



**OREGON BOARD OF PAROLE**  
A SAFE AND JUST OREGON

# Public Safety Joint Ways & Means Committee Agency Presentation 2021-23

## Written Reference Materials

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## Agency Mission, Goals, and Historical Perspective

The Board of Parole’s mission is to support a safe and just Oregon by supporting positive change in individuals while maintaining accountability. Through engagement of partners, development of compassionate policies, and respect for diversity, our strong and valued workforce strives for a better future for our state.

The Board’s long-term goal is to set the standard for parole boards in evidence informed decisions, innovative tools, and effective operations.

Authority is found in Article I §15 of the Oregon Constitution and Oregon Revised Statutes Chapters 144 and 163A. Board rules are promulgated in Oregon Administrative Rules Chapter 255. Our 2019-21 General Fund Budget is \$8,669,440 and Other Funds budget is \$24,342. The Board currently has 25 full-time positions with 5 vacancies due to recent budget reductions.

The Board’s history includes the following important events:

- **1911** The *Oregon Parole Board* was established.
- **1939** The *Board of Parole and Probation* created.
- **1941** Board given powers to establish rules covering parole of all individuals confined in Oregon for 6 months or more.
- **1989** Board name changed to *State Board of Parole and Post-Prison Supervision*. Parole abolished and sentencing guidelines enacted for felonies committed after November 1, 1989.
- **2013** Sex offender risk assessment community notification levels established by Legislature.
- **2015** Board begins to complete sex offender risk assessments for all convicted and registered sex offenders in Oregon.
- **2019** Board begins holding hearings for people on the sex offender registry who petition to have their notification level reclassified to a lower level or to get relief from the obligation to register.

### BOARD MEMBERSHIP

Michael Hsu – Chairperson  
Greta Lowry – Vice-Chairperson  
James Taylor – Board Member  
John Bailey – Board Member

There is currently one vacant board position that will be filled in the 2021-23 biennium.

The Executive Director is Dylan Arthur, and 15 FTE support agency operations.

## How the Requested Budget Will Achieve Desired Program Results

The Board works within the criminal justice system to achieve the following: 1) enhance public safety and keep communities safe, 2) set standard for sex offender notification through evidence-based risk assessments, 3) reduce recidivism, and 4) ensure legal integrity in Board decision making.

The Board of Parole's requested budget will help the Board maintain current service levels for its programs, fully fund the Board to be operational as its own agency without burdening the Department of Correction's budget, help fulfill its goal to become more data-driven, and achieve its vision of becoming an agency that better promotes diversity, equity, and inclusion. Additionally, the requested budget will help the Board's to classify all historical sex offender registrants (on the registry prior to classification law in 2015). Note that at our current funding level, the Board will not be meet the current deadline to assess all remaining historical registrants by 2026.

## Overview of Agency Performance and Outcome Measures

The Board's Key Performance Measures are:

**KPM1: Recidivism** – Percentage of adults-in-custody (AIC) who are convicted of a new felony within 3 years of release. The percentage of those released from prison, who were convicted of a felony within three years of being released, has declined from above 30 percent in the late 1980s through the 1990s and early 2000s, to as low as the mid-20 percent range for those released in the late 2000s. The most recent data, released by CJC in May 2020, reports 11.4 percent of the 2016 inmate cohort were convicted of a new felony within three years of their release. This is a 0.4 percent increase from the 2014 cohort, however, the rate of recidivism in Oregon is slowing. The CJC reported the increase from 2012 to 2014 cohorts was 1.8 percent. This may be the result of House Bill 3194 (2013), which introduced the Justice Reinvestment Grant Program and reformed Oregon criminal justice policy with the express intent of slowing and reducing prison population growth; however, a longer time frame is necessary to thoroughly evaluate the outcomes and effectiveness of this legislation. Many factors impact recidivism rates such as the risk profile of an individual in the system, policy and sentencing changes, law enforcement resources, and the use of evidence based post-prison programs.

A large part of the Board's mission is to reduce the risk of repeat criminal behavior through evidence and research-based supervision and intervention methods. When rates of recidivism are increasing in Oregon, the Board is one of the criminal justice agencies engaged in discussing best practices, evidence-based supervision and intervention methods, as well as potential policy changes aimed at mitigating the state's recidivism rate.

For those under parole board release authority, the recidivism reporting rate for 2020 is 11.4%, down from 17% in 2019.

**KPM 2: Orders of Supervision** – Percentage of individuals releasing from prison where the Board's order has been received by Community Corrections on or before the AIC's release date.

For 2020, the parole board issued 94.25% of its release orders prior to an AIC's release. This is trending up, but below target of 99%. Resentencing and AICs with credit for time served may cause DOC to release an AIC prior to the issuance of an order.

**KPM 3: Victim Engagement** – Percentage of active registered victims who receive notice of a hearing at least 30 days prior to the hearing.

The Board of Parole notifies registered victims of hearing prior to 30 days of the hearing 100% of the time.

**KPM 4: Arrest Warrants** – Percentage of warrant requests from the Board issued within 5 days of request.

The Board of Parole issues an arrest warrant within five days of request 99.99% of the time in 2020.

**KPM 5: Revocations** – Percentage of revocations out of all sanctions imposed for violations of parole or PPS.

Out of all sanctions imposed in 2020, about 4% resulted in revocation (typically resulting in about 90 -180 days of incarceration).

**KPM 6: Discharges from Supervision** – Percentage of discharge orders that are issued within 5 days of an individual’s discharge from supervision.

The Board of Parole discharges individuals from supervision in a timely manner 99.83% of the time in 2020.

**KPM 7: Administrative Review** – Percentage of administrative review responses mailed within 60 days of an administrative review request.

The Board of Parole completed administrative within 60 days 95% of the time. This is a significant improvement, largely due to increase of funded Board Member positions from 3 to 5.

**KPM 8: Customer Service** – Percentage of customers rating satisfactions with the Agency’s customer service as good or excellent.

The Board of Parole’s customer satisfaction rating in 2020 was 97%. This is an increase from 95% the year prior, but below target of 100%.

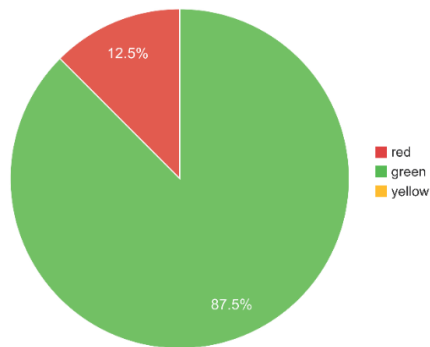
## Key Performance Measure Charts

Target by year:

Measure	Target	2016	2017	2018	2019	2020
<b>Parole Recidivism</b> within 3 years	8.50%	17%*	17%*	15.8%*	17%*	11.4%*
<b>Orders of Supervision</b> completed before release	99.00%	91.40%*	98.6%*	96%*	94.%*	94.25%*
<b>Victim Engagement</b> within 30 days	98.00%			100%*	100%*	100%*
<b>Arrest Warrants</b> completed within 5 days	94.20%	93.30%*	99.99%*	99.99%*	99.99%*	99.99%*
<b>Revocations</b> as percent of sanctions	10.00%	5.83%*	3.95%*	3.5%*	3.7%*	4.07%*
<b>Discharges from Supervision</b> completed within 5 days	91.50%	96.40%*	-	-	99.4%*	99.83%*
<b>Administrative Reviews</b> completed within 60 days	70.00%	0%*	0%*	23%*	89%*	95%*
<b>Customer Service</b> satisfaction	100.00%	94%*	95%*	92%*	95%*	97%*

Performance summary:

KPM #	Approved Key Performance Measures (KPMs)
1	PAROLE RECIDIVISM - Percentage of Matrix Inmates (offenders whose crime(s) were committed before November 1, 1989), Dangerous Offenders (sentenced by the court as a dangerous offender pursuant to ORS 161.725 and ORS 161.735), and Aggravated Murderers convicted of a new felony within three years of initial release. (Subset of OBM #64)
2	ORDER OF SUPERVISION - Percentage of offenders being released from prison where the Board's order of supervision has been received by the community corrections office on or before the offender's release date from prison.
3	VICTIM NOTIFICATION - Percentage of notifications sent to active registered victims no later than 30 days before any hearing conducted by the Board.
4	ARREST WARRANT - Percentage of warrants received by the Board in which the warrant is issued within 5 days.
5	REVOCAATION - Percentage of revocations for offenders who violate their conditions of parole or post-prison supervision.
6	DISCHARGE OF SUPERVISION - Percentage of expiration (of post-prison supervision or parole) orders that have been completed and mailed within 5 days of an offenders discharge from parole or post-prison supervision.
7	ADMINISTRATIVE REVIEW - Percentage of administrative review responses completed and mailed within 60 days of receipt of an inmate/offender administrative review request.
8	CUSTOMER SERVICE - Percent of customers rating satisfaction with the Agency's customer service as good or excellent: overall customer service, timeliness, accuracy, helpfulness, expertise, and availability of information.



