

**HB 5039 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Rep. Grayber

**Joint Committee On Ways and Means**

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**Action Date:** 06/04/21

**Action:** Do pass with amendments. (Printed A-Eng.)

**House Vote**

**Yeas:** 11 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Smith G, Sollman, Stark

**Senate Vote**

**Yeas:** 12 - Anderson, Frederick, Girod, Golden, Gorsek, Hansell, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen

**Prepared By:** Michelle Lisper, Department of Administrative Services

**Reviewed By:** Julie Neburka, Legislative Fiscal Office

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**Oregon Youth Authority  
2021-23**

## **Budget Summary\***

	2019-21	2021 - 23	2021-23	Committee Change from 2019-21	
	Legislatively Approved Budget <sup>(1)</sup>	Current Service Level	Committee Recommendation	Leg. Approved	
				\$ Change	% Change
General Fund	\$ 316,938,321	\$ 347,575,678	\$ 347,732,946	\$ 30,794,625	9.7%
General Fund Capital Improvements	\$ 1,594,075	\$ 1,662,707	\$ 1,662,707	\$ 68,632	4.3%
General Fund Debt Service	\$ 11,153,998	\$ 15,206,863	\$ 15,206,863	\$ 4,052,865	36.3%
Other Funds Limited	\$ 11,295,339	\$ 7,239,492	\$ 7,239,492	\$ (4,055,847)	-35.9%
Other Funds Debt Service	\$ 408,100	\$ -	\$ -	\$ (408,100)	-100.0%
Federal Funds Limited	\$ 36,674,284	\$ 35,198,939	\$ 36,918,677	\$ 244,393	0.7%
Total	\$ 378,064,117	\$ 406,883,679	\$ 408,760,685	\$ 30,696,568	8.1%

## **Position Summary**

Authorized Positions	1,008	992	1,001	-7
Full-time Equivalent (FTE) positions	980.88	964.38	971.66	-9.22

<sup>(1)</sup> Includes adjustments through January 2021

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The Oregon Youth Authority (OYA) is funded primarily with General Fund. For the 2021-23 biennium, \$364.6 million General Fund makes up 89.2% of the recommended budget. Federal Funds make up 9% of the Department's revenues and Other Funds account for the remaining 1.8%. Federal Funds come primarily from Title XIX Medicaid funding for targeted case management, administration, and Behavioral Rehabilitation Services. Other Funds are primarily from benefits available to youth, such as child support or Social Security payments, and USDA School Nutrition program funds transferred from the Department of Education.

## **Summary of Public Safety Subcommittee Action**

OYA serves youth ages 12 through 24 who have committed serious delinquent or criminal conduct prior to their 18<sup>th</sup> birthday. As the state's juvenile corrections agency, OYA operates close custody beds and youth transition camps. The Department also manages the state's juvenile parole and probation programs; contracts for foster care, residential treatment and specialized treatment programs for adjudicated youth; and distributes funds to county juvenile departments. While in the care and custody of OYA, youth receive evidence-based treatment and education programs designed to address the factors contributing to their behavior.

The Subcommittee recommended a budget of \$408,760,685 total funds comprised of \$364,602,516 General Fund, \$7,239,492 Other Funds expenditure limitation, \$36,918,677 Federal Funds expenditure limitation, and 1,001 positions (971.66 FTE). The General Fund budget is 10.6% more than the 2019-21 legislatively approved budget.

### **Facility Program**

The Facility Program operates close custody facilities around the state and is responsible for the custody and care of youth who have committed serious delinquent or criminal conduct prior to their 18<sup>th</sup> birthday. OYA currently operates five close custody facilities and four transitional camp facilities. Each facility is managed locally by a superintendent or camp director with oversight and support provided by OYA's program support services. These facilities provide youth with "bed and board," crime-specific treatment and youth development services, classroom education, vocational training, job opportunities, recreation, medical, dental, psychiatric, and psychological care. These services are provided by OYA employees and through contracts with community professionals, local school districts, or education service districts.

