

# 2025-2027 DOJ REFERENCE MATERIAL

Department of Justice budget information can be located at:

<https://www.doj.state.or.us/oregon-department-of-justice/about-the-oregon-department-of-justice/oregon-department-of-justice-budget/?hilite=25-27+budget>

## PROGRAM DESCRIPTIONS

The primary programs of the Department of Justice (the “Department” or “DOJ”) correspond to the Department’s divisions:

### CRIMINAL JUSTICE DIVISION

The Criminal Justice Division represents the state in criminal prosecutions at the request of a district attorney or the governor. The Division advises district attorneys and their staff on complex criminal law issues and provides training to both prosecutors and law enforcement officers across the state. The Division also facilitates information sharing among law enforcement agencies, and investigates internet crimes committed against children, allegations of criminal misconduct by public officials, white-collar crimes, and organized criminal enterprises.

### APPELLATE DIVISION

The Appellate Division represents the state's interests in all civil, criminal and administrative cases before state and federal appellate courts. The Division works with attorneys and staff in the Trial Division to handle the trial work for collateral challenges to capital convictions. The Division also prepares and defends ballot titles and provides advice and training to district attorneys prosecuting criminal cases.

### DEFENSE OF CRIMINAL CONVICTIONS

The Defense of Criminal Convictions (DCC) program is a budget unit containing General Fund moneys. Appellate and Trial Division personnel bill their time to this budget unit for their work on the defense of criminal convictions on direct appeal, in post-conviction review in the state trial and appellate courts, and in federal habeas corpus review in the federal trial and appellate courts.

### CRIME VICTIM AND SURVIVOR SERVICES DIVISION

The Crime Victim and Survivor Services Division provides a variety of services to victims and victim service providers including (among others) compensation for crime-related expenses, support of prosecutor-based Victim Assistance Programs and nonprofit victims services programs and assisting with victims’ rights policy, enforcement, awareness and best practices statewide.

## **DIVISION OF CHILD SUPPORT**

The purpose of the Division of Child Support (DCS) is to enhance the well-being of children by assisting families with child-support matters through administration of Oregon's Title IV-D program, the Oregon Child Support Program. DCS accomplishes this by establishing paternity and child-support orders, and collecting, disbursing, enforcing, and modifying these orders for families who apply or are referred for child support services. This includes families who currently receive or have received public assistance, including Temporary Assistance to Needy Families (TANF) and public health assistance programs. DCS is responsible for statewide compliance with federal law. Under the umbrella of the Oregon Child Support Program, district attorneys in 19 counties assist DCS with child-support enforcement responsibilities for non-assistance cases in those counties.

## **CIVIL ENFORCEMENT DIVISION**

The Civil Enforcement Division is generally the Department's plaintiff's civil litigation arm but also enforces select criminal laws. The Division consists of five separate sections, each representing the state in seeking affirmative action or recovery of money. The Division provides essential services to the public, including: legal assistance to the Division of Child Support in the establishment and enforcement of child support orders; legal representation of the Department of Human Services Child Welfare Program to help protect abused and neglected children; regulation and oversight of all charities; enforcement of consumer protection laws; investigation and prosecution of Medicaid fraud; and taking legal action to recover or protect the state's interest in money, real or personal property.

## **TRIAL DIVISION**

The Trial Division serves the state in a number of ways. It defends the state, its agencies, officers, employees and agents in civil matters filed in state and federal court. It represents the state in post-conviction and habeas corpus actions to uphold convictions gained by district attorneys in criminal matters. It defends the constitutionality of laws passed by the legislature or adopted by voters. It represents the Oregon Department of Transportation in condemnation actions needed to make roads safer for all Oregonians. It enforces environmental laws to protect Oregon's natural resources for the benefit of all Oregonians. And, it partners with other Divisions within DOJ and other state agencies to implement ways to reduce exposure to, and costs of, claims and litigation.

## **GENERAL COUNSEL DIVISION**

The General Counsel Division helps state agencies operate their programs within established laws and legal guidelines. The Division assigns contact counsel who provide client training and legal services that respond to the varied legal needs of state agencies, boards, and commissions. The legal services include preventative legal advice, representation in contested case hearings, and contract drafting and review.

## **OFFICE OF THE ATTORNEY GENERAL**

The Attorney General's Office (AGO), led by the Attorney General, is the central "hub" of the Oregon Department of Justice's efforts on behalf of the state. All major policy and legal decisions pass through the AGO for approval. In addition, the office handles legislative and policy issues, constituent issues, oversees the operations of the Department, and houses the Director of Civil Rights and Social Justice.

## **ADMINISTRATIVE SERVICES DIVISION**

The Administrative Services Division provides expert financial management, innovative IT solutions, safe and healthy workplaces, responsible asset and procurement management, and attracts and nurtures top talent.

