victims and Survivor Services Division runs several programs and administers hundreds of grants. The 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 recommended a budget of \$14,341,791 General Fund, \$30,400,379 Other Funds expenditure limitation, \$50,242,262 Federal Funds expenditure limitation, and 41 positions (39.20 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 100, Reconcile Intra-Agency Charges. This package reduces \$163,128 Other Funds expenditure limitation and \$26,630 Federal Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$54,874 Other Funds expenditure limitation and \$25,993 Federal Funds expenditure limitation in Services and Supplies for information technology costs. The Other Funds revenue source to support this package comes from the Criminal Fines Account allocation and punitive damage awards. The Federal Funds revenue source comes from various federal grants.

This package is a re-baseline of DOJ's information technology centralized costs, as well as Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses.

Package 300, Victim of Crimes Act Budget. This package adds \$30,323,666 Federal Funds expenditure limitation and establishes three limited duration positions (2.64 FTE). The Victims of Crime Act (VOCA) grant funds services for victims of domestic violence and sexual assault programs. The VOCA awards are sub-granted out to non-profit and prosecutor-based victim service providers, as well as child abuse intervention centers.

The three limited duration positions include an Information Systems Specialist 2 (0.88 FTE), a Program Analyst 3 (0.88 FTE), and an Administrative Specialist 2 (0.88 FTE) to assist with the administration of VOCA funds.

This package increases the level of federal funding under the VOCA grant for domestic violence and sexual assault. The grant will be sub-granted to nonprofit and prosecutor-based victim service providers as well as child abuse intervention centers, after DOJ administrative expenses are paid. This is a formula grant for DOJ that does not require matching funds; however, the grant does require sub-grantees to provide 20 percent matching funds. Local matching funds are partially paid by state General Fund and a Criminal Fines Allocation passed-through by DOJ to local providers. Local sub-grants are both competitive and non-competitively granted. The current service level for VOCA grants totals \$13.8 million Federal Funds.

This package is a one-time adjustment and provides additional VOCA funding through September 30, 2020. If the Department requires additional Other Funds expenditure limitation during the 2019-21 biennium, there will be an opportunity to make a request during the February Legislative Session or at a meeting of the Emergency Board.

Package 801, LFO Analyst Adjustments. This package is a one-time revenue allocation adjustment for the 2019-21 Legislative Adopted Budget. DOJ reported to the Legislative Fiscal Office sufficient 2017-19 estimated Other Funds ending balances in particular accounts to accommodate allocation changes without any adverse impact to the operating programs or sub-recipients. The allocation changes are in lieu of programmatic General Fund reductions.

The allocation changes are in House Bill 5029 (2019) - General Allocation Measure (i.e., Criminal Fines Account) as follows:

- Child Abuse Multidisciplinary Intervention Account - reduce a 2019-21 allocation of \$11,147,006 Other Funds by \$1,322,441. The revised allocation totals \$9,824,565 Other Funds.
- District Attorney Victims Assistance Program – reduce the 2019-21 biennium allocation by \$685,156. The Department is estimating an \$685,156 Other Funds ending balance dedicated to the program.

General Counsel

The General Counsel Division provides a broad range of legal services to over 100 state agencies, boards, and commissions.

The Subcommittee recommended a budget of \$66,145,693 Other Funds expenditure limitation and 157 positions (155.68 FTE). The Subcommittee recommended the following adjustments to the program’s current service level budget:

Package 100, Reconcile Intra-Agency Charges. This package adds \$2,604,914 Other Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services, provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$357,305 Other Funds expenditure limitation in Services and Supplies for information technology costs. The revenue source to support this package comes from the Legal Services Fund.

This package is a re-baseline of DOJ’s information technology centralized costs, as well as Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology–related expenses.

Package 350, Public Law Conference and Trainings. This package adds \$152,506 Other Funds expenditure limitation. The revenue to support this package comes from the tuition charged to conference participants. This package supports the two-day Attorney General Public Law Conference.

Package 351, Four LD Positions to Permanent. This package adds \$1,610,840 Other Funds expenditure limitation and establishes four permanent full-time positions (4.00 FTE). The revenue source to support this package comes from the Legal Services Fund.

The General Counsel Division attributes the following factors that impact the need for this request: House Bill 2017 (2017), which was the transportation infrastructure and taxation package; bonding; expanded lottery offerings; State Treasury Investment Division and the Oregon Retirement Savings Board; and, increased engagement by the Department of Human Services and the Oregon Health Authority in such areas as Office of Child Care facility licensing, advocacy organizations and litigation agreement implementation, and procurement activities for Coordinated Care Organizations. In addition, the division is “reviewing and revisiting” legal sufficiency reviews of administrative rules and procedures.