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	87.50%	0%	12.50%

Proposing KPM Target Changes

In order to make the Board’s Key Performance Measures fairer and more realistic, the Board is proposing the following changes to the target measures:

- KPM 1: Parole Recidivism – We are requesting to change this measure’s target from 8.5% to 15%.
- KPM 2: Orders of Supervision – We are requesting to change this measure’s target from 99% to 95%.
- KPM 8: Customer Satisfaction – We are requesting to change this measure’s target from 100% to 95%.

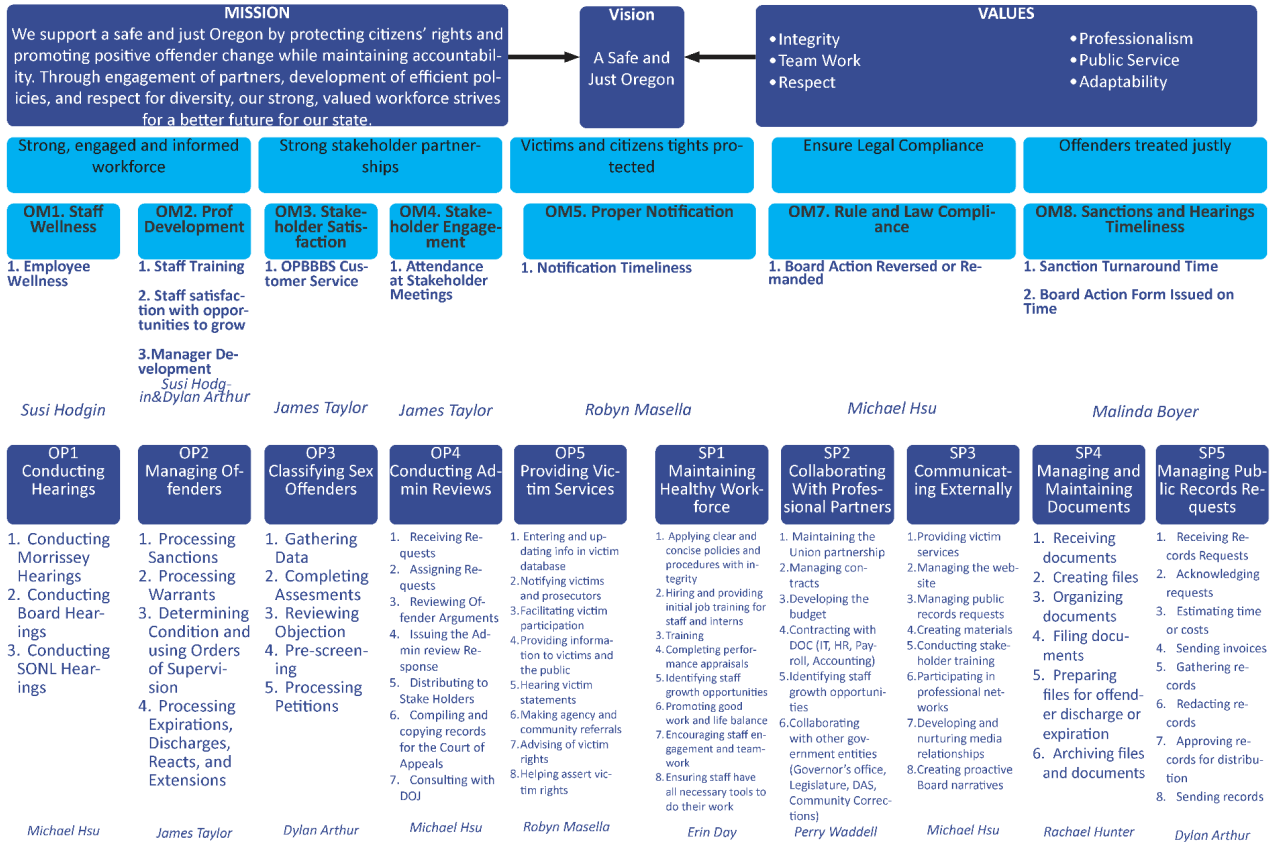
# Fundamentals Maps

The Board’s performance and outcomes are tracked through the Board’s Fundamentals Map which includes more nuanced performance measures to ensure that our processes are timely, efficient, consistent, and exceeds expectations. Each outcome is owned by a staff member or members who enter data into our software-based tracking solution (Mass Ingenuity) every month. The main outcomes track to KPMs. All measures and processes are reviewed monthly to assist us in improving our procedures and efficiencies.

## Oregon Board of Parole and Post-Prison Supervision Fundamentals Map



- Foundations
- Key Goals
- Outcomes
- Outcome Measures
- Outcome Owners
- Core Processes
- Sub Processes
- Process Owner





## Summary of programs

The Board of Parole's major functions include setting release dates for individuals who are eligible for parole, establishing community supervision conditions for individuals, and assessing the notification level of individuals who have offended sexually. The Board, functioning as one program, works to:

- Protect the public and reduce the risk of repeat criminal behavior through incarceration and evidence-based community supervision decisions.
- Classify sex offenders to a notification level (SONL) and determine qualifications for reclassification and relief from registration.
- Function as a major partner in the criminal justice system through release decisions, supervisory authority, victim involvement and support, and stakeholder engagement.
- Maintain partnerships with DOC, Criminal Justice Commission, and the Psychiatric Security Review Board.
- Provide training, education, and resource materials to stakeholders including the Department of Justice, district attorneys, defense attorneys, DOC, tribal representatives, Legislators, community correction employees, and other community representatives.

## Board's Major Functions

### Parole Hearings

The Board of Parole's primary task for most hearings is to determine an individual's efforts towards rehabilitation and the person's current level of risk to reoffend. In the limited circumstances where the Board is tasked to determine an individual's prison term, the Board is bound by strict sentencing rules that were in effect at the time when the crime was committed.

The Board of Parole makes release decisions only for certain individuals with aggravated murder or murder convictions, those who committed their crimes before November of 1989, and those who were designated "dangerous offenders" by the court. Prior to making a release decision, the Board of Parole will order that an individual participate in a psychological evaluation that includes an assessment for risk of reoffending. The Board of Parole evaluates the psychological evaluation and other available information along with experience and professional judgment in making final paroling decisions. Our contracted psychologists utilize multiple validated risk assessments in their evaluations to assess risk of future criminal behavior.

The Board has release authority over approximately 1,000 AICs. The Board holds about 100 hearings a year for AICs eligible for a parole hearing.

### Post-Prison Supervision (PPS)

The Board of Parole is responsible for setting supervision requirements and conditions for individuals releasing from Oregon prisons. The Board is also responsible for issuing warrants and approving sanctions for violation behavior up to and including a return to prison. The Board is not responsible for the day-to-day supervision of individuals on post-prison supervision or parole. Instead, the Oregon Department of Corrections and local county community correction agencies do that work. However, the Board maintains meaningful partnerships with the Oregon Department of Corrections and local community corrections offices to ensure the best possible chance for success as well as a seamless transition from prison into the community by using sound, evidence-based practices.

As of February 1, 2021, there 12,983 individuals of parole or PPS supervision in Oregon. The Board issues about 300 supervision orders with conditions, 500 warrants, and 600 sanctions a month.