### **DESCRIPTION OF HOW RECENT CHANGES TO AGENCY BUDGET AND/OR MANAGEMENT FLEXIBILITY AFFECTED AGENCY OPERATIONS**

The higher costs have been a combination of unexpectedly large increases in support costs from our vendors due to inflationary factors, in addition to pursuing appropriate system applications and storage space to support proper logging and retention of security and event logs to meet state and federal security and compliance retention requirements and to maintain the ongoing functionality of cross-agency systems. In 2023, Cisco increased DOJ's licensing and support costs from \$935,967.28 to \$1,227,552.70, an increase of approximately 31%. DOJ's current understanding from conversations with vendors is future increases are expected to be more in line with inflation, as well as potential increases resulting from tariffs being implemented. As we pursue increased infrastructure maturity, we'll need to establish ongoing monitoring and management processes to ensure optimal performance, security, and compliance within the Azure GCC platform and perform an end-to-end review of security, compliance, and configuration needs.

DOJ's flexibility on remote work has benefitted our efforts to recruit and retain top talent. We learned during the COVID-19 pandemic that most of our work can be done remotely, and we redesigned processes to make much of our work paperless, thereby increasing our ability to have attorneys and team members work remotely. As a result, although some employees choose to come into the office, this flexibility likely has allowed us to recruit or retain several high-performing attorneys and team members who live outside the Willamette Valley.

The results of the Equal Pay Analysis raised salaries of approximately 373 employees one or more pay steps without commensurate funding to support the budget increase. The impact to the current biennium budget from Phase 1 is more than \$5M. Workload levels did not allow management the flexibility to mitigate the budget impact through any vacancy savings. And, if the Phase 2 salary adjustments (and Phase 1 appeals) that will go into effect in the 2025-27 biennium are not funded for the 2025-27 biennium, the negative budget and operational impact will have a compounding effect on top of the Phase 1 impact.

An ongoing budget impact trend is that starting salaries for new hires, due to pay equity analysis, are higher than the step 3 the position is budgeted.

## **DESCRIPTION OF WORKFORCE CHALLENGES, INCLUDE IN THE IMPACT TO AGENCY OPERATIONS AND SERVICES AND ADDITIONAL COSTS INCURRED (E.G., OVERTIME, CONTRACTED STAFFING)**

DOJ's HR team has maintained compliance in many areas, despite the increased level of oversight required and the lack of additional staff to support increased workload. During the 23-25 biennium the legislature approved an additional Human Resources Analyst 2 position (HR Data Analyst and Project Coordinator). This position has been instrumental in ensuring the agency has an adequate reporting structure in place to help us attain the 90% goal related to performance accountability and feedback expectations. In addition, this new role has allowed us to meet Governor Kotek's expectations for onboarding and new employee orientation. Unfortunately, one FTE is not enough to handle the increased workload related to these new expectations, and it is not enough to maintain the level of support needed to handle the increased agency staffing levels, volume, scope, and complexity of HR and Payroll work in general. Other workload increases are related to the increased scope and complexity of workplace investigations and a significant increase to protected medical leave cases, Americans with Disabilities Act (ADA) Accommodation requests, and the implementation of Paid Leave Oregon and resulting workload increase.

The work of the Trial Division covers a wide range of legal issues and all sections have seen significant growth in both case numbers and case complexity in recent biennia. The reason for case numbers increasing are varied, but appear to be due to at least six major factors: (1) a rise in pending cases due to the manner in which courts dealt with civil cases during the pandemic; (2) a change in law and practice in the area of state habeas corpus litigation, making those cases both more common and also more complex; (3) competing demands for an increasingly limited supply of water resources; (4) an increase in condemnation actions as ODOT increases its work throughout the state; (5) changes in the law governing post-conviction litigation, allowing long-standing final convictions and sentences to be challenged anew; and (6) an increase in companies and individuals choosing to challenge agency orders under the Oregon Administrative Procedures Act. Additionally, the rise in case cost and complexity can be explained, in part, by the Department of Administrative Services resolving many smaller matters, so that the complex cases are the ones that can only be resolved through litigation. The end result is that the lawsuits received at Trial Division are of higher dollar value and greater complexity than was ever the case in the past. Due to all of these factors, the volume of incoming cases in the past biennium has outpaced the staff resources available to handle the work and resulted in the need to send cases to outside firms. In the last two years, the Trial Division's lack of resources required cases to be sent out to outside firms, designated as Special Assistant Attorneys General (SAAGs), at a current – and ongoing - cost of more than \$3.7 million. The fees and costs associated with a SAAG handling litigation are typically greater than costs to handle the case in house; at times, the state is charged nearly twice the amount DOJ lawyers and paralegals cost. If those cases had been maintained in house at DOJ, the costs of litigation would have been reduced by \$1,486,936.

## **AUDIT SUMMARIES**

### **SECRETARY OF STATE OR JOINT LEGISLATIVE AUDIT COMMITTEE**

**Audit Summaries**  
**Secretary of State (SOS) Audits Division**  
**2021-23**

**Secretary of State, July 2022**

The Secretary of State (SOS) Audits Division performed an annual audit of the State of Oregon’s financial statements and related footnote disclosures included in the Annual Comprehensive Financial Report (ACFR) which included audit work at the Department of Justice (and other state agencies) for the year ending June 30, 2021. There were no DOJ Audit Findings.