The Subcommittee recommended a budget of \$185,176,739 General Fund, \$4,793,800 Other Funds expenditure limitation, and 725 positions (697.63 FTE). The approved budget funds the fully-staffed operation of 26 living units in the Agency's nine close custody and transitional camp facilities. The built capacity of these living units could house a maximum of 585 youth but the April 2021 10-year OYA population forecast and current average daily population of about 425 youth allows the Agency to achieve its administratively-established population management plan for housing between 16-20 youth per living unit. Youth offender population changes and the future availability of resources may require a different level of service, e.g., an increase in the number of youth per living unit, than funded for the 2021-23 biennium. The Subcommittee approved the following budget note:

#### **BUDGET NOTE**

**Small Living Unit Outcomes.** The 2021-23 budget for the Oregon Youth Authority fully funds a close custody system forecast to house fewer youth than it has in the past. The improved youth-to-staff ratio in close custody living units is anticipated to increase safety, decrease victimization, and provide more opportunities for staff engagement with youth. The agency is directed to identify three metrics for measuring the benefits that will accrue to youth in close custody from smaller living units, and to report back to the Legislature by February 15, 2022 on the proposed metrics, anticipated outcomes, and a timeline for providing regular progress reports to the Legislature.

The recommended budget includes the following packages:

**Package 102, Diversity, Equity and Inclusion.** This package provides \$214,466 General Fund and one permanent full-time position (0.88 FTE) for a conflict resolution specialist to support facility staff members in conflict resolution and mediation skills and in gang intervention strategies. This is one of six new positions agency-wide providing support services to advance OYA's diversity, equity, and inclusion priorities.

Package 107, Sexual Offense Treatment Services. This package provides \$675,391 General Fund and three permanent full-time Sex Offense Treatment Board (SOTB) certified sex offense treatment coordinator positions (2.25 FTE) for OYA's close custody facilities. The positions will provide ongoing supervision of the qualified mental health professionals (QMHPs) currently providing sex offense treatment in OYA facilities and will provide sex offense treatment at those facilities without a board-certified treatment provider. This package also funds the training and SOTB Associate certification of seven eligible agency QMHPs and funds a 5% pay differential for eligible SOTB-certified QMHPs.

### **Community Programs**

The Community Programs Division provides case management for all juvenile offenders under state supervision, operates probation and parole offices throughout the state, contracts for community residential treatment, provides funding assistance for county juvenile justice services, and provides grants to counties for youth gang services. The Department uses residential and foster care services for youth who cannot remain in their homes due to safety concerns and treatment needs. These programs mitigate risk to communities by providing behavioral interventions in supervised and structured environments. The Subcommittee recommended the following budget note related to county funding:

#### **BUDGET NOTE**

**County Funding Outcomes.** The Oregon Youth Authority funds county juvenile crime prevention and diversion programs that provide juvenile justice services and sanctions at the local level and divert youth from OYA close custody. To provide assurance that this funding supports the state's goals and objectives for the provision of juvenile justice services, the Oregon Youth Authority is directed to report to the Joint Committee on Ways and Means on its juvenile crime prevention and diversion funding programs. This report shall provide a detailed description of local juvenile diversion programs, and shall specifically identify the criteria for funding awards, including expected deliverables and outcomes; a means of assuring equitable service delivery at the local level; and the method used by the agency to ensure funding objectives are met. The report may also include recommendations on ways in which performance metrics and compliance might create contractual incentives, affect future allocations if metrics are not met, or inform a funding allocation formula that includes criteria other than population.

This information shall be reported to the Public Safety Subcommittee of the Joint Committee on Ways and Means no later than February 15, 2022, with an additional report to the subcommittee no later than March 15, 2023 on county juvenile crime prevention and diversion program outcomes during the 2022 fiscal year.

The Subcommittee recommended a budget of \$104,877,795 General Fund, \$2,362,828 Other Funds expenditure limitation, \$34,932,231 Federal Funds expenditure limitation, and 139 positions (137.88 FTE). The recommended budget includes the following packages:

Package 087, August 2020 Special Session. This package eliminates \$2,090,520 General Fund, which was the ongoing funding for the East Multnomah Gang Enforcement Team, from OYA's 2021-23 budget. This action was taken in SB 5723 during the August 2020 special session.

Package 115, BRS – OWI Rate Methodology Update. This package provides \$2,351,305 General Fund and \$1,689,771 Federal Funds expenditure limitation to update the Behavioral Rehabilitation Services (BRS) rate table to reflect Oregon Wage Information (OWI) as of the start of the 2021-23 biennium. This rate table is used to determine the reimbursement rates to community BRS providers for various levels of service provided to the youth in state custody who are receiving BRS services.