This package funds one Assistant Attorney General (AAG) position for Health and Human Services, one AAG for Tax & Finance, one AAG for Business Transactions Section, and one Senior AAG for Government Services.

Package 352, Resolve Double - Fill in Government Services. This package adds \$515,725 Other Funds expenditure limitation and establishes one permanent full-time position (1.00 FTE). The revenue source to support this package is the Legal Services Fund.

This package funds a double-filled position temporarily rotated from Civil Enforcement Division in 2016. The position is permanently housed within General Counsel; however General Counsel lacks permanent funding and position authority.

Package 353, Increase Co-location of Attorneys. This package has no expenditure limitation. The funding of \$177,950 Other Funds to cover the request for laptop computers is being funded through Policy Package 104, Essential Cost of Information Technology. The revenue source of Other Funds is the Legal Service Fund.

Package 354 Business Oregon & Affordable Housing Work. This package adds \$604,530 Other Funds expenditure limitation and establishes two permanent full-time positions (1.76 FTE). The revenue source to support this package comes from the Legal Services Fund.

The package funds two permanent full-time Assistant Attorney General positions to address the need for increased legal services by the Oregon Business Development Department (OBDD) and Oregon Housing and Community Services.

OBDD has experienced a large increase in the number of grant and loan programs, including the Region Infrastructure Fund, Rural Opportunity Initiative, Seismic Rehabilitation, Broadband Grants and Bonding Programs. Oregon Housing and Community Services has experienced a dramatic increase in transactions volume in existing programs in recent years (i.e. a tripling of volume in multifamily tax exempt bond transactions). During the 2019-21 biennium, the Commission anticipates both expansion of existing programs (LIFT, affordable housing preservation and homeless services) and the creation of several new funding streams.

Package 355, Two Attorneys in Business Activities. This package adds \$604,530 Other Funds expenditure limitation and establishes two permanent full-time positions (1.76 FTE). The revenue source to support this package is the Legal Services Fund.

Business Activities Section workload has increased across a number of client agencies. For example, Oregon OSHA work has increased, and the cases have become more involved and complex, requiring more attorney and paralegal time. Additionally, a series of Court of Appeals opinions limiting the use of Motions for Summary Determination (MSDs) to expeditiously resolve contested cases means more cases will go to hearing, increasing the workload. This package funds two Assistant Attorney General positions to handle the increased workload.

Package 356, One Attorney in Natural Resources. This package adds \$302,267 Other Funds expenditure limitation and establishes one permanent full-time positions (0.88 FTE). The revenue source to support this package is the Legal Services Fund.

This package will fund an Assistant Attorney General to address increased requests for legal advice and representation in contested case hearings from the Department of Agriculture pesticides/fertilizer program for work related to regulation of recreational marijuana and hemp cultivation; from the Oregon Water Resources Department for work related to increased regulation of water rights; from the Department of Geology and Mineral Industries for work related to implementation of improved agency legal risk management; and from the Department of Environmental Quality for work related to increased air quality regulation and Cleaner Air Oregon.

Package 357, Paralegal and Legal Secretary Positions. This package adds \$677,724 Other Funds expenditure limitation and establishes four permanent full-time positions (3.52 FTE). The revenue source to support this package comes from the Legal Services Fund.

This package will fund two Legal Secretaries and two Paralegal positions. The positions will assist with conducting initial review and sorting of documents for relevance and responsiveness, thereby cutting down on attorney time and expenses.

Package 812, Vacant Position Elimination. This package reduces \$529,089 Other Funds expenditure limitation and eliminates three long-term vacant positions (3.00 FTE). It eliminates two Office Specialist 1's and one Program Analyst 4 positions.

Trial Division

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 recommended a budget of \$39,042,838 Other Funds expenditure limitation and 114 permanent, full-time positions (112.39 FTE).

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

Package 100, Reconcile Intra-Agency Charges. This package adds \$1,044,011 Other Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services, provided by the Administration Division.

Package 104, Essential Costs of Information Technology. This package adds \$212,076 Other Funds expenditure limitation in Services and Supplies for information technology costs. The revenue source to support this package is coming from the Legal Services Fund.

This package is a re-baseline of DOJ's information technology centralized costs, as well as Administrative Division costs for maintenance, lifecycle replacement, training, hardware, software, professional services, telecommunications, data processing, software and other information technology-related expenses.

Package 400, Transportation Package Condemnation Work. This package adds \$900,872 Other Funds expenditure limitation and establishes three permanent full-time positions (2.64 FTE), and increases one position's FTE by 0.50 (3.14 FTE total).

The package funds two AAG positions, one Legal Secretary, and reclassifies one AAG from part-time to full-time status.

The Oregon Department of Transportation believes condemnation work will increase from 50 cases per year to 150 cases per year starting in 2019. Condemnation involves procuring privately owned property when necessary to maintain, improve, and add to the state's highway infrastructure, which is of benefit to Oregon motorists and businesses.