**Secretary of State, March 2023**

The Secretary of State (SOS) Audits Division performed an annual audit of the State of Oregon’s financial statements and related footnote disclosures included in the Annual Comprehensive Financial Report (ACFR) which included audit work at the Department of Justice (and other state agencies) for the year ending June 30, 2022. This audit identified one deficiency in internal controls and provided a recommendation to improve internal controls over lease entries. Partial corrective action has been taken in response to this recommendation, and final implementation will be completed by June 2025.

**Secretary of State, April 2024**

The Secretary of State (SOS) Audits Division performed an annual audit of the State of Oregon’s financial statements and related footnote disclosures included in the Annual Comprehensive Financial Report (ACFR) which included audit work at the Department of Justice (and other state agencies) for the year ending June 30, 2023. This audit identified one material weakness in internal controls and provided a recommendation to report settlement proceeds belonging to the State in a non-custodial fund. Corrective action has been completed in response to this recommendation, and internal controls have been implemented.

**MAJOR INFORMATION TECHNOLOGY PROJECTS & CAPITAL CONSTRUCTION PROJECTS**

- Legal Tools Program

The Legal Tools Program is a modernization initiative focused on delivering modern legal technology tools to the Department of Justice’s legal divisions and Crime Victim and Survivor Services Division. The Program will replace all the core legacy technology systems used across DOJ for case management and associated document management, timekeeping and billing management workflows, with a modern solution called JusticeNexus. The JusticeNexus solution will provide a unified user experience and improve data sharing, accuracy, productivity, data analytics, and reporting.

- Origin Framework Refactoring Project

The Origin Framework Refactoring Project replaces the end-of-life framework with a modern framework. The framework was inherited in a transfer of California’s system, resulting in temporary measures to maintain system security. This Project will resolve internal system security concerns and an IRS critical finding based on the transferred framework. The Project is currently on track to complete in December 2025.

- Capital Construction Projects

DOJ does not anticipate any Capital Constructions Projects in the 25-27 biennium.



# SUPERVISORY RATIO

## PROPOSED SUPERVISORY SPAN OF CONTROL REPORT

In accordance with the requirements of ORS 291.227, the Oregon Department of Justice presents this report to the Joint Ways and Means Committee regarding the agency's Proposed Maximum Supervisory Ratio for the 2025-2027 biennium.

### Average Supervisory Ratio 23-25 Biennium

The agency average supervisory ratio as of 3/31/24 is 1: 11.59

The agency approved supervisory ratio for the 23-25 biennium is 1:11.88

When determining an agency maximum supervisory ratio all agencies shall begin of a baseline supervisory ratio of 1:11 and based upon some or all of the following factors may adjust the ratio up or down to fit the needs of the agency.

← Narrow Span		Wide Span →	
High	<b>RISK TO PUBLIC/EMPLOYEE SAFETY</b>	Low	
Dispersed	<b>GEOGRAPHIC LOCATION(s) OF SUBORDINATES</b>	Assembled	
Complex	<b>COMPLEXITY OF DUTIES/MISSION</b>	Not complex	
Low	<b>BEST PRACTICES/INDUSTRY STANDARDS</b>	High	
Small	<b>AGENCY SIZE/HOURS OF OPERATION</b>	Large	
Many	<b>NON-AGENCY STAFF/TEMPORARY EMPLOYEES</b>	Few	
High	<b>FINANCIAL RESPONSIBILITY</b>	Low	
← More Supervisors		Fewer Supervisors →	

### **Is safety of the public or of State employees a factor to be considered in determining the agency maximum supervisory ratio?**

DOJ provides critical legal and programmatic services that play a crucial role in promoting public safety in Oregon. For example:

- The Appellate Division defends criminal convictions and sentences, including for some of the most dangerous offenders in the state. This Division also works on civil appeals that affect public safety, from the civil commitment of individuals who are a danger to others to the legality of gun-control laws.
- The Child Advocacy and Protection Division provides legal advice and court representation to the Oregon Department of Human Services (ODHS) to protect children from abuse and neglect and to support families, allowing children to grow up in safe and stable environments.
- The Criminal Justice employs prosecutors and sworn law enforcement officers who work with District Attorneys and law enforcement agencies to investigate and prosecute crimes. This Division also works to preventing the sexual
- exploitation of children on the internet through the Internet Crimes Against Children Task Force (ICAC).
- The Crime Victims & Survivor Services Division provides services including financial assistance to victims of violent
- crimes such as domestic violence, sexual assault, child abuse, robbery, assault, homicide, or other compensable crime that result in a physical or psychological injury. Additionally, this Division supports the Sanctuary Promise Hotline and the Bias Response Hotline.
- The Civil Enforcement Division handles a wide range of issues including consumer protection matters such as ensuring a safe and fair marketplace and assisting consumers with complaints; and investigating and prosecuting Medicaid fraud, which often includes harm to vulnerable citizens.
- The General Counsel Division supports state agencies in the public safety work by providing time-sensitive legal advice to a wide variety of agencies including ODHS, the Department of Corrections (ODOC), the Oregon Health Authority (OHA), the Oregon State Police (OSP) and others.