Package 801, LFO Analyst Adjustments. This package reduces General Fund for community residential treatment beds by \$2,000,000 or approximately 10 of the 338 community residential treatment beds funded at the current service level. This reduction brings the Agency's budget for this service more closely in line with both actual and forecasted usage. The Subcommittee approved the following budget note related to the use of community residential treatment beds:

#### **BUDGET NOTE**

**Community Residential Treatment Program Utilization Review.** The Oregon Youth Authority's use of community residential treatment beds for justice-involved youth has consistently declined since 2015, from an average daily population of 420 in July 2015 to a pandemic-related low of 237 in February 2021. The agency is directed to report to the Joint Committee on Ways and Means during the 2022 legislative session on its use of this resource. The report shall include an evaluation of whether and how predictive models successfully place youth in the treatment program most likely to result in successful completion, ways in which runaways and parole revocations might be reduced, and on efforts underway to support a greater diversity of community treatment providers. This information shall be reported to the Public Safety Subcommittee of the Joint Committee on Ways and Means no later than February 15, 2022.

#### **Program Support**

Program Support includes the Director's Office, Business Services, and Development Services. The Director's Office provides overall leadership, strategic planning, communications, program direction, research, rule-making, and policy development. Business Services provides accounting, payroll, purchasing, budgeting, contracting, human resources, physical plant, risk management, and information technology services. Development Services ensures youth have the full range of services and supports they need to develop into productive, crime-free individuals, and includes the Office of Behavioral Health and Treatment Services, Education and Vocation, Family Engagement, Inclusion and Intercultural Relations, Juvenile Justice Information System Business Integration, the Training Academy, and implementation of the Youth Reformation System and Positive Human Development.

The Subcommittee recommended a budget of \$57,678,412 General Fund, \$82,864 Other Funds expenditure limitation, \$1,986,446 Federal Funds expenditure limitation, and 137 positions (136.15 FTE). The recommended budget includes the following packages:

Package 099, Microsoft 365 Consolidation. This package reduces \$687,010 General Fund and \$24,033 Federal Funds expenditure limitation for the Microsoft 365 consolidation within the Office of the State Information Officer at the E5 level of service. This cost is built into the State

Government Service Charge for every agency as a cost increase for the 2021-23 biennium. This package makes a corresponding reduction to the agency base budget in an amount equivalent to what agencies should be paying in the current 2019-21 biennium for Microsoft 365 at the E3 level of service.

Package 102, Diversity Equity and Inclusion. This package provides \$969,596 General Fund, \$28,671 Federal Funds expenditure limitation, and five permanent full-time positions (4.15 FTE) to advance OYA's diversity, equity and inclusion (DEI) priorities and supports the following:

- Four positions to develop culturally specific programs and services for Hispanic, African American, Asian/Pacific Islander and LGBTQ youth,
- One position to support the Agency's tattoo removal program,
- Contracted services for therapy specific to gender identity, and
- Travel and training supplies to reimburse advisory committee members for travel and supplies related to advisory committee membership.

Package 105, DAS State Data Center. This package provides \$540,557 General Fund and \$18,910 Federal Funds expenditure limitation to cover the shortfall in OYA's State Government Services charges for the State Data Center. OYA was required to move its IT infrastructure into the State Data Center in 2018. Initial estimates for cost and usage requirements proved too low to support operations. This package provides funding for planned State Data Center usage charges for 2021-23 and re-sets the base budget for this service going forward.

Package 106, DAS State Government Service Charges. This package provides \$183,483 General Fund and \$6,419 Federal Funds expenditure limitation for OYA's usage-based State Government Service Charges for Financial Business Services purchased from the Department of Administrative Services. These services include use of the state Datamart and the State Financial Management System. It provides funding for planned Financial Business Services usage charges for 2021-23 and re-sets the base budget for this service going forward.

### **Debt Service**

Debt Service is the obligation to repay the principal and interest costs of Certificates of Participation and Article XI-Q bonds issued to finance OYA's capital construction and deferred maintenance needs. The Subcommittee recommended a budget of \$15,206,863 General Fund.

### **Capital Improvements**

Capital Improvements include projects valued at less than \$1.0 million providing for land acquisition, construction of structures, improvements, or additions to existing structures. The buildings operated by OYA provide secure residential spaces for youth offenders and house education, vocational training, and recreation programs, as well as administrative and support services. The Subcommittee recommended a budget of \$1,662,707 General Fund.

