



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

SB 841: Environmental Crimes and Cultural Resources Enforcement Unit

Background:

The Environmental Crimes and Cultural Resources Enforcement Unit (ECEU) of the Oregon Department of Justice was created in December of 2009, during John Kroger's tenure as Attorney General. This is a small unit that currently consists of two Assistant Attorneys General (AAGs), one paralegal and one investigator.

ECEU engages in a broad range of environmental work (air and water pollution, hazardous waste, fish and wildlife offenses, pesticides) as well as assists in protecting cultural resources (damaged, looted or destroyed archaeological sites, artifacts, and other objects of cultural significance). This work is primarily criminal in nature and can involve AAGs becoming deputized to handle specific cases in a particular county or an AAG providing specialized assistance to district attorneys statewide upon request.

In addition, the Attorney in Charge (AIC) of this unit is involved in many education and outreach issues throughout the state. This involves:

- Training and educating our state agency partners and law enforcement personnel regarding applicable laws and options for achieving compliance with lesser levels of enforcement;
- Assistance with development of new legislation to improve upon existing enforcement authority or develop new authority and mechanisms;
- Educating the court and/or the public about the realistic outcome of a criminal prosecution; and
- Participation in monthly multi-agency enforcement taskforce meetings with the Oregon Department of Environmental Quality, the Oregon Department of Agriculture, and the US Environmental Protection Agency, as well as other state and federal partners, the Cultural Resources Cluster, and the Governor's Task Force on Tribal Cultural Items.

Problem:

For many years, the work of the ECEU was funded through DOJ's Protection and Education Account (P&E). The P&E is a self-sustaining revolving account that funds the categories of work set forth in ORS 180.095, including but not limited to consumer protection and antitrust matters. The P&E receives no General Fund resources as all income is self-generated through case work and settlements. In the August 2020 legislative special session, ECEU was removed from P&E funding, leaving this work without a funding source.

Solution:

Personnel in DOJ's Environmental Crimes and Cultural Resources Unit provide a valuable resource in protecting and preserving the environment for the benefit of all Oregonians and in helping preserve Oregon's cultural heritage. Now that DOJ is unable to fund the ECREU work through the P&E, an allocation of General Fund dollars will be the most efficient method to fund a continuation of this important work. SB 841 provides a vehicle for this funding and would allow ECREU to maintain its current staffing level.

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