Because of the public safety implications of that work, all of it requires close supervisory attention. And all of those functions at times involve high-stakes emergency work, such as litigation over whether to release a dangerous person from custody or advice on what agencies may do during a public health crisis. The impact of DOJ's work on public safety supports the request for a downward adjustment in the maximum supervisory ratio from 1:11 to 1:10.

### **Is geographical location of the agency's employees a factor to be considered in determining the agency maximum supervisory ratio?**

DOJ employees work in 19 locations across the State of Oregon and provide services that touch all 36 counties. DOJ's largest offices are in the Willamette Valley/I-5 corridor – Portland, Salem, and Eugene. DOJ has smaller offices spread across the state in places such as Pendleton, Roseburg, Medford, Bend, Baker City, Vale, Coquille, and more, so that we can provide services more directly to the local communities. While many of these satellite offices are small, the technical nature of DOJ's work and its direct impact on the citizens of Oregon requires that each of these offices has appropriate management support to ensure consistency in quality of services and ongoing support for employees.

The statewide nature of DOJ's work and the need for consistency and quality across the state supports the request for a downward adjustment in the maximum supervisory ratio from 1:11 to 1:10.

### **Is the complexity of the agency's duties a factor to be considered in determining the agency maximum supervisory ratio?**

DOJ's mandate covers a broad range of highly technical issues including: providing legal representation to the state on an extensive array of issues, providing services such as compensation to victims of

crime and operating Oregon's Child Support Program, operating the Bias Incident Hotline, regulating charitable entities and ensuring online privacy, and supporting the state's District Attorneys through assistance with investigations and prosecutions. Some DOJ programs are critical to sustaining the state's receipt of Federal Funds, such as the investigation and prosecution of fraud in the Medicaid system. Ensuring that these disparate mandates are met effectively and efficiently demands a complex framework of activities that require consistent management oversight.

The legal work DOJ handles can have an enormous impact on state policy, may set statewide legal precedent, and affects the outcome of significant litigation involving the state. DOJ's legal work covers a wide range of legal issues, much of which is specialized and requires lawyers and staff with expertise in particular areas of the law. The required training and experience also differs depending on whether the work involves providing legal advice to state agencies, defending the state from lawsuits, representing the state as a plaintiff, or handling appeals. Because of the variety of cases and the important differences among them, as well as the need to ensure consistently high-quality work, DOJ's legal divisions have managers who specialize in each of the main areas of practice.

The broad and highly technical nature of DOJ's work supports the request for a downward adjustment in the maximum supervisory ratio from 1:11 to 1:10.

### **Is there industry best practices and standards that should be a factor when determining the agency maximum supervisory ratio? Y/N**

Comparable public safety agencies typically have supervisory ratios much lower than 1:11 and in fact lower than the 1:10 sought here. For instance, the optimal span of control for law enforcement is one supervisor to five subordinates (1:5), and two of Oregon's largest agencies, the Portland Police Bureau and Salem Police Department, operate with a ratio of one supervisor to eight subordinates (1:8). Similarly, a survey of 16 district attorney offices (including Oregon's three largest counties) indicates that supervisors in those offices typically manage around five deputy district attorneys (1:5). Further, a nationwide survey of Attorney General Offices indicates that those few offices who track supervisory ration have ratios of 1:10 or less (1:10 – Arkansas; 1:3 – Washington; 1:10 – Colorado).

### **Is size and hours of operation of the agency a factor to be considered in determining the agency maximum supervisory ratio? Y/N**

No

### **Is the financial scope and responsibility of the agency a factor to be considered in determining the agency maximum supervisory ratio?**

DOJ handles a wide range of high-stakes legal issues, many of which involve significant dollar values. DOJ's litigation includes routinely defending the state from multimillion dollar lawsuits (and less frequently multibillion-dollar lawsuits) as well as pursuing affirmative claims that bring in multiple millions of dollars to state programs each year. For example, DOJ's work resulted in a settlement of over \$600 million dollars in the recent Monsanto case and income to the state of over \$70m to-date in the opioid litigation. These funds are being used to support programs that benefit Oregonians. DOJ also enforces provisions of the Tobacco Master Settlement Agreement that result in income of approximately \$150m each biennium. Because of the significant financial stakes to the State of much of DOJ's work, it requires closer supervision than other State programs might demand.

DOJ also administers high-dollar-value programs that affect the lives of Oregonians each day. DOJ operates Oregon's Child Support Program. This program collects over \$1m each day and ensures that those funds are timely processed and sent to Oregon families. DOJ's Crime Victim and Survivor Services Division manages over \$50m in grants each year. These grants support programs providing services to victims/survivors of domestic violence, sexual assault, child abuse, and other crimes in a wide range of areas including safety planning, medical assessments, criminal justice advocacy, housing, etc. Each biennium, the Division also provides over \$10m in financial support to victims of crime.