**Summary of Performance Measure Action**

See attached Legislatively Adopted 2021-23 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**Oregon Youth Authority**  
**Michelle Lisper - 971-283-6360**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2019-21 Legislatively Approved Budget at Jan. 2021*	\$ 329,686,394	\$ -	\$ 11,703,439	\$ -	\$ 36,674,284	\$ -	378,064,117	1,008	980.88
2021-23 Current Service Level (CSL)*	\$ 364,445,248	\$ -	\$ 7,239,492	\$ -	\$ 35,198,939	\$ -	406,883,679	992	964.38
<b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>									
<b>SCR 415-10 - Facilities</b>									
Package 102: Diversity, Equity and Inclusion.									
Personal Services	\$ 188,673	\$ -	\$ -	\$ -	\$ -	\$ -	188,673	1	0.88
Services and Supplies	\$ 25,793	\$ -	\$ -	\$ -	\$ -	\$ -	25,793		
Package 107: Sexual Offense Treatment Services									
Personal Services	\$ 588,356	\$ -	\$ -	\$ -	\$ -	\$ -	588,356	3	2.25
Services and Supplies	\$ 87,035	\$ -	\$ -	\$ -	\$ -	\$ -	87,035		
<b>SCR 415-20 - Community Support</b>									
Package 087: August 2020 Special Session									
Special Payments - 6020 Dist. To Counties	\$ (2,090,520)	\$ -	\$ -	\$ -	\$ -	\$ -	(2,090,520)		
Package 115: OWI Rate Methodology Update									
Special Payments - 6085 Other Special Payments	\$ 2,351,305	\$ -	\$ -	\$ -	\$ 1,689,771	\$ -	4,041,076		
Package 801: LFO Analyst Adjustment									
Special Payments - 6995 Spc Prmts LFO Analyst Adjustments	\$ (2,000,000)	\$ -	\$ -	\$ -	\$ -	\$ -	(2,000,000)		
<b>SCR 415-30 - Program Support</b>									
Package 099: Microsoft 365 Consolidation									
Services and Supplies	\$ (687,010)	\$ -	\$ -	\$ -	\$ (24,033)	\$ -	(711,043)		
Package 102: Diversity, Equity and Inclusion									
Personal Services	\$ 656,664	\$ -	\$ -	\$ -	\$ 22,973	\$ -	679,637	5	4.15
Services and Supplies	\$ 312,932	\$ -	\$ -	\$ -	\$ 5,698	\$ -	318,630		
Package 105: DAS State Data Center									
Services and Supplies	\$ 540,557	\$ -	\$ -	\$ -	\$ 18,910	\$ -	559,467		
Package 106: DAS State Government Service Charges									
Services and Supplies	\$ 183,483	\$ -	\$ -	\$ -	\$ 6,419	\$ -	189,902		
TOTAL ADJUSTMENTS	\$ 157,268	\$ -	\$ -	\$ -	\$ 1,719,738	\$ -	1,877,006	9.00	7.28
SUBCOMMITTEE RECOMMENDATION *	\$ 364,602,516	\$ -	\$ 7,239,492	\$ -	\$ 36,918,677	\$ -	408,760,685	1,001	971.66
% Change from 2019-21 Leg Approved Budget	10.6%	0.0%	-38.1%	0.0%	0.7%	0.0%	8.1%	-0.7%	-0.9%
% Change from 2021-23 Current Service Level	0.0%	0.0%	0.0%	0.0%	4.9%	0.0%	0.5%	0.9%	0.8%