Package 802, Forecasted Caseload Increase. This package increases Other Funds expenditure limitation by \$769,870 and establishes two permanent positions and reclassifies one part-time position to full-time (2.50 FTE). Specifically, this package authorizes two new Assistant Attorney General positions and reclassifies a part-time Paralegal position to full-time.

The revenue to support this package is the Legal Services Fund, which charges those services to the Defense of Criminal Convictions (DCC) appropriation. This appropriation is used to track the cost of defending the state in cases in which offenders challenge their convictions or sentences. The 2019-21 current service level budget for DCC totals \$26.2 million General Fund and this request of \$1.7 million represents a 1.6 percent increase above the current service level budget.

Package 804, Position Reconciliations. This package reduces \$8,255 Other Funds expenditure limitation to reclassify four positions. The following four positions are being reclassified as follows: two Office Specialist 1's to Office Specialist 2's; a Support Services Supervisor 2 to a Support Services Supervisor 1; and, an Executive Support Specialist 2 to a Support Services Supervisor 1.

Package 806, Water Resources Legal Services. This package adds \$241,806 Other Funds expenditure limitation and establishes two permanent positions (0.75 FTE). The revenue source to support this package comes from the Legal Services Fund.

This package will establish one permanent full-time AAG position (0.50 FTE) and one permanent part-time Paralegal position (0.25 FTE). These positions will provide the additional staffing needed for litigation services associated with defending the state's position in water rights adjudication.

Defense of Criminal Convictions

Defense of Criminal Convictions 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 fund the billable time for staff in both the Trial and Appellate divisions, defending the state in the Defense of Criminal Conviction cases. The Subcommittee recommended a budget of \$27,892,449 General Fund. The Subcommittee recommended the following adjustment to the program's current service level budget:

Package 802, Forecasted Caseload Increase. This package provides \$1,652,775 General Fund. The Defense of Criminal Convictions is a budgetary unit used to track the cost of defending the state in cases in which sentenced offenders challenge their convictions or sentences. The Department is experiencing an increase in post-conviction challenges; however, some of the cost increases are being offset by a reduction in the cost of capital cases. The 2019-21 current service level budget for the Defense of Criminal Convictions is \$26,239,674 General Fund. This request represents a 6.3 percent increase above the current service level.

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 recommended a budget of \$36,352,778 General Fund, \$27,501,439 Other Funds expenditure limitation, \$119,535,778 Federal Funds expenditure limitation, and 568 positions (557.45 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 070, Revenue Shortfall. This package reduces \$2,977 General Fund, \$4,765,143 Other Funds expenditure limitation, \$8,798,576 Federal Funds expenditure limitation, and eliminates 70 positions (69.44 FTE).

For the third biennia, the Division of Child Support is forecasting a revenue shortfall in Temporary Assistance for Needy Families (TANF) revenue recoveries, and is requesting a General Fund backfill. The Division collects TANF recoveries and uses this funding to support a portion of its operational costs. 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 Department recalculated the impact of these reductions in May of 2019, which resulted in no change to the original revenue shortfall amounts. Policy Package 450 is the companion package for the restoration of the revenue shortfall in this package.

Package 100, Reconcile Intra-Agency Charges. This package reduces \$995,689 Other Funds expenditure limitation and increases \$1,360,994 Federal Funds expenditure limitation to reconcile the Intra-agency cost-allocation charges for operating services, provided by the Administration Division.

Package 202, Increase in Child Support Legal Caseload. This package provides \$718,206 General Fund, \$1,394,164 Federal Funds expenditure limitation in Services and Supplies - Attorney General line item.

The legal needs of the Division of Child Support are based on many factors outside of the agency's control, including support establishments, hearing requests, and all child support legal actions that include the state as a party. The increase in costs appears to be the result of the District Attorneys in Wasco, Josephine, Klamath, and Benton counties that have opted to discontinue operating child support programs. District Attorneys caseloads typically have a large number of individual cases that have legal actions pending in court. When a District Attorney opts not to operate a child support program, by statute, the District Attorneys hand the work over to Division of Child Support. A second issue driving costs is a change in contempt procedure regarding exculpatory information. In total, these increases in caseloads result in an increase in billing from the Civil Enforcement Division - Civil Recovery Section that represents the Division of Child Support.

Package 450, Backfill Other Funds Revenue Shortfall. This package adds \$6,200,331 General Fund, \$11,567,223 Federal Funds expenditure limitation, and establishes 92 positions (91.44 FTE).

When a child support obligation involves a family receiving Temporary Assistance for Needy Families (TANF), the family temporarily assigns support rights to the state to offset expenses, when state services/public assistance is provided on behalf of the child. TANF recoveries have to be split between the federal government and the state at the Medicaid rate. The state portion is used as a match requirement for the Division of Child Services.