The complexity of DOJ's budget, which has multiple fund types, also requires an unusual degree of supervision. For the 23-25 biennium DOJ's Budget is \$184M General Fund; \$488M Other Fund; \$215M Federal Funds for a total of \$888M. Unique to DOJ, the agency is responsible for establishing the statewide legal rate, which is the cost model for state agencies using DOJ legal services.

DOJ's budget is spread across numerous discrete programs, many of which have federal or other spending and reporting requirements that must be tracked and carefully managed by the Administrative Services Team. For example, DOJ receives General Fund for 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, ballot measure work, and as a state match for federal child support enforcement funds.

In addition to Other Funds generated by DOJ's Legal Rate, DOJ receives Other Funds allocations from the Criminal Fine Account (to support the Criminal Injuries Compensation Account), Child Abuse Multidisciplinary Intervention Account, Child Abuse Medical Assessment program, regional assessment centers, and the Master Tobacco Settlement Agreement fund. Other Funds revenue also comes from the Defense of Criminal Convictions account, registration and filing fees charged to charitable organizations, child support payments for families in the Temporary Assistance for Needy Families (TANF) program, and from federal performance incentives awarded to the Child Support program.



DOJ also receives significant Federal Funds that fund child support enforcement, Medicaid fraud investigations, crime victim programs, and criminal justice-related activities. Federal Funds are also used as matching funds passed through to district attorneys for completed child support work.

The financial scope and responsibility of DOJ's work supports the request for a downward adjustment in the maximum supervisory ratio from 1:11 to 1:10.

**Are there unique personnel needs of the agency, including the agency's use of volunteers or seasonal or temporary employees, or exercise of supervisory authority by agency supervisory employees over personnel who are not agency employees a factor to be considered in determining the agency maximum supervisory ratio?**

The legislature has authorized the Attorney General to employ Special Assistant Attorneys General (SAAG) when there is a need for legal work that cannot be handled within DOJ, frequently due to the specialized nature of the work or its large size. ORS 180.140(5). In any given year, DOJ will have multiple SAAG contracts open. The legal work of the SAAGs must be managed by DOJ supervisors to ensure consistency in legal positions and that the work aligns with the state's goal. Managing these SAAGs requires dedicated time that effectively increases the number of employees being supervised by the applicable DOJ manager or supervisor.

The need to manage the work of outside contractors supports the request for a downward adjustment in the maximum supervisory ratio from 1:11 to 1:10.

**Based upon the described factors above the agency proposes a Maximum Supervisory Ratio of 1:10.**

**Unions Requiring Notification:** SEIU, OAJA, CIA

Date unions notified: **August 21, 2024**

Submitted by: Jennifer Schaffner

Date: August 21, 2024

Signature Line Lisa M. Udland

Date August 21, 2024

# FINAL Agency Span of Control as of 09/30/24 @ 11:59:59 PM

	Agency Max Supervisory Ratio	Total # EEs on 09/30/24*	Total # Non-supervisory EEs on 09/30/24	÷	Total # Supervisory EEs on 09/30/24	Total # EEs not assigned a Representation on 09/30/24**	1	:	Adjusted Actual Ratio on 09/30/24	Actual Ratio	Comments
Bureau of Labor and Industries	(1:7)	210	183	÷	27	0	1	:	7	6.78	
Department of Administrative Services	(1:9)	1084	958	÷	108	0	1	:	9	8.85	
Department of Agriculture	(1:8)	689	637	÷	52	0	1	:	12	12.25	
Department of Consumer & Business Services	(1:11)	1031	935	÷	96	0	1	:	10	9.74	
Department of Corrections	(1:11)	5312	4865	÷	447	0	1	:	11	10.88	
Department of Early Learning and Care	(1:9)	364	326	÷	38	0	1	:	9	8.58	
Department of Energy	(1:7)	131	117	÷	14	0	1	:	8	8.36	
Department of Environmental Quality	(1:9)	943	863	÷	80	0	1	:	11	10.79	
Department of Fish and Wildlife	(1:6)	1455	1272	÷	183	0	1	:	7	6.95	
Department of Human Services	(1:8.47)	12440	11295	÷	1140	5	1	:	10	9.91	
Department of Justice	(1:11.88)	1623	1494	÷	129	0	1	:	12	11.58	
Department of Public Safety Standards and Training	(1:17.95)	424	404	÷	18	2	1	:	22	22.44	
Department of Revenue	(1:11)	1237	1131	÷	106	0	1	:	11	10.67	
Department of State Lands	(1:8)	143	127	÷	16	0	1	:	8	7.94	
Department of the State Fire Marshal	N/A	163	142	÷	20	1	1	:	7	7.10	Newly established agency in 23-25
Department of Transportation	(1:11)	5367	4922	÷	444	1	1	:	11	11.09	
Department of Veterans Affairs	(1:5.35)	113	96	÷	17	0	1	:	6	5.65	
Employment Department	(1:11)	2187	2003	÷	184	0	1	:	11	10.89	
Forestry Department	(1:7)	1564	1369	÷	194	1	1	:	7	7.06	
Higher Education Coordinating Commission	(1:7)	221	199	÷	22	0	1	:	9	9.05	
Land Conservation and Development Department	(1:8.5)	105	94	÷	11	0	1	:	9	8.55	
Office of the Governor	N/A	103	83	÷	20	0	1	:	4	4.15	No ratio on file; generally with less than 100 employees.
Oregon Business Development Department	(1:8)	232	208	÷	24	0	1	:	9	8.67	
Oregon Department of Education	(1:10)	928	837	÷	86	5	1	:	10	9.73	
Oregon Department of Emergency Management	(1:11)	157	141	÷	16	0	1	:	9	8.81	
Oregon Health Authority	(1:8.6)	6798	6164	÷	633	1	1	:	10	9.74	
Oregon Housing and Community Services	(1:7)	504	435	÷	69	0	1	:	6	6.30	
Oregon Liquor & Cannabis Commission	(1:11)	431	394	÷	37	0	1	:	11	10.65	
Oregon State Department of Police	(1:8)	1495	1352	÷	136	7	1	:	10	9.94	
Oregon Youth Authority	(1:9)	1049	948	÷	101	0	1	:	9	9.39	
Parks and Recreation Department	(1:8)	929	838	÷	91	0	1	:	9	9.21	
Public Employees Retirement System	(1:11)	443	406	÷	37	0	1	:	11	10.97	
Public Utility Commission	(1:5)	147	125	÷	22	0	1	:	6	5.68	
State of Oregon Military Department	(1:10)	515	469	÷	46	0	1	:	10	10.20	
Water Resources Department	(1:8)	256	227	÷	29	0	1	:	8	7.83	

