



Oregon

Kate Brown, Governor

Criminal Justice Commission

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Dear Members of the Joint Committee on Ways and Means Subcommittee on Public Safety:

I am writing this letter to follow up on questions that were posed to me during my testimony before your committee on 27 January 2021. The answers to those questions follow below.

Is the avoided cost due to JRI solely attributable to the DOC?

The CJC report describing avoided costs attributable to JRI only covers DOC savings. There are two components involved in the calculation: changes in the prison population and changes in the community corrections population. While community corrections population changes are described as “local” avoided costs in the report, these are technically tied to DOC’s budget due to the fact that DOC distributes funding to local community corrections departments through the grant-in-aid funding formula found in ORS 423.483. This means, importantly, that cost avoidance for other local entities, including law enforcement, prosecution, and the like, are not included in this report.

What happens to the cash seized through the IMMEGP?

State and local government agencies electronically report seizures they have made for the purpose of civil and criminal forfeiture using the Oregon Asset Forfeiture website, which is maintained by the CJC. Cash seized through the IMMEGP grant for cases filed in Oregon state courts should be reported and distributed according to the rules in Oregon Revised Statutes Chapter 475A. Seizures made pursuant to federal cases involving local partnerships with the Drug Enforcement Agency and Homeland Security Investigations, however, are not reported or distributed. As of this time, it unclear how much of the cash seized by IMMEGP grantees will be distributed under 475A because few, if any, of the cases related to these seizures have been resolved as of this time. In normal years there is a lag between case filing and resolution and this time frame has been extended significantly due to court processing times impacted by the COVID-19 pandemic. To provide additional information, however, CJC staff are working with grantees to determine what share of cash seized should be expected to be distributed within the state in the coming years are cases are resolved.

Please do not hesitate to reach out to me at your convenience if you have any further questions or if I can provide additional information.

Sincerely,

Kenneth Sanchagrin