TANF assignment, and therefore recoveries, correlate to the general economy. As the economy improves and fewer individuals receive TANF, assignments decline and recoveries fall. With caseloads and associated Division of Child Support administrative costs remaining unchanged, a shortfall is created when TANF recoveries fall below budgeted levels. A shortfall is only attributable to Other Funds revenue as matching Federal Funds would only be affected if an alternative matching source of funds is unable to be identified. Changes in TANF recoveries have no impact on the Division of Child Support caseload. Cases simply move from assistance to non-assistance. The projected shortfall is based on one state tax year of actual obligation receipts (2017), and one estimated year of tax obligation receipts (2018). Therefore, actual receipts from the 2018 tax year, generally received in the first half of 2019, and 2019 tax year will determine the actual amount of the shortfall.

Package 451, CSEAS/Origin Hosting During Operation. This package adds \$1,440,662 General Fund and \$2,796,579 Federal Funds expenditure limitation. The Child Support System Project is currently hosted with Atmosera, an approved third party vendor, rather than the State Data Center. The outsourcing of this service will be reassessed given the newly expanded capacity of the State Data Center. Migration to the State Data Center is not expected to occur during the 2019-21 biennium.

Package 452, Positions for Origin. This package adds \$1,001,739 General Fund, \$1,938,560 Federal Funds expenditure limitation, and establishes 19 positions (11.47 FTE).

This package will fund the following resources for the ongoing operation and maintenance of CSEAS or Origin information technology project: three Operations & Policy Analyst 3 (1.89 FTE); three Operations & Policy Analyst 2 (2.64 FTE); one Project Manager 3 (0.13 FTE); three Information Systems Specialist 8 (1.14 FTE); seven Information Systems Specialist 7 (3.91 FTE); and, two Information Systems Specialist 6 (1.76 FTE).

Package 453, Child Support Fee Increase. This package is identifying a federal mandated fee increase to the family for each new Temporary Assistance for Needy Families (TANF) child support case. This is a one-time fee increase of \$10 to the family, from \$25 to \$35. The revenue collected by the division is passed-through to the federal government as program income at 66 percent. The 34 percent balance is split between the County Child Support programs (24 percent) and the Division (10 percent). The Division of Child Support does not get an administrative allowance for processing this collected fee. The division requires no additional Other Funds expenditure limitation for the fee increase.

Package 801, LFO Analyst Adjustments. This package adds the following budget Instructions: Beginning with the 2021-23 biennium, the Department of Justice - Division of Child Support will establish Detail Cross References in the Oregon Budget Information Tracking System that will adequately reflect the organization's program structure.

Package 812, Vacant Position Elimination. This package reduces \$1,001,739 General Fund, \$459,148 Other Funds expenditure limitation, \$2,835,749 Federal Funds expenditure limitation, and eliminates 24 long-term vacant positions (24.00 FTE).

This package eliminates 18 Office Specialist 1 (18.00 FTE), two Administrative Specialist 2 (2.00 FTE), one Training & Development Specialist 1 (1.00 FTE), two Child Support Case Managers (2.00 FTE), and one Child Support Case Specialist (1.00 FTE).

The Services and Supplies reductions included in this package are: \$118,861 General Fund, \$259,694 Other Funds expenditure limitation, and \$734,455 Federal Funds expenditure limitation.

Child Support Enforcement Automated System

The Child Support Enforcement Automated System (CSEAS) program was established during the 2015 Legislative Session to segregate this information technology project's funding from the Department's operational costs and from the debt service funding for the project. Funding for the CSEAS project is approved each biennium.

The Subcommittee recommended a budget of \$2,137,146 General Fund, \$3,687,823 Other Funds expenditure limitation, \$11,307,249 Federal Funds expenditure limitation, and establishes 27 limited duration positions (21.54 FTE). The Subcommittee recommended the following adjustments to the program's current service level budget:

Package 475, CSEAS/Origin Development & Implementation. The package adds \$2,137,146 General Fund, \$3,687,823 Other Funds expenditure limitation, \$11,307,249 Federal Funds expenditure limitation, and establishes 27 limited duration positions (21.54 FTE).

This package will fund the final development phase of the CSEAS or Origin information technology project. Since 2010, the 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. The project is in its final phase and expects federal certification to be completed by June 2021.

The following limited duration positions in this package are: one PEM G (0.92 FTE); one PEM F (0.92 FTE); one PEM E (0.92 FTE); two PEM D (0.75FTE); one Child Support Case Manager (0.92 FTE); four Information System Specialist (ISS) 8 (3.14 FTE); four ISS 7 (3.60 FTE); one ISS 4 (0.92 FTE); one Fiscal Analyst 2 (0.50 FTE); one Operations and Policy Analyst 3 (0.88 FTE); six Operations and Policy Analyst 2 (5.52 FTE); one Project Manager 3 (0.88 FTE); one Procurement and Contract Specialist 2 (0.50 FTE); and, two Administrative Specialist 2 (1.17 FTE).