\* This total number includes positions which were flagged by Workday as NOT having a Repr code assigned. Each position was reviewed and assigned to a supervisory or non supervisory category.

\*\* These numbers are showing up in Workday as not having a Repr code assigned. They were reallocated to a supervisory or non-supervisory category and folded into the Total on column C.

Ratio within Maximum supervisory ratio

Ratio not within Maximum supervisory ratio

No current ratio on file with CHRO

Report Name: HCM | Span of Control Counts by Company (Company or Supervisory Organization Selection)

## Reduction Options

### REQUIRED REDUCTIONS (ORS 291.216)

The following tables describe the 10 percent reduction options as required by ORS 291.216. These options are provided to help decision makers identify possible reduction alternatives. Each program area is shown separately.

2023-25 Modified Current Service Level*	Total Funds	General Fund	Other Funds	Federal Funds
Department of Justice	\$734,143,304	\$146,435,022	\$421,812,825	\$165,895,457
10% Reduction	\$73,414,331	\$14,643,502	\$42,181,283	\$16,589,546

\*Includes Pkg. #070 Revenue Shortfalls and excludes Debt Service.

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## DIVISION OF CHILD SUPPORT

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2019-21 and 2021-23.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Division of Child Support</u></b></p> <p><b><u>SCR 160-00-00-00000</u></b></p> <p><b><u>(Oregon Child Support Program)</u></b></p>	<p><b><u>1<sup>st</sup> 5% Reductions</u></b></p> <p>The Division comprises five Detailed Cross References (DCRs). Because the Oregon Child Support Program is a single federal Title IV-D program, each DCR is an integral part of the others and any reduction will have an effect on the program as a whole. The description below applies to all DCRs.</p> <p>The Division will lose 36 positions. The positions eliminated are spread across classifications to minimize the impact to the overall Oregon Child Support Program performance and future collections for Oregon families.</p> <p>At this level, child support collections are reduced by \$29,637,072 during the 2023-25 biennium. The loss to families who are not on public assistance is \$29,637,072. Families receiving public assistance also lose \$196,281 in collections passed through to them in accordance with state and federal law. The recovery loss for other agencies (DHS Child Welfare) is \$341,064. The program loses \$1,111,464 in recoveries and the associated federal matching dollars of \$2,157,548 for a total loss to the program of \$3,269,012.</p> <p>The total caseload size does not decrease, so the caseload per FTE increases from 205 to 220. Managing the workload becomes more difficult and will cause the production of new orders to drop from 17,712 to 16,427, a reduction of 1,285 orders, as well as the production of modifications decreasing from 28,512 to 26,694 for a reduction of 1,818 modifications, decreasing services and collections for families.</p> <p>Reductions in DCR 160-05-00-00000 (technical-related positions) will impact the Division of Child Support's ability to maintain a secure automated system, to make necessary changes in the system required for policy changes, and will increase the need for vendor support for routine operations and maintenance tasks.</p>	<p>DCR 160-02-00-00000</p> <p>DCS Director's Office</p> <p>5% \$209,927 GF</p> <p>5% \$53,438 OF</p> <p>(Program Income)</p> <p>5% \$516,911 FF</p> <p>(66% federal match)</p> <p>DCR 160-03-00-00000</p> <p>DCS Field Operations</p> <p>5% \$1,345,653 GF</p> <p>5% \$592,299 OF</p> <p>(Program Income)</p> <p>5% \$3,516,862 FF</p> <p>(66% federal match)</p> <p>DCR 160-04-00-00000</p> <p>DCS Business Services</p> <p>5% \$445,761 GF</p> <p>5% \$226,734 OF</p> <p>(Program Income)</p> <p>5% \$995,787 FF</p> <p>(66% federal match)</p>	