## Sex Offender Leveling Program (SONL)

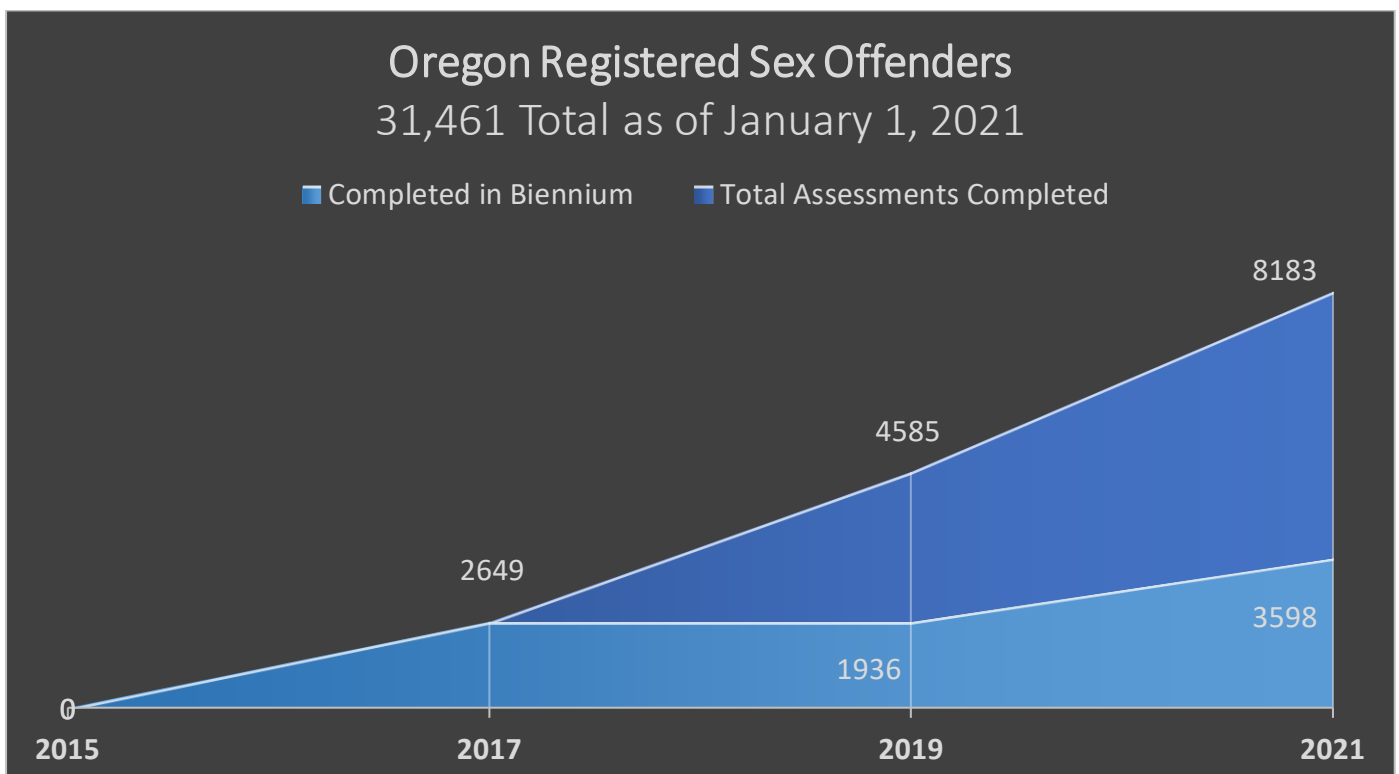
Beginning in 2015, the Board of Parole is responsible for classifying all adults who have convictions that require them to report as a sex offender into a 3-tier notification level prior to release from the Oregon Department of Correction's custody. For all historical registrants who were on the sex offender registry prior to the creation of this program, their classifications are being conducted on a rolling basis. The Board of Parole uses the Static-99R risk assessment tool as an empirically validated measure of risk to sexually re-offend. Since January of 2019, the Board of Parole holds hearings to determine if a registrant is eligible to be relieved of their requirement to report as a sex offender if they are assessed and placed in the lowest notification level – Level 1. For historical registrants who do not have a level assigned to them yet, they can petition the Board of Parole to initiate the process of assigning them a notification level. If an individual has been assigned a level 2 or 3, in many cases they may petition the Parole Board for a reclassification to a lower level 10 years after being released from supervision for the sex offense.

The Board of Parole uses the Static-99R risk assessment tool to determine the notification level of adult male registrants. The Static-99R is the most widely used sex offender risk assessment tool and is used throughout the United States and around the world. The Static-99R assess the relative risk of an individual to reoffend sexually based on the 10 risk domains most closely related to sexual recidivism.

For registrants who do not qualify for the Static-99R risk assessment (i.e. females, juveniles, and certain other registerable offenses) the LS/CMI and an in-person evaluation will be completed to determine a registrant's notification level.

There are three Sex Offender Notification Levels (I, II, III) that represent the range of people, schools, and businesses in the community who may receive notification about a registrant. This notification is based on the level an individual has been given.

There are currently over 31,000 registered sex offenders in the state of Oregon, with about 100 new registrants added per month. The Board can complete about 2,200 assessments per year based on current staffing level. At current rate, the Board will not meet the 2026 deadline for completing the assessment and leveling of all historical convictions that existed before the program started in 2015.



## Victim Services

The Board of Parole is committed to the rights of victims to play a meaningful role in the criminal justice process, to be treated with dignity and respect, and to receive fair and impartial treatment.

Victims of crime and members of the public may register with the Board of Parole for notification about individuals currently in prison or offenders on parole or post-prison supervision, or for notification about Registered Sex Offenders who may petition the Board for reclassification or relief from registration.

There are approximately 6000 registered victims with the Board and the Board contacts approximately 100 per month.

## Administrative Review

The Board of Parole reviews all legal challenges to Board decisions made by AICs or individuals on supervision. Board decisions are required to be supported by substantial reasoning and evidence. AICs or individuals on supervision may appeal all Board administrative review responses to the Oregon Court of Appeals and be represented by a court-appointed counsel.

The Board conducts about 200 administrative reviews a year.

## Monthly Statistics: Units and People Served

Warrants Issued – 500	Supervision Orders – 350	SONL Hearings – 10	Discharges – 300
SONL Assessments – 100	Victims Contacted – 100	AIC Hearings – 20	Sanctions Issued – 650
Morrissey Hearings – 23	Administrative Reviews – 25	People Under Supervision – 26,000	

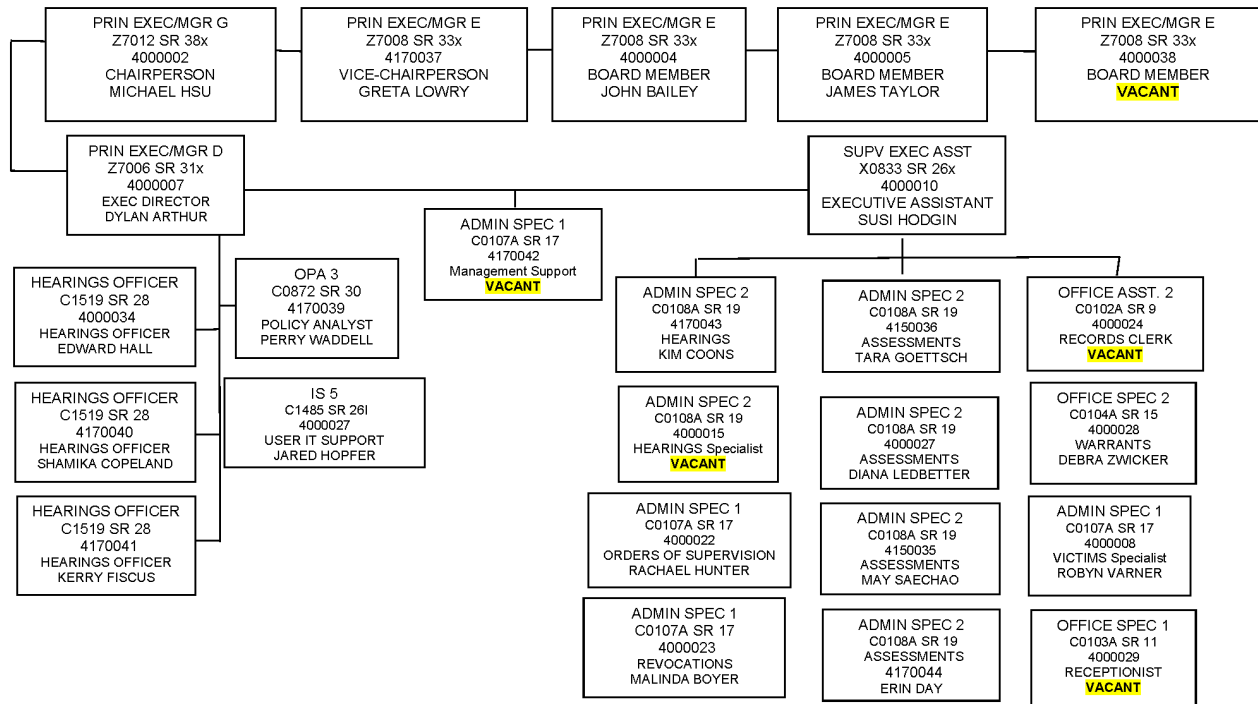
## Agency Organizational Information

The Board is currently approved for 5 Board members who are appointed by the Governor and confirmed by the Senate to 4-year terms. The Governor names the chair and vice chair.