Debt Service and Related Costs

Debt Services and Related Costs was established during the 2015 Legislative Session, to segregate debt service funding from the Department's operational costs. The General Fund debt service is related to the CSEAS project, for the Division of Child Support. The Subcommittee recommended \$14,165,382 General Fund debt service for the 2019-21 biennium.

Summary of Maximum Supervisory Ratio

The Subcommittee reviewed the agency's proposed Maximum Supervisory Ratio of 1:11.88.

Summary of Performance Measure Action

See attached “Legislatively Approved 2019-2021 Key Performance Measures.”

PRELIMINARY

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 | | | |
| 2017-19 Legislatively Approved Budget at Dec 2018 * | \$ 89,693,599 | \$ - | \$ 332,801,936 | \$ - | \$ 201,118,887 | \$ - | \$ 623,614,422 | 1,379 | 1,355.40 |
| 2019-21 Current Service Level (CSL)* | \$ 99,293,387 | \$ - | \$ 326,302,268 | \$ - | \$ 138,497,693 | \$ - | \$ 564,093,348 | 1,314 | 1,304.01 |
| <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u> | | | | | | | | | |
| SCR 010 - Administration | | | | | | | | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 4,349,141 | \$ - | \$ - | \$ - | \$ 4,349,141 | | |
| Capital Outlay | \$ - | \$ - | \$ (465,697) | \$ - | \$ - | \$ - | \$ (465,697) | | |
| Package 152: Legal Tools Expenditure Limitation | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 310,194 | \$ - | \$ - | \$ - | \$ 310,194 | 2 | 1.58 |
| Services and Supplies | \$ - | \$ - | \$ 190,416 | \$ - | \$ - | \$ - | \$ 190,416 | | |
| Capital Outlay | \$ - | \$ - | \$ 95,000 | \$ - | \$ - | \$ - | \$ 95,000 | | |
| Package 153: Inclusion and Equity | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 173,995 | \$ - | \$ - | \$ - | \$ 173,995 | 1 | 0.88 |
| Services and Supplies | \$ - | \$ - | \$ 53,613 | \$ - | \$ - | \$ - | \$ 53,613 | | |
| Package 801: LFO Analyst Adjustments | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ (400,000) | \$ - | \$ - | \$ - | \$ (400,000) | | |
| Package 803: Transfer Civil Rights Unit | | | | | | | | | |
| Personal Services | \$ 644,423 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 644,423 | 2 | 2.00 |
| Services and Supplies | \$ 100,516 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 100,516 | | |
| Package 804: Position Reconciliations | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 460,563 | \$ - | \$ - | \$ - | \$ 460,563 | 3 | 3.83 |
| Package 805: Internal Auditor | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 189,392 | \$ - | \$ - | \$ - | \$ 189,392 | 1 | 0.75 |
| Services and Supplies | \$ - | \$ - | \$ (183,600) | \$ - | \$ - | \$ - | \$ (183,600) | | |
| SCR 020 - Appellate | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 1,013,733 | \$ - | \$ - | \$ - | \$ 1,013,733 | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 161,013 | \$ - | \$ - | \$ - | \$ 161,013 | | |
| SCR 030 - Civil Enforcement | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 2,451,836 | \$ - | \$ 151,061 | \$ - | \$ 2,602,897 | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ 114,034 | \$ - | \$ - | \$ - | \$ 114,034 | | |
| Package 200: Reconcile Child Advocacy | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 5,764,900 | \$ - | \$ - | \$ - | \$ 5,764,900 | 20 | 16.83 |
| Services and Supplies | \$ - | \$ - | \$ 1,061,686 | \$ - | \$ - | \$ - | \$ 1,061,686 | | |
| Package 201: Add Multnomah County Child Advocacy | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 7,658,834 | \$ - | \$ - | \$ - | \$ 7,658,834 | 34 | 32.50 |
| Services and Supplies | \$ - | \$ - | \$ 2,203,988 | \$ - | \$ - | \$ - | \$ 2,203,988 | | |
| Package 202: Increase in Child Support Legal Caseload | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 1,757,705 | \$ - | \$ - | \$ - | \$ 1,757,705 | 8 | 7.02 |
| Services and Supplies | \$ - | \$ - | \$ 460,909 | \$ - | \$ - | \$ - | \$ 460,909 | | |