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<b><u>Division of Child Support (Cont.)</u></b>	<p>Operating payments to the county DA offices will be reduced by \$1,276,250. These payments are a combination of state general fund dollars and pass-through federal funds (matching and incentives) that the Division of Child Support will be unable to distribute to the DA offices for child support program operational expenses. These cuts are in addition to any reductions in county general funds and federal timber revenue that many counties are already experiencing.</p> <p>Sustained over time, the cuts will result in performance decline, failure to meet federal performance measures, loss in federal incentive dollars, increased risk of federal penalties for failure to meet performance benchmarks, and risk of compliance issues with the federally required state plan.</p> <p>160-02: 2023-25: 3 Pos / 3.48 FTE    2025-27: 3 Pos / 3.48 FTE  160-03: 2023-25: 24 Pos / 24.00 FTE    2025-27: 24 Pos / 24.00 FTE  160-04: 2023-25: 6 Pos / 6.00 FTE    2025-27: 6 Pos / 6.00 FTE  160-05: 2023-25: 3 Pos / 3.50 FTE    2025-27: 3 Pos / 3.50 FTE  160-06: N/A</p> <p><b><u>Total</u></b>  160-00: 2023-25: 36 Pos / 36.98 FTE    2025-27: 36 Pos / 36.98 FTE</p>	<p>DCR 160-05-00-00000  DCS Technical Services  5% \$464,958 GF  5% \$106,113 OF  (Program Income)  5% \$1,047,176 FF  (66% federal match)</p> <p>DCR 160-06-00-00000  DCS DA Subrecipient  5% \$135,092 GF  5% \$218,993 OF  (Program Income)  5% \$922,165 FF  (66% federal match)</p> <p>SCR 160-00-00-00000  5% \$2,601,391 GF  5% \$1,197,577 OF  (Program Income)  5% \$6,998,901 FF  (66% federal match)</p>	

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<u>Division of Child Support (Cont.)</u>	<p><b><u>2<sup>nd</sup> 5% Reductions</u></b></p> <p>In addition to the 5 percent losses, the Division will lose another 28 positions. Although the eliminated positions are spread across classifications to minimize the overall impact to the Oregon Child Support Program, staffing cuts of this magnitude would result in the closure of one state child support office and a reduction in service levels provided in centralized functions, including case intake and creation, locating participants or assets, special collection activities, and payment processing and distribution.</p> <p>At this level, in addition to the previous reductions, child support collections are reduced by \$21,226,241 during the 2021-23 biennium. The loss to families who are not on public assistance is \$21,226,241. Families receiving public assistance also lose \$104,446 in assigned collections passed through to them. The recovery loss for other agencies (DHS Child Welfare, Oregon Youth Authority, and Oregon Health Authority) is an additional \$227,963. The program loses an additional \$670,885 in recoveries and the associated federal matching dollars of \$1,302,305, for a total loss to the program of \$1,973,190.</p> <p>The total caseload size does not decrease, so the caseload per FTE increases from 242 to 255. Managing the workload becomes more difficult and will cause the production of new orders to drop from 2,288 to 2,172, a reduction of 116 orders, as well as the production of modifications decreasing from 3,842 to 3,611, for a reduction of 231 modifications, decreasing services and collections for families.</p> <p>Operating payments to the county DA offices will be reduced by \$1,228,146. These are a combination of state general fund dollars and pass-through federal funds (matching and incentives) that the Division of Child Support will be unable to distribute to the DA offices for child support program operation expenses. These cuts are in addition to any reductions in county general funds, and federal timber revenue that many counties are already experiencing.</p>	<p>DCR 160-02-00-00000</p> <p>DCS Director's Office</p> <p>5% \$168,570 GF</p> <p>5% \$52,682 OF (Program Income)</p> <p>5% \$437,224 FF (66% federal match)</p> <p>DCR 160-03-00-00000</p> <p>DCS Field Operations</p> <p>5% \$1,013,362 GF</p> <p>5% \$558,738 OF (Program Income)</p> <p>5% \$2,943,603 FF (66% federal match)</p> <p>DCR 160-04-00-00000</p> <p>DCS Business Services</p> <p>5% \$375,818 GF</p> <p>5% \$220,047 OF (Program Income)</p> <p>5% \$897,372 FF (66% federal match)</p>	

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<b><u>Division of Child Support (Cont.)</u></b>	<p>Sustained over time, the cuts will result in significant performance decline, failure to meet federal performance measures, loss in federal incentive dollars, federal penalties for failure to meet performance benchmarks, and failure to comply with the federally required state plan.</p> <p>160-02: 2021-23: 2 Pos / 2.40 FTE    2023-25: 2 Pos / 2.40 FTE  160-03: 2021-23: 18 Pos / 18.00 FTE    2023-25: 18 Pos / 18.00 FTE  160-04: 2021-23: 6 Pos / 6.00 FTE    2023-25: 6 Pos / 6.00 FTE  160-05: 2021-23: 2 Pos / 2.50 FTE    2023-25: 2 Pos / 2.50 FTE  160-06: N/A</p> <p><b><u>Total</u></b>  160-00: 2021-23: 28 Pos / 28.90 FTE    2023-25: 28 Pos / 28.90 FTE</p> <p><b><u>Cumulative DCR Total</u></b>  160-02: 2021-23: 5 Pos / 5.40 FTE    2023-25: 5 Pos / 5.40 FTE  160-03: 2021-23: 39 Pos / 39.00 FTE    2023-25: 39 Pos / 39.00 FTE  160-04: 2021-23: 12 Pos / 12.00 FTE    2023-25: 12 Pos / 12.00 FTE  160-05: 2021-23: 5 Pos / 5.50 FTE    2023-25: 5 Pos / 5.50 FTE  160-06: N/A</p> <p><b><u>Cumulative SCR Total</u></b>  160-00: 2021-23: 61 Pos / 61.90 FTE    2023-25: 61 Pos / 61.90 FTE</p>	<p>DCR 160-05-00-00000  DCS Technical Services  5% \$354,441 GF  5% \$99,478 OF  (Program Income)  5% \$848,339 FF  (66% federal match)  DCR 160-06-00-00000  DCS DA Subrecipient  5% \$129,647 GF  5% \$210,166 OF  (Program Income)  5% \$896,038 FF  (66% federal match)  SCR 160-00-00-00000 5%  5% \$2,041,838 GF  5% \$1,141,111 OF  (Program Income)  5% \$6,022,576 FF  (66% federal match)  SCR 160-00-00-00000 10%  10% \$4,083,677 GF  10% \$2,282,221 OF  (Program Income)  10% \$12,045,151 FF  (66% federal match)</p>	

## CIVIL ENFORCEMENT DIVISION

<p><u>Civil Enforcement Division</u></p> <p><b>Charities and Gaming Fund (Charitable Activities Section)</b></p>	<p>Reduce Charitable Activities Section Other Funds funding. This would eliminate the Gaming Section. The Charitable Activities Section work in this area is intended to exclude the criminal element from this form of legalized gambling, ensure that organizations operating the games are limited to bona fide, nonprofit, tax-exempt entities, ensure that profits are devoted to the program mission of the organization and not “skimmed” by employees or others, and provide oversight to ensure that the games are operated fairly and that licensees are observing all laws so that none unfairly obtains a competitive advantage. Elimination of the licensing and enforcement program will result in unregulated gambling, as it existed prior to 1988, when abuses were prevalent and criminal prosecution was the only attempt at deterrence.</p>	<p>5% \$394,904 OF</p>	
<p><b>Protection &amp; Education Fund (Financial Fraud/Consumer Protection Section)</b></p>	<p><b>1<sup>st</sup> 5% reduction</b> 1 positions / 1.80 FTE would be reduced.</p> <p>2023-25: 1 Pos/1.80 FTE    2025-27: 1 Pos/1.80 FTE</p> <p>2<sup>nd</sup> 5% reduction, an additional 0 positions / 0.95 FTE would be reduced.</p> <p>2023-25: 0 Pos/0.95 FTE    2025-27: 0 Pos/0.95 FTE</p> <p>Reduce Financial Fraud Consumer Protection Section Other Funds. This reduction would cause a decrease in staffing for the state's consumer protection efforts, including but not limited to reducing the section's education, outreach, investigation and prosecution. Reductions to the Protection and Education Fund (P&amp;E) include reduced Attorney General limitation due to Civil Legal and Financial Fraud/Consumer Protection attorneys that bill to P&amp;E being reduced.</p>	<p>5% \$394,904 OF</p>	





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<b><u>Civil Enforcement Division (Cont.)</u></b>			
<b>Civil Legal Fund Child Advocacy</b>	<p>Reduce Child Advocacy Section Other Funds with a corresponding reduction in attorney and support staff. This section protects children through daily court appearances in juvenile dependency hearings, termination of parental rights cases, and by providing legal services and advice to DHS Child Welfare on their legal obligations under state and federal law impacting federal funding. This reduction would put vulnerable children at risk of injury or death if they were forced to remain in an abusive family situation because of a lack of DOJ staffing or could have a fiscal impact to the state should DHS lose federal funding.</p> <p>1st 5% reduction, 14 positions / 13.85 FTE would be reduced.</p> <p>2023-25: 14 Pos/13.85 FTE    2025-27: 14 Pos/13.85 FTE</p> <p>2nd 5% reduction, an additional 12 positions / 12.70 FTE would be reduced.</p> <p>2023-25: 12 Pos/12.70 FTE    2