The Board currently has 25 FTEs, 20 of which are currently filled. Several positions are held open for budgetary reasons. The Board's organization includes an Executive Director and Operations Manager. The Board has 3 Hearings Officers, an Operations and Policy Analyst, and multiple administrative or office specialists who organize hearings, perform risk assessments, and organizes and issues warrants, sanctions and orders. Additionally, we have 1 Victims' Specialist, a Records Clerk, and a Receptionist.

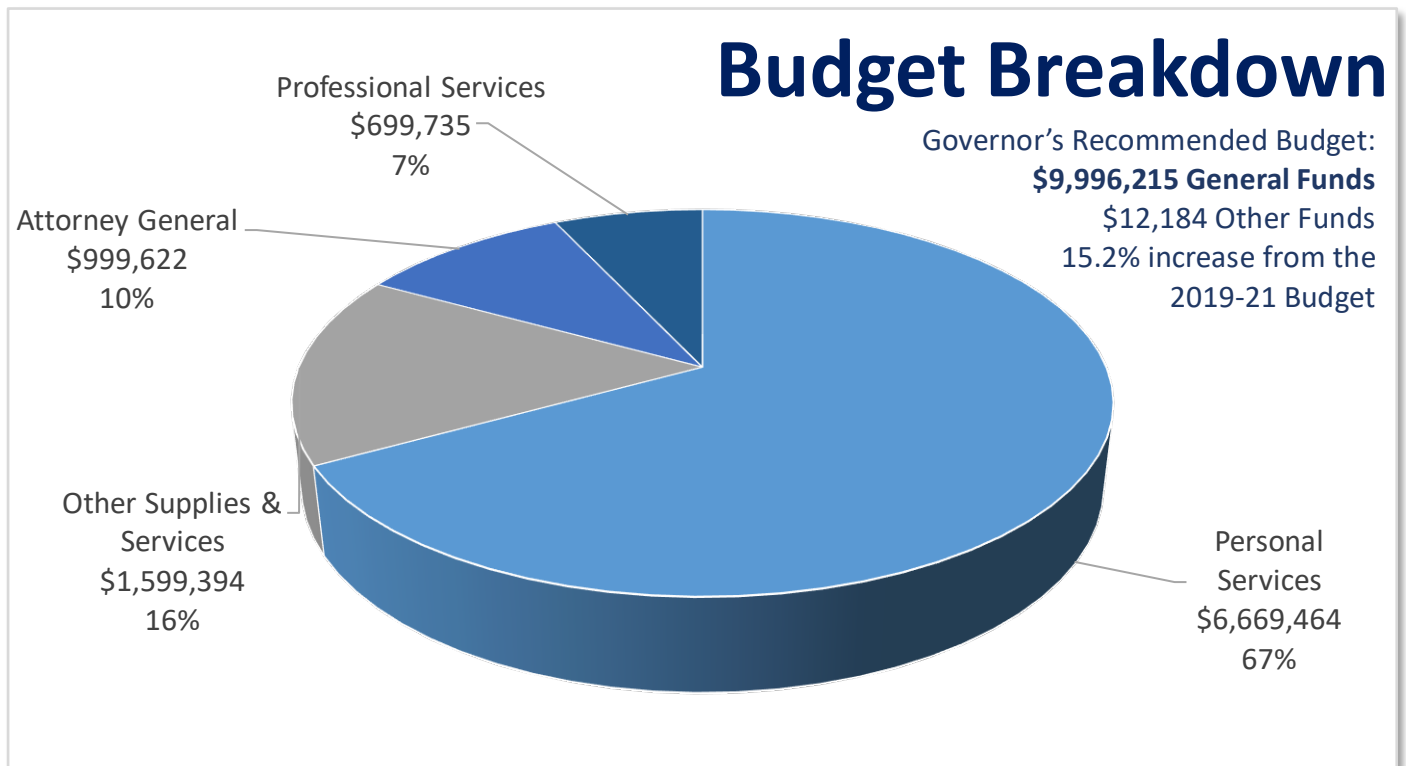
## Organizational chart

# 2021 ORGANIZATION CHART



AGENCY 25500

## Budget Breakdown 2021-23 Governor's Budget



## Budget Drivers: Risks & Challenges

### Sex Offender Notification Level Program

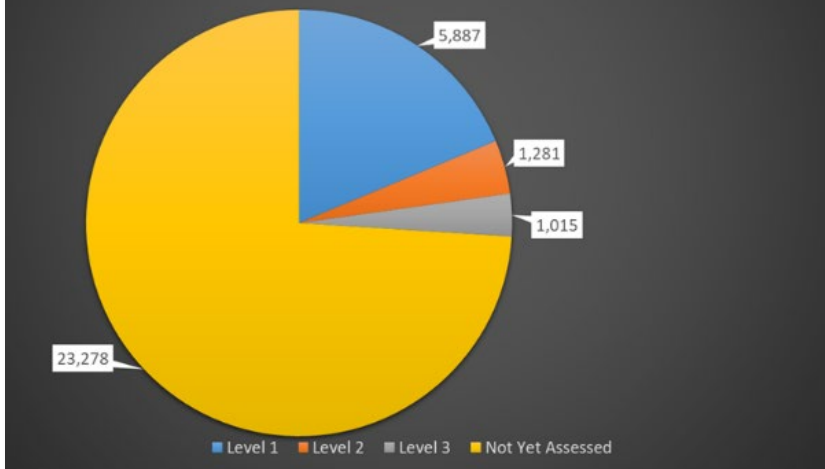
The Board is required to assess and classify certain sex offenders to a Sex Offender Notification Level (SONL). The program was created in 2013 and assessments began in 2015. This requirement applies to both new offenders and an existing backlog of historic registrants. The Board is required to prioritize new registrants over the historical backlog. Currently, 8,152 offenders have been classified into a level in Oregon and 3,567 were completed in this biennium, 2019-2020.

As of January 2021, there are approximately 31,449 individuals on the sex offender registry. Approximately 100 individuals are added to the registry each month in Oregon. Over the course of the program, 1 FTE can consistently complete about 20-25 assessment a month. With the current staffing level, the Board can just keep up with leveling new registrants plus a few individuals classified as highest risk to recidivate under the old system. At the current funding level, the Board will not meet the 2026 ORS deadline to assess all historical registrants.

### Steps taken to reduce costs

The Board is working with county community corrections to help assess all registrants on supervision. In accordance with data-based research, the Board created an auto-level process for registrants crime-free for 10 years or longer. The Board has leveled 1,800 more registrants compared to last biennium despite cuts to staffing level.

## Oregon Registered Sex Offenders 8,183 Assessed. 31,461 total as of January 1, 2021



We are proud of our accomplishments this biennium as currently, over 8,100 registrants have been assessed.

In 2019, four years into assessments, only 4,585 registrants had been assessed.

### New Building and Service Costs

The Board of Parole was housed with DOC for decades. Due to growth in Board of Parole and DOC staffing, both agencies needed more space. The Board of Parole signed 7-year lease for its own space in 2019. Due to the move, the Board of Parole is now required to purchase essential services with DAS and DOC for Human Resources, Budget Analysis, Accounting, Payroll, Data Services, IT services, Procurement/Contracts (most of these services were graciously provided by DOC when staffing level of Board of Parole was smaller).

#### *Steps taken to reduce costs*

The Board of Parole has laid-off staff, eliminated travel, eliminated its security contract and reduced custodial services, removed desk phones for staff with mobile phones, and reduced other contracted services.

### Technology and Data-Informed Decision-Making

The Board has recently undergone significant leadership changes, with a new Executive Director officially accepting the position in September 2019 and three out of five Board Members confirmed between July 2019 and March 2020. With this, a renewed focus on strategic planning and data informed decision making has come to the forefront of agency objectives. The Board strives to make decisions informed by data and research, and to provide evidence-based alternatives to traditional practices and partners with DOC and CJC in these endeavors. Additionally, to establish national and international best practices, during the 2019-21 biennium the Board contracted with the Northwest Forensic Institute to provide forensic psychologists who use evidence-based risk assessment methodologies to compile risk assessment formulations of adults in custody.

The Board has plans to implement an electronic document filing system.

#### *Steps taken to reduce costs*

The Board has partnered with CJC and DOC to increase our ability to collect and analyze data, coordinated with DOC IT and research to improve our information systems, and is partnering with DOC to purchase an electronic filing system together.

## Increase in Population We Serve

Increase in sex offender registry population at 100 per month, plus ~23,000 historical registrants (on the registry prior to creation of the SONL program) that still need a notification level. At current funding and staff rate, would take 22 years to assess every registrant. The Board will also see an increase in population of adult-in-custody eligible for Murder Review hearings due to passage of Measure 11 in 1995. The Board has vacancies in the positions: records specialist; administrative assistant; hearings specialist; and receptionist. The Board will likely see an increase in Morrissey hearings, which we currently contract out with many counties in Oregon, due to staffing cuts in Multnomah County. The Board will also see an increase in hearings to end sex offender reporting requirements as more registrants are placed in a notification level.

### *Steps taken to reduce costs*

Continue to appoint attorneys who work with court-certified law student to represent AICs. The Board is working towards streamlining hearings process to maintain quality of decision making but increasing efficiency. The Board also is in the process of implementing citations to appear for low-risk individuals instead of issuing arrest warrants.

## Diversity, Equity, and Inclusion

The Board created a *Diversity, Equity, and Inclusion Workgroup* in 2019. The goals of the group are to increase trainings related implicit bias and culturally responsive practices, promote staff inclusiveness by creating opportunities for staff to share personal perspectives and insights, collect demographic data on victims and individuals on supervision, and highlight the successes and rehabilitation of individuals we serve.

### *Steps taken to reduce costs*

The Board is exploring free or low-cost programming options for programming. We are working with DOC to promote restorative justice dialogue opportunities for victims who wish to participate. We are exploring offering creative incentives for staff who explore DEI learning opportunities.

## Legal Costs

All Board of Parole decisions are subject to appellate review and the Board pays DOJ out of its own budget to defend the agency on appeal. Additional lawsuits costs vary greatly from year to year. Also, the Board must consult DOJ on complex legal matters to ensure legal integrity, a consistent application of the law, and avoid future legal dispute and costs. The Board's DOJ costs are approximately \$1,000,000 per biennium.

### *Steps taken to reduce costs*

Board staff with law-related backgrounds are utilized to answer legal questions. Also, Board Members draft own orders and administrative reviews. The Board also has deferred non-urgent rule drafting projects to a later date.

## Summary of Steps Taken to Reduce Costs

- Board appointed attorneys continue to collaborate with certified law students to represent AICs
- Partnered with CJC and DOC to increase our ability to collect and analyze data
- Reduced contracted services
- Coordinated with DOC IT and research to improve our information systems
- Eliminated security contract and reduced custodial services
- Removed desk phones for staff with mobile phones

- Worked with county community corrections on program to assess sex offenders on supervision
- Created auto-level process for registered sex offenders who are crime-free for 10 years or longer

### Budget Environmental Factors

- **Implementation of HB 2549 (2013), HB 2320 (2015) & SB 76 (2017)**  
The Board is currently mandated to assess and classify sex offenders to a notification level
- **Implementation of HB 3194 (2013)**  
Changes in process to accommodate short term transitional leave requirements
- **Implementation of Measure 11**  
Made murder convictions with a minimum sentence eligible for parole hearings.
- **Implementation of Sentencing Guidelines**  
Created the post-prison supervision system that replaced the parole system overtime
- **Increase in Sex Offender Registrants**  
The State of Oregon adds 100 offenders to the registry every month, requiring assessment to a notification level.
- **Judicial Decisions**  
Court decisions impact Board decisions and processes
- **Victim Responsivity**  
Increased our efforts to include victims in Board processes and increase our outreach to BIPOC communities
- **Fluctuations in Prison Population**  
Increase in number of individuals on PPS overtime has increased workload

### Major changes to the agency in the past 6 years

#### 2019-21 Biennium

The Board moved out of DOC's Dome building into its own facilities. The Board had been residing in the Dome Building for decades and the cost of rent and maintenance was paid for by DOC. With the move out of DOC, the Board also had to purchase essential services with DAS and DOC for Human Resources, Budget Analysis, Accounting, Payroll, Data Services, IT services, Procurement/Contracts (most of these services were graciously provided by DOC when staffing level for Board of Parole was smaller).

The Board also updated its contracts to hire respected psychologists who are more up to date with the latest information on risk assessment methodologies and tools. This increased the Board's professional services costs due to an increase in the market rate for these services.

#### 2017-19 Biennium

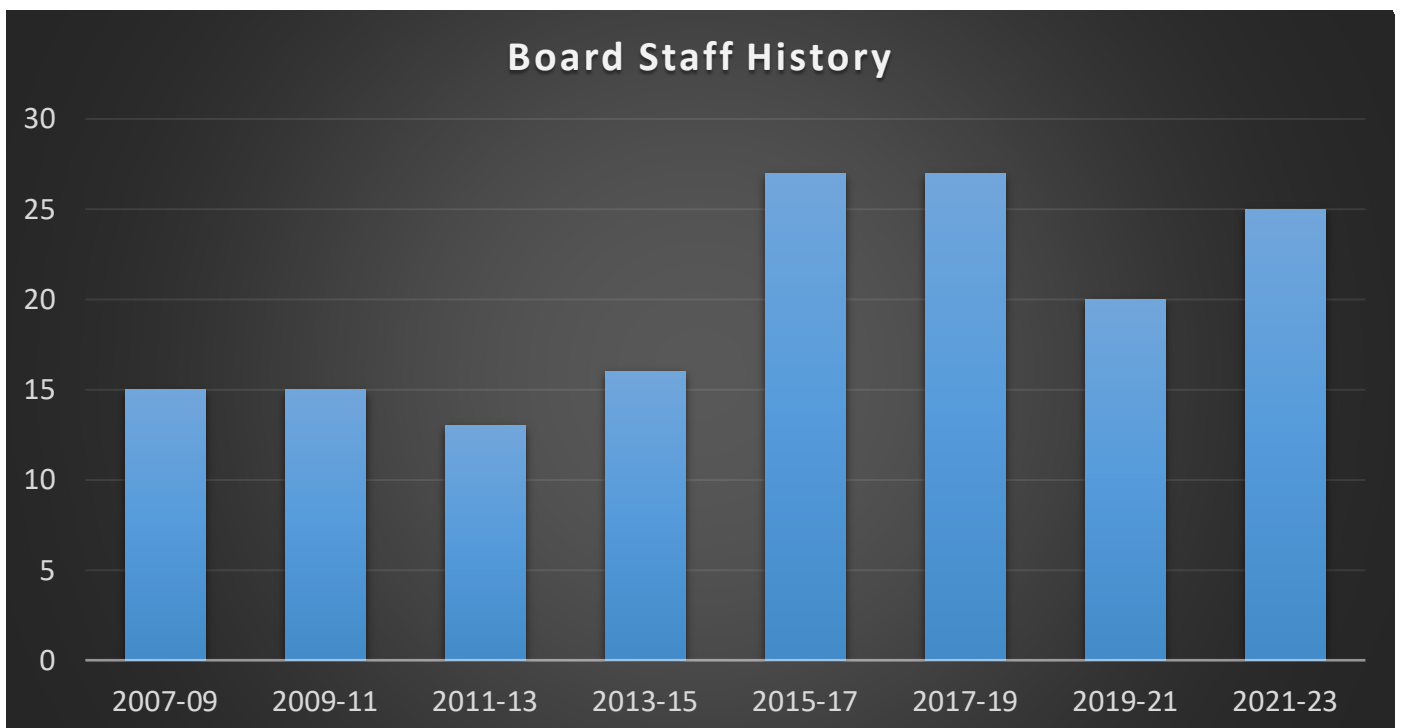
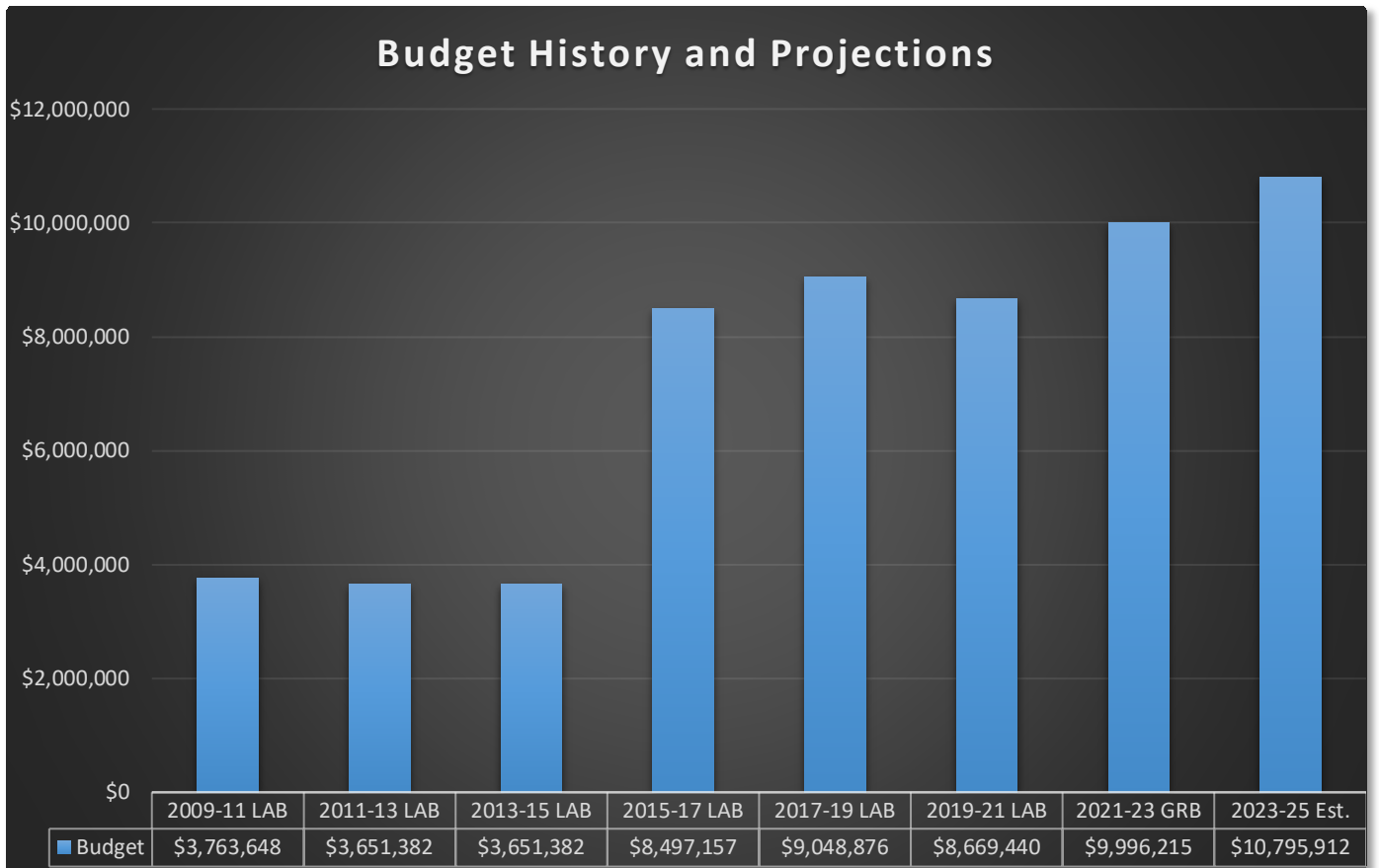
There were no major changes to the agency in this biennium.

#### 2015-17 Biennium

The Board started the assessment of sex offenders on the registry and its size increased from 16 staff members to 25 staff members. The Board's LAB also increased from \$3,651,382 to \$8,497,157.



Budget history and staffing graphs:



## Partnerships to Reduce Duplication of Services and Increase Efficiency

The Board is working with Community Corrections on sex offender notification level assessments. Community Corrections has agreed to help the Board assess individuals who are under their supervision. The Board also contracts with 9 counties to conduct Morrissey hearings, which are hearings for those who are being revoked or request a hearing for violations of their supervision conditions. The Board partners with local colleges to offer college credit to interns who work for the Board (on hold during pandemic).

The Board does not share programs but works closely with the Department of Corrections and the Criminal Justice Commission. The Board also works closely with the Oregon State Police who maintain and operate the sex offender registry.

## Accomplishments and Factors Affecting Caseloads

- Increasing number of sex offenders eligible for reclass and relief hearings
- Revised OAR 255.085 to allow automatic Level I classification for certain offenders
- Collaborating with community corrections in performing risk assessments of sex offenders under their supervision
- Layoffs – 5 staff were laid-off or resigned during the biennium

## Summary of Proposed Legislation Affecting Agency Operations

**HB 2035:** Provides that person required to report as sex offender in this state due to conviction from another jurisdiction may not petition for relief from reporting requirement in this state unless the person is no longer required to report as a sex offender in jurisdiction of conviction.

**HB 2036:** Authorizes Board to discharge person from parole or post-prison supervision prior to end of supervision term for specified medical reason if compatible with best interests of person and community. Requires board to provide notification for registered victims prior to final decision.

**SB 41:** Provides that Department of Public Safety Standards and Training certification of a person employed by State Board of Parole and Post-Prison Supervision does not lapse if the person meets certain requirements.

**SB 42:** Public Employees Retirement System (PERS) Police and Fire Designation for certain Board members and officers who have contact with AICs and offenders.

## Description of 3 Policy Option Packages

### POP 100 – Reclassify Staff Positions

**Request for funding of \$90,701 to reclassify 6 staff positions to accurately reflect revised job description and the level of responsibility required.** This package also includes the cost of Personal Services adjustments, such as pay equity, inflation on non-PICS accounts, STEP differentials, COLA adjustments, unemployment compensation, overtime, differentials, mass transit taxes, normal employee turnover and PERS.

1. **Reclassification of Victim Specialist Position:** Reclass approved by the Department of Administrative Services. Cost difference for biennium: \$6,114

2. **Reclassification of Operations and Policy Analyst Position:** Reclass approved by the Department of Administrative Services. Cost difference for biennium: \$0
3. **Reclassification of Executive Director Position:** Reclass approved by the Department of Administrative Services. Cost difference for biennium: \$55,285
4. **Reclassification of Operations Manager Position:** Cost difference for biennium: \$0
5. **Reclassification of Records Executive Support Position:** Position vacant, request is for reclass for 2021-23 biennium. Cost difference for biennium: \$26,878

## POP 101 – Facilities Management

### **Request for \$152,519 of general fund for Board offices rent.**

Previously, the Board was located in 2 separate office locations. In 2019, the Department of Corrections needed additional office space, so the Board was unable to continue to enjoy free office space from DOC and a facility was found that can accommodate all Board staff and provide space to hold public hearings.

1) Increase in Rent – This is the difference between rent for half the staff at the former downtown office with rent for new location. Cost difference for biennium: \$152,519

## POP 102 – State Service Charges

**Request for funding of \$31,646 for state service charges.** These are for new charges not included in previous biennium.

The Board is a small agency and saves state money by using the administrative services of the Department of Corrections (DOC) and Department of Administrative Services (DAS). Previously, all Board administrative services were provided by DOC. Due to growth of the Board and budget constraints, DOC is unable to provide all services. The Board migrated services for payroll, accounts payable, accounts receivable and procurement to DAS. DOC continues to provide human resources and IT. The Board has an agreement for HR services but, due to lack of resources, no agreement for IT. This funding covers the difference between AY19 and AY21.

This action will further the agency's mission of improving public safety by ensuring that other mission-critical functions are not negatively impacted to cover the costs of these services.

## Emerging Issues

These issues were presented to the Board after the Agency Request Budget was submitted and the Governor's Budget had been released.

- The Department of Corrections IT hosts Board's proprietary software (PBMIS). DOC is no longer able to provide programming time to develop new modules within and fix existing software bugs in our software. The Board may be requesting a limited duration IT position to work at DOC IT.
- There is substantial likelihood in twofold increase of Morrissey hearings due to projected Multnomah County budget shortfalls. These hearings are contracted out to various counties and if a county decides to stop holding the hearings then they will come back to the Board. The Board may be requesting an additional hearings officer position.

## Program or Service Reductions Included in the Governor’s Budget

Due to mandatory costs associated with running an agency, the vast majority of our 10% reduction would be made from personal services.

The cuts would result in the Board being unable to fulfill many statutory obligations, including the continued classification of sex offenders into a notification level, holding relief from reporting hearings, and cause a significant delay in the processing of supervision sanctions, victim services, and records request responses.

See **Appendix A** for details of 10% reduction.

## Long-Term Vacancies – LWR

As a small agency with 25 staff members, the Board does not typically incur many long-term vacancies.

Due to 2020 budgetary rebalance, there are currently 4 vacancies owing to layoffs and 1 resignation.

- Administrative Specialist 1
- Hearings Coordinator – Administrative Specialist 2
- Records - Office Specialist 1
- Receptionist - Office Specialist 1
- Board Member (resignation)

## Discussion of Coronavirus Relief Fund Issues and Effect on the 2021-23 Budget

### **CURRENTLY UNDERSTAFFED**

Due to 2020 budgetary rebalance by the legislature, the Board is not currently staffed for 1) records specialist, 2) administrative assistant, 3) hearings specialist for relief from reporting hearings, and 4) receptionist. One Board Member position is also currently held vacant. This represents a significant decrease in number of staff from 2019.

### **COMMUTATIONS**

The increase in Governor’s commutations has increased the Board’s workload to accommodate the increase in AICs releasing to Post-Prison Supervision.

### **SHORTFALLS IN FUNDING FOR COMMUNITY CORRECTIONS**

The Board will have to hold more Morrissey hearings and ask for additional FTEs if community corrections lacks funding to hold these hearings.

Link to the agency’s Governor’s Budget to be published on Board’s website:

[https://www.oregon.gov/bopp/ps/Documents/Stats and Reports/ARB2021-23.pdf](https://www.oregon.gov/bopp/ps/Documents/Stats%20and%20Reports/ARB2021-23.pdf)

## APPENDICIES

- A. 10% Budget Reduction Tables – Page 21**
- B. Results of agency audits by SOS (ORS 297.070) – Page 26**
- C. Recent changes to agency budget – Page 27**
- D. Summary of proposed technology and capital construction projects – Page 28**
- E. Program prioritization for 2021-23 (form 107BF23) – Page 29**
- F. Other Funds ending balance form – Page 30**
- G. Contact Information– Page 32**

## APPENDIX A

### 10% Reduction Tables (5 Pages)

#### 10% BUDGET REDUCTION

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	AMOUNT AND FUND TYPE	RANK AND JUSTIFICATION
(WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	(DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2021-23 AND 2023-25)	(GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	(RANK THE ACTIVITIES OR PROGRAMS NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)
1 MAINTAIN VACANCIES IN SUPPORT STAFF POSITIONS: RECEPTION (4000029) \$82,704 RECORDS SPECIALIST (4000024) \$0	REDUCTION OF 2 FTE. WILL REMOVE EFFICIENCIES AND INCREASE WORKLOAD ON OTHER STAFF. THE BOARD WILL BE UNABLE TO RESPOND TO PUBLIC RECORDS REQUESTS IN A LAWFUL AND TIMELY MANNER UNDER ORS 192.314. ADDITIONALLY, THE BOARD WILL BE UNABLE TO CONVERT ITS PAPER FILES TO ELECTRONIC FILES.	GF - \$82,704	1 REDUCTION IN SUPPORT SERVICES WILL INHIBIT THE BOARD'S ABILITY TO COMPLETE CERTAIN STATUTORY DUTIES, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i>
2 REDUCE TO STATUTORY MINIMUM PROFESSIONAL SERVICES CONTRACTS SEX OFFENDER ASSESSMENTS	REDUCTION IN PROFESSIONAL SERVICES WILL INHIBIT THE BOARD'S ABILITY TO ASSESS PREVIOUSLY CONVICTED SEX OFFENDERS AND NOT MEET 12/2026 DEADLINE. CONTRACTORS ASSESS JUVENILES, WOMEN AND ANYONE CONVICTED OF NON-CONTACT SEX OFFENSES,	GF - \$92,400	2 REDUCTION IN PROFESSIONAL SERVICES WILL INHIBIT THE BOARD'S ABILITY TO COMPLETE CERTAIN STATUTORY DUTIES AND MAINTAIN SOME CONTRACTED SERVICES, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i>
3 LAYOFF 1 <sup>ST</sup> AND 2 <sup>ND</sup> OF 4 POSITIONS BOARD ASSESSMENT SPECIALISTS AS2 (4170045) \$82,056 (4170044) \$82,044	LAYOFF OF 2 FTES WILL INHIBIT THE BOARD'S ABILITY TO EFFECTIVELY COMPLETE STATUTORILY REQUIRED ASSESSMENTS BY THE PRESCRIBED DEADLINE OF DECEMBER 1, 2026 (ORS 163A.100). WORK WOULD BE SHIFTED TO OTHER STAFF, RESULTING IN ADDITIONAL DELAYS.	GF - \$164,100	3 REDUCTION IN STAFF WILL INHIBIT THE BOARD'S ABILITY TO COMPLETE CERTAIN STATUTORY DUTIES AND CONTINUE SOME ASSESSMENTS, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i>

## 10% BUDGET REDUCTION

<p>4 LAYOFF 1 OF 2 BOARD HEARINGS OFFICER HEARINGS OFFICER (4170040)</p>	<p>LAYOFF OF THIS POSITION WILL REDUCE ABILITY TO HOLD HEARINGS BY ONE HALF.</p>	<p>GF - \$120,948</p>	<p>4 REDUCE ABILITY TO HOLD HEARINGS TO REMOVE LOW RISK OFFENDERS FROM REGISTRY. THE BOARD'S SECOND SEX OFFENDER NOTIFICATION LEVEL HEARINGS OFFICER WOULD HAVE TO ATTEMPT TO COVER FOR THIS POSITION LOSS, RESULTING IN SIGNIFICANT HEARINGS DELAYS. REDUCTION IN STAFF WILL INHIBIT THE BOARD'S ABILITY TO COMPLETE CERTAIN STATUTORY DUTIES AND CONTINUE SOME ASSESSMENTS, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
<p>5 LAYOFF ADMINISTRATIVE SPECIALIST AS1 (4170042)</p>	<p>REDUCTION OF 1 FTE. WILL REMOVE EFFICIENCIES AND INCREASE WORKLOAD ON OTHER STAFF, SUCH AS ACCOUNTS PAYABLE. THE BOARD WILL STRUGGLE TO RESPOND TO PUBLIC RECORDS REQUESTS IN A LAWFUL MANNER UNDER ORS 192.314. ADMINISTRATIVE TASKS WILL BE CONDUCTED BY BOARD MEMBERS, MANAGERS, AND OTHER STAFF MEMBERS. RESPONSE TO PUBLIC REQUESTS AND INQUIRIES WILL BE DELAYED. FOR PEOPLE ON PAROLE AND POST-PRISON SUPERVISION, PEOPLE DISCHARGING FROM SUPERVISION, PEOPLE WHO NEED THEIR SUPERVISION TO BE ACTIVATED, AND PEOPLE REQUESTING OUT-OF-STATE TRAVEL AND ABILITY TO BE INFORMANTS, COMMUNICATION WILL BE DELAYED AND CONDUCTED BY MANAGERS OR BOARD MEMBERS.</p>	<p>GF - \$ 90,024</p>	<p>5 REDUCTION OF POSITION WILL INHIBIT THE BOARD'S ABILITY TO COMPLY WITH STATUTORY DUTIES AND DEADLINES, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>

**10% BUDGET REDUCTION**

<p align="center">6 LAYOFF HEARINGS COORDINATOR AS2 (4000015)</p>	<p>LAYOFF OF THIS POSITION WILL REDUCE ABILITY TO HOLD HEARINGS AND TRANSFER DUTIES TO OTHER STAFF.</p>	<p align="center">GF - \$97,140</p>	<p align="center">6</p> <p>REDUCE ABILITY TO HOLD HEARINGS TO REMOVE LOW RISK OFFENDERS FROM REGISTRY. THE BOARD WILL NOT BE ABLE TO FULFILL ITS STATUTORY DUTIES UNDER ORS 163A.125 TO HOLD SEX OFFENDER RELIEF FROM REGISTRATION HEARINGS OR RECLASSIFICATION OF NOTIFICATION LEVEL HEARINGS. THE WORK OF THIS POSITION WOULD GO TO A HEARINGS OFFICER OR ASSESSMENT SPECIALIST WHICH WILL RESULT IN DELAYS IN PROCESSING ASSESSMENTS OF SEX OFFENDERS AND THE SCHEDULING OF HEARINGS IN A TIMELY MANNER. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
<p align="center">7 REDUCE TO HALF TIME VICTIMS' SPECIALIST AS 2 (4000008)</p>	<p>REDUCTION OF THIS POSITION TO .5 FTE WILL REDUCE THE BOARD'S ABILITY TO PROMPTLY RESPOND TO VICTIMS AND ADEQUATELY REPRESENT THEM AT HEARINGS.</p>	<p align="center">GF - \$44,364</p>	<p align="center">7</p> <p>REDUCTION OF POSITION WILL PRODUCE REDUCED RESPONSE TIME TO CUSTOMERS AND STAKEHOLDERS AND WILL AFFECT OTHER PROGRAM ACTIVITIES DUE TO INCREASING WORKLOADS, BUT IT WILL NOT CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
<p align="center">8 LAYOFF SANCTIONS SPECIALIST AS 2 (4000023)</p>	<p>LAYOFF OF THIS POSITION WILL CAUSE SANCTIONS TO GO DIRECTLY TO BOARD MEMBERS WITHOUT FILTERING OR VETTING AND CAUSE A WORK OVERLOAD</p>	<p align="center">GF - \$99,000</p>	<p align="center">8</p> <p>ELIMINATE ABILITY TO SCREEN SANCTION REQUESTS AND ROUTE TO APPROPRIATE STAFF MEMBER. REMOVES CORE FUNCTION OF BOARD. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>



**10% BUDGET REDUCTION**

<p align="center">9 LAYOFF 2<sup>ND</sup> OF 2 BOARD HEARINGS OFFICER HEARINGS OFFICER (4170041)</p>	<p>LAYOFF OF THIS POSITION WILL ELIMINATE ABILITY TO HOLD HEARINGS TO REMOVE LOW RISK SEX OFFENDERS FROM REGISTRY AND HEARINGS TO REDUCE RISK LEVEL OF CERTIN OFFENDERS.</p>	<p align="center">GF - \$120,948</p>	<p align="center">9</p> <p>ELIMINATE ABILITY TO HOLD HEARINGS TO REMOVE LOW RISK OFFENDERS FROM REGISTRY AND FAIL TO COMPLY WITH STATUTORY REQUIREMENTS. THE BOARD WILL NOT BE ABLE TO FULFILL ITS STATUTORY DUTIES UNDER ORS 163A.125 TO HOLD HEARINGS TO RELIEVE REGISTRANTS OF THEIR OBLIGATION TO REGISTER AS SEX OFFENDERS OR RECLASSIFY THEIR NOTIFICATION LEVEL. THE LEGISLATURE CREATED TWO POSITIONS TO CONDUCT HEARINGS FOR OREGON'S 30,000+ SEX OFFENDERS BY 2026 FOR PETITIONERS WHO APPLY FOR RELIEF OR RECLASSIFICATION HEARINGS UNDER ORS 163A.125. THE BOARD WOULD BE DELAYED IN PROCESSING THE REVIEW OF REGISTRANTS' OBJECTIONS TO THEIR SEX OFFENDER NOTIFICATION LEVELS UNDER ORS 163A.101(7) TO THE POINT WHERE WE WOULD BE UNABLE TO MEET THE LEGISLATED 2026 DEADLINE. THE CURRENT SEX OFFENDER REGISTRY WOULD REMAIN AT MORE THAN 30,000 INDIVIDUALS FOR THE FORESEEABLE FUTURE AND MAY INCREASE THE OREGON STATE POLICE'S COSTS TO MAINTAIN THE REGISTRY. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
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**10% BUDGET REDUCTION**

<p align="center">10 LAYOFF 3<sup>RD</sup> AND 4<sup>TH</sup> OF 4 POSITIONS BOARD ASSESSMENT SPECIALISTS AS2s (4150036) \$106,968 (4150035) \$106,932</p>	<p>LAYOFF OF 2 FTES WILL CEASE THE BOARD'S ABILITY TO COMPLETE STATUTORILY REQUIRED ASSESSMENTS (ORS 163A.100).</p>	<p align="center">GF - \$164,100</p>	<p align="center">10 REDUCTION ELIMINATES ALL ASSESSMENT SPECIALISTS WHICH WILL STOP THE BOARD'S ABILITY TO COMPLETE STATUTORY DUTIES AND WILL CEASE PROGRAM ACTIVITIES. <i>(NO LEGISLATIVE CONCEPT HAS BEEN FILED)</i></p>
	TOTAL:	\$1,075,728	
	10 % GOAL:	\$1,070,054	
	RESULTS OF REDUCTIONS:	\$5,674 OVER GOAL	

## APPENDIX B

### Results of Agency Audits

- No audits conducted this biennium

## APPENDIX C

### Recent Budget Changes

Budget Constraints led to difficult decisions for the Board as staff layoffs were made in 2020.

In 2021-23, the Board faces some challenges, including:

- Conducting more risk assessments of existing sex offenders than new offenders per month
- Conducting increasing number of hearings and hiring of additional hearings officer
- Purchasing system for electronic records
- Restarting cancelled contracts
- Increasing referrals to contracted doctors for risk assessments of alternative populations of sex offenders
- Conducting maintenance and expansion of Board's proprietary computer system, PBMIS
- Rehiring of laid-off staff

## APPENDIX D

### Proposed Technology and Capital Construction Projects

- None

# APPENDIX E

## Program Prioritization

### PROGRAM PRIORITIZATION FOR 2021-23

### Board of Parole & Post-Prison Supervision

*Vision: A Safe & Just Oregon*

Agency Name: Board of Parole & Post-Prison Supervision																			Agency Number: 25500			
2021-23 Biennium																						
Program 1																						
Program/Division Priorities for 2021-23 Biennium																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL OF	FF	NL FF	TOTAL FUNDS	Pos.	FTE	How or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO Only)	Comments on Proposed Changes to CSL included in Agency Request		
Agcy	Prgrm/Div																					
25500	P1.D1	BOPPPS	Authority	Parole Release and Community Supervision	1,2,3,4,5,6,8	5	\$2,004,884						\$ 2,004,884	7.0	7.00	N	Y	S	ORS 144		(100) Position Reclassifications; (101) Facilities Management	
25500	P1.D2	BOPPPS	Legal	Response to Legal Action and Review	7,8	5	\$541,861						\$ 541,861	1.8	1.80	N	Y	S	ORS 144		(100) Position Reclassifications; (101) Facilities Management	
25500	P1.D3	BOPPPS	Support	Policies, Rules, Operations	1,2,3,4,5,6,7,8	5	\$3,589,984						\$ 3,589,984	9.2	9.20	N	Y	S	ORS 144, ORS 163A.100		(100) Position Reclassifications; (101) Facilities Management	
25500	P1.D4	BOPPPS	Authority	Sex Offender Risk Assessments	3, 8	5	\$4,551,630						\$ 4,551,630	7	7.00	N	Y	S	ORS 163A.100		(100) Position Reclassifications; (101) Facilities Management; (102) Professional Services	
													\$ 12,184									
													\$ -									
													\$ -									
													\$ 10,700,543	25	25.00							

Within each Program/Division area, prioritize each Budget Program Unit (Activities) by detail budget level in ORBITS

**7. Primary Purpose Program/Activity Exists**

- 1 Civil Justice
- 2 Community Development
- 3 Consumer Protection
- 4 Administrative Function
- 5 Criminal Justice
- 6 Economic Development
- 7 Education & Skill Development
- 8 Emergency Services
- 9 Environmental Protection
- 10 Public Health
- 11 Recreation, Heritage, or Cultural
- 12 Social Support

**19. Legal Requirement Code**

- C Constitutional
- D Debt Service
- FM Federal - Mandatory
- FO Federal - Optional (once you choose to participate, certain requirements exist)
- S Statutory

**Document criteria used to prioritize activities:**

We support a safe and just Oregon by protecting citizens' rights and promoting positive offender change while maintaining accountability. Through engagement of partners, development of efficient policies, and respect for diversity, our strong, valued workforce strives for a better future for our state.

**\*Please Note** The Board of Parole & Post-Prison Supervision is one Program, which has been divided into four (4) Divisions. Changes to any one Division would result in changes to the others, as well. FTE, professional services, and operating costs are interlinked and shared across Divisions.

107BF23

## APPENDIX F

### Ending Balance Other Funds 2021-23

**Parole & Post Prison Supervision, State Board of**

**Agency Number: 25500**

Detail Revenues & Expenditures - Requested Budget

Version: J - 01 - Agency GB Working

2021-23 Biennium

Cross Reference Number: 25500-000-00-00-00000

Parole & Post Prison Supervision, State Bd of

Description	2021-23 Base Budget	2021-23 Current Service Level	2021-23 Agency GB Working
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**BEGINNING BALANCE**

**0025 Beginning Balance**

3400 Other Funds Ltd	35,637	35,637	35,637
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**0030 Beginning Balance Adjustment**

3400 Other Funds Ltd	(7,301)	(7,301)	(7,301)
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**TOTAL BEGINNING BALANCE**

3400 Other Funds Ltd	28,336	28,336	28,336
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BDV002A - Detail Revenues & Expenditures - Requested Budget BDV002A

## APPENDIX G

### Contact Info

Oregon Board of Parole & Post-Prison Supervision

1321 Tandem Ave NE  
Salem, Oregon 97301  
(503) 945-9009

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**New Board offices at:  
1321 Tandem Ave NE, Salem Oregon**