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE | |
|--|----------------|---------------|-------------|------------|---------------|------------|-----------------|-----|--------|--|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | | |
| Package 801: LFO Analyst Adjustments | | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | (2,080,890) | \$ - | \$ - | \$ - | (2,080,890) | | | |
| Special Payments | \$ - | \$ - | (583,585) | \$ - | \$ - | \$ - | (583,585) | | | |
| Package 803: Transfer Civil Rights Unit | | | | | | | | | | |
| Personal Services | \$ (644,423) | \$ - | \$ - | \$ - | \$ - | \$ - | (644,423) | (2) | (2.00) | |
| Services and Supplies | \$ (100,516) | \$ - | \$ - | \$ - | \$ - | \$ - | (100,516) | | | |
| Package 804: Position Reconciliations | | | | | | | | | | |
| Personal Services | \$ - | \$ - | (374,760) | \$ - | 12,384 | \$ - | (362,376) | (3) | (3.00) | |
| Package 807: Consumer Policy | | | | | | | | | | |
| Personal Services | \$ - | \$ - | 356,998 | \$ - | \$ - | \$ - | 356,998 | 2 | 1.38 | |
| Services and Supplies | \$ - | \$ - | 129,639 | \$ - | \$ - | \$ - | 129,639 | | | |
| Package 812: Vacant Position Elimination | | | | | | | | | | |
| Personal Services | \$ - | \$ - | (79,844) | \$ - | (239,533) | \$ - | (319,377) | (1) | (1.00) | |
| SCR 040- Criminal Justice | | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 947,443 | \$ - | 27,068 | \$ - | 974,511 | | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 205,599 | \$ - | 8,904 | \$ - | 214,503 | | | |
| Package 250: Ongoing Grants (UASI & SHSG) | | | | | | | | | | |
| Personal Services | \$ - | \$ - | 422,343 | \$ - | \$ - | \$ - | 422,343 | 2 | 2.00 | |
| Services and Supplies | \$ - | \$ - | 147,087 | \$ - | \$ - | \$ - | 147,087 | | | |
| Package 251: Strengthen Criminal Analysis Team | | | | | | | | | | |
| Personal Services | \$ 145,368 | \$ - | (145,368) | \$ - | \$ - | \$ - | - | 0 | 0.00 | |
| Services and Supplies | \$ 66,961 | \$ - | (66,961) | \$ - | \$ - | \$ - | - | | | |
| Package 252: Change Criminal Justice Funding Source | | | | | | | | | | |
| Personal Services | \$ 4,877,771 | \$ - | (4,877,771) | \$ - | \$ - | \$ - | - | 0 | 0.00 | |
| Services and Supplies (4325-Attorney General) | \$ (4,877,771) | \$ - | (1,465,202) | \$ - | \$ - | \$ - | (6,342,973) | | | |
| Package 801: LFO Analyst Adjustment | | | | | | | | | | |
| Services and Supplies (4325-Attorney General) | \$ (772,727) | \$ - | \$ - | \$ - | \$ - | \$ - | (772,727) | | | |
| Package 804: Position Reconciliation | | | | | | | | | | |
| Personal Services | \$ 46,336 | \$ - | (46,336) | \$ - | \$ - | \$ - | - | 0 | 0.00 | |
| SCR 045 - Crime Victims Program | | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | (163,128) | \$ - | (26,630) | \$ - | (189,758) | | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 54,874 | \$ - | 25,993 | \$ - | 80,867 | | | |
| Package 300: Victims of Crime Act Budget | | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ - | \$ - | 412,157 | \$ - | 412,157 | 3 | 2.64 | |
| Services and Supplies | \$ - | \$ - | \$ - | \$ - | 162,503 | \$ - | 162,503 | | | |
| Special Payments (Dist. To Counties) | \$ - | \$ - | \$ - | \$ - | 5,398,344 | \$ - | 5,398,344 | | | |
| Special Payments (Dist to Non-Gov Units) | \$ - | \$ - | \$ - | \$ - | 21,681,248 | \$ - | 21,681,248 | | | |
| Special Payments | \$ - | \$ - | \$ - | \$ - | 2,669,414 | \$ - | 2,669,414 | | | |

PRELIMINARY

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|--------------|---------------|-------------|------------|---------------|------------|-----------------|-----|--------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| SCR 050 - General Counsel | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 2,604,914 | \$ - | \$ - | \$ - | 2,604,914 | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 357,305 | \$ - | \$ - | \$ - | 357,305 | | |
| Package 350: Public Law Conference and Training | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 152,506 | \$ - | \$ - | \$ - | 152,506 | | |
| Package 351: Four LD Positions to Permanent | | | | | | | | | |
| Personal Services | \$ - | \$ - | 1,313,905 | \$ - | \$ - | \$ - | 1,313,905 | 4 | 4.00 |
| Services and Supplies | \$ - | \$ - | 296,935 | \$ - | \$ - | \$ - | 296,935 | | |
| Package 352: Resolve Double-Fill in Government Services | | | | | | | | | |
| Personal Services | \$ - | \$ - | 428,036 | \$ - | \$ - | \$ - | 428,036 | 1 | 1.00 |
| Services and Supplies | \$ - | \$ - | 87,689 | \$ - | \$ - | \$ - | 87,689 | | |
| Package 354: Business Oregon & Affordable Housing Work | | | | | | | | | |
| Personal Services | \$ - | \$ - | 475,786 | \$ - | \$ - | \$ - | 475,786 | 2 | 1.76 |
| Services and Supplies | \$ - | \$ - | 128,744 | \$ - | \$ - | \$ - | 128,744 | | |
| Package 355: Two Attorneys in Business Activities | | | | | | | | | |
| Personal Services | \$ - | \$ - | 475,786 | \$ - | \$ - | \$ - | 475,786 | 2 | 1.76 |
| Services and Supplies | \$ - | \$ - | 128,744 | \$ - | \$ - | \$ - | 128,744 | | |
| Package 356: One Attorney in Natural Resources | | | | | | | | | |
| Personal Services | \$ - | \$ - | 237,893 | \$ - | \$ - | \$ - | 237,893 | 1 | 0.88 |
| Services and Supplies | \$ - | \$ - | 64,374 | \$ - | \$ - | \$ - | 64,374 | | |
| Package 357: Paralegal and Legal Secretary Positions | | | | | | | | | |
| Personal Services | \$ - | \$ - | 487,078 | \$ - | \$ - | \$ - | 487,078 | 4 | 3.52 |
| Services and Supplies | \$ - | \$ - | 190,646 | \$ - | \$ - | \$ - | 190,646 | | |
| Package 812: Vacant Position Elimination | | | | | | | | | |
| Personal Services | \$ - | \$ - | (529,089) | \$ - | \$ - | \$ - | (529,089) | (3) | (3.00) |
| SCR 060 - Trial | | | | | | | | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 1,044,011 | \$ - | \$ - | \$ - | 1,044,011 | | |
| Package 104: Essential Costs of Information Technology | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | 212,076 | \$ - | \$ - | \$ - | 212,076 | | |
| Package 400: Transportation Package Condemnation Work | | | | | | | | | |
| Personal Services | \$ - | \$ - | 703,695 | \$ - | \$ - | \$ - | 703,695 | 3 | 3.14 |
| Services and Supplies | \$ - | \$ - | 197,177 | \$ - | \$ - | \$ - | 197,177 | | |
| Package 802: Forecasted Caseload Increase | | | | | | | | | |
| Personal Services | \$ - | \$ - | 602,691 | \$ - | \$ - | \$ - | 602,691 | 2 | 2.50 |
| Services and Supplies | \$ - | \$ - | 167,179 | \$ - | \$ - | \$ - | 167,179 | | |
| Package 804: Position reconciliation | | | | | | | | | |
| Personal Services | \$ - | \$ - | (8,255) | \$ - | \$ - | \$ - | (8,255) | 0 | 0.00 |
| Package 806: Water Resources Legal Services | | | | | | | | | |
| Personal Services | \$ - | \$ - | 182,999 | \$ - | \$ - | \$ - | 182,999 | 2 | 0.75 |
| Services and Supplies | \$ - | \$ - | 58,807 | \$ - | \$ - | \$ - | 58,807 | | |
| SCR 100 - Defense of Criminal Convictions | | | | | | | | | |
| Package 802: Forecasted Caseload Increase | | | | | | | | | |
| Services and Supplies (4325 Attorney General) | \$ 1,652,775 | \$ - | \$ - | \$ - | \$ - | \$ - | 1,652,775 | | |

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|-----------------------|---------------|-----------------------|-------------|-----------------------|-------------|-----------------------|--------------|-----------------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| SCR 160 - Division of Child Support | | | | | | | | | |
| Package 070: Revenue Shortfall | | | | | | | | | |
| Personal Services | \$ (2,977) | \$ - | \$ (3,604,464) | \$ - | \$ (7,002,481) | \$ - | \$ (10,609,922) | (70) | (69.44) |
| Services and Supplies | \$ - | \$ - | \$ (1,160,679) | \$ - | \$ (1,796,095) | \$ - | \$ (2,956,774) | | |
| Package 100: Reconcile Intra-Agency Charges | | | | | | | | | |
| Services and Supplies | \$ - | \$ - | \$ (995,689) | \$ - | \$ 1,360,994 | \$ - | \$ 365,305 | | |
| Package 202: Increase in Child Support Legal Caseload | | | | | | | | | |
| Services and Supplies | \$ 718,206 | \$ - | \$ - | \$ - | \$ 1,394,164 | \$ - | \$ 2,112,370 | | |
| Package 450: Backfill Other Funds Revenue Shortfall | | | | | | | | | |
| Personal Services | \$ 4,740,515 | \$ - | \$ - | \$ - | \$ 9,201,895 | \$ - | \$ 13,942,410 | 92 | 91.44 |
| Services and Supplies | \$ 1,459,816 | \$ - | \$ - | \$ - | \$ 2,365,328 | \$ - | \$ 3,825,144 | | |
| Package 451: CSEAS/Origin Hosting During Operation | | | | | | | | | |
| Services and Supplies | \$ 1,440,662 | \$ - | \$ - | \$ - | \$ 2,796,579 | \$ - | \$ 4,237,241 | | |
| Package 452: Positions for Origin | | | | | | | | | |
| Personal Services | \$ 788,541 | \$ - | \$ - | \$ - | \$ 1,524,705 | \$ - | \$ 2,313,246 | 19 | 11.47 |
| Services and Supplies | \$ 213,198 | \$ - | \$ - | \$ - | \$ 413,855 | \$ - | \$ 627,053 | | |
| Package 812: Vacant Position Elimination | | | | | | | | | |
| Personal Services | \$ (882,878) | \$ - | \$ (199,454) | \$ - | \$ (2,101,294) | \$ - | \$ (3,183,626) | (24) | (24.00) |
| Services and Supplies | \$ (118,861) | \$ - | \$ (259,694) | \$ - | \$ (734,455) | \$ - | \$ (1,113,010) | | |
| SCR 161 - Child Support Enforcement Automated System | | | | | | | | | |
| Package 475: CSEAS/Origin Development & Implementation | | | | | | | | | |
| Personal Services | \$ 802,821 | \$ - | \$ 1,016,912 | \$ - | \$ 3,532,380 | \$ - | \$ 5,352,113 | 27 | 21.54 |
| Services and Supplies | \$ 1,334,325 | \$ - | \$ 2,670,911 | \$ - | \$ 7,774,869 | \$ - | \$ 11,780,105 | | |
| TOTAL ADJUSTMENTS | \$ 11,632,081 | \$ - | \$ 27,331,268 | \$ - | \$ 49,013,357 | \$ - | \$ 87,976,706 | 134 | 112.73 |
| SUBCOMMITTEE RECOMMENDATION * | \$ 110,925,468 | \$ - | \$ 353,633,536 | \$ - | \$ 187,511,050 | \$ - | \$ 652,070,054 | 1,448 | 1,416.74 |
| % Change from 2017-19 Leg Approved Budget | 23.7% | 0.0% | 6.3% | 0.0% | -6.8% | 0.0% | 4.6% | 5.0% | 4.5% |
| % Change from 2019-21 Current Service Level | 11.7% | 0.0% | 8.4% | 0.0% | 35.4% | 0.0% | 15.6% | 10.2% | 8.7% |

*Excludes Capital Construction Expenditures

PRELIMINARY

Legislatively Approved 2019 - 2021 Key Performance Measures

Published: 6/17/2019 1:27:52 PM

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 2020 | Target 2021 |
|--|-----------------------------|----------------|----------------------|-------------|-------------|
| 1. Percentage of legal cases in which the state's position is upheld | | Approved | 90% | 95% | 95% |
| 2. Percentage of appropriate litigation resolved through settlement | | Approved | 31% | 32% | 32% |
| 3. Amount of monies recovered for the state divided by the cost of recovery | | Approved | \$12.18 | \$25.00 | \$25.00 |
| 4. Average working days from receipt of contracting document to first substantive response to agency. | | Approved | 5.76 | 5 | 5 |
| 5. Percentage of legal billings receivables collected within 30 days | | Approved | 84% | 88% | 88% |
| 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 | 98% | 98% | 98% |
| | Accuracy | | 98% | 99% | 99% |
| | Overall | | 96% | 98% | 98% |
| | Helpfulness | | 96% | 99% | 99% |
| | Expertise | | 100% | 99% | 99% |
| | Timeliness | | 94% | 98% | 98% |
| 8. Percentage of Criminal Justice Division cases resolved successfully | | Approved | 100% | 100% | 100% |
| 9. Percentage of crime victims' compensation orders issued within 90 days of claim receipt | | Approved | 84% | 95% | 95% |
| 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 | 64% | 65% | 65% |
| 12. Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due | | Approved | 63% | 65% | 65% |
| 13. Percentage of Child Support Program cases with support orders relative to total Program cases | | Approved | 89% | 90% | 90% |
| 14. Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more | | Approved | 93% | 95% | 95% |
| 15. Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE) | | Approved | 67% | 75% | 75% |
| 16. Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days. | | Approved | 83% | 90% | 90% |

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 2020.

SubCommittee Action:

The Subcommittee adopted the Legislative Fiscal Office recommendation.

PRELIMINARY