\*Excludes Capital Construction Expenditures



# Legislatively Approved 2021 - 2023 Key Performance Measures

Published: 5/31/2021 1:40:25 PM

Agency: Youth Authority, Oregon

**Mission Statement:**

OYA's mission is to protect the public and reduce crime by holding youth offenders accountable and providing opportunities for reformation in safe environments.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. ESCAPES - Number of escapes per fiscal year.		Approved	4	5	5
2. RUNAWAYS - Number of runaways from provider supervision (including youth on home visit status) per fiscal year.		Approved	238	255	255
3. YOUTH TO YOUTH INJURIES - Number of injuries to youth by other youth per fiscal year.	a) Facility	Approved	23	25	25
	b) Field		0	2	2
4. STAFF TO YOUTH INJURIES - Number of injuries to youth by staff per fiscal year.	a) Facilities	Approved	1	3	3
	b) Field		0	0	0
5. SUICIDAL BEHAVIOR - Number of youth with serious suicidal behavior, including attempts, during the fiscal year.	a) Facility	Approved	2	10	10
	b) Field		1	1	1
6. INTAKE ASSESSMENTS - Percent of youth who received an OYA Risk/Needs Assessment (OYA/RNA) within 30 days of commitment or admission.		Approved	83.20%	90%	90%
7. CASE MANAGEMENT - Percent of close-custody and community youth with active case plans that are up-to-date	a) Close-custody population	Approved	81.70%	90%	90%
	b) Community population		69.30%	90%	90%
8. EDUCATIONAL SERVICES - Percent of youth committed to OYA for more than 60 days whose records indicate that they received the education programming prescribed by their OYA case plan.		Approved	90.70%	95%	95%
9. COMMUNITY REENTRY SERVICES - Percent of youth released from close custody during the fiscal year who are receiving transition services per criminogenic risk and needs (domains) identified in OYA case plan.		Approved	90.60%	92%	92%
10. SCHOOL AND WORK ENGAGEMENT - Percent of youth living in OYA Family Foster Care, independently or at home (on OYA parole/probation) who are engaged in school, work, or both within 30 days of placement.		Approved	72.50%	75%	75%
11. RESTITUTION PAID - Percent of restitution paid on restitution orders closed during the fiscal year.		Approved	34.30%	50%	50%
12. PAROLE RECIDIVISM - Percent of youth paroled from an OYA close custody facility during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) at 36 months.		Approved	30.40%	30%	30%
13. PROBATION RECIDIVISM - Percent of youth committed to OYA for probation during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) at 36 months.		Approved	23.30%	19.50%	19.50%

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
14a. CUSTOMER SERVICE - Percent of OYA's youth and families (customers) who report positive service experiences with OYA as assessed through the lens of Positive Human Development: Community Youth - Independent or Living at Home.	a) Safety & Security: Physical	Approved	88.50%	80%	80%
	b) Safety and Security: Emotional		74.70%	80%	80%
	c) Caring and Supportive Relationships		79.30%	80%	80%
	d) High Expectations and Accountability		80.50%	80%	80%
	e) Meaningful Participation		63.20%	80%	80%
	f) Community Connection		85.10%	80%	80%
14b. CUSTOMER SERVICE - Percent of OYA's youth and families (customers) who report positive service experiences with OYA as assessed through the lens of Positive Human Development: Community Youth - Residential Placement	a) Safety and Security: Physical	Approved	84.50%	80%	80%
	b) Safety and Security: Emotional		77.30%	80%	80%
	c) Caring and Supportive Relationships		79.10%	80%	80%
	d) High Expectations and Accountability		83%	80%	80%
	e) Meaningful Participation		68.10%	80%	80%
	f) Community Connection		82.30%	80%	80%
14c. CUSTOMER SERVICE - Percent of OYA's youth and families (customers) who report positive service experiences with OYA as assessed through the lens of Positive Human Development: Close-Custody Youth	a) Safety & Security: Physical	Approved	86.70%	80%	80%
	b) Safety and Security: Emotional		60.30%	80%	80%
	c) Caring and Supportive Relationships		55.60%	80%	80%
	d) High Expectations and Accountability		57.70%	80%	80%
	e) Meaningful Participation		54.90%	80%	80%
	f) Community Connection		76.80%	80%	80%
14d. CUSTOMER SERVICE - Percent of OYA's youth and families (customers) who report positive service experiences with OYA as assessed through the lens of Positive Human Development: Families.	a) Safety & Security: Physical	Approved	81%	80%	80%
	b) Safety and Security: Emotional		80.40%	80%	80%
	c) Caring and Supportive Relationships		64.30%	80%	80%
	d) High Expectations and Accountability		79.20%	80%	80%
	e) Meaningful Participation		67%	80%	80%
	f) Community Connection		74.80%	80%	80%

**LFO Recommendation:**

The Legislative Fiscal Office recommends approval of the key performance measures and targets as presented.

**SubCommittee Action:**

The Subcommittee discussed its wish to see the targets for KPMs #1-5 changed to "zero," as there is no desirable number of escapes, injuries, expressions of suicidal behavior, or assaults to youth or staff. Otherwise, KPMs and targets were approved as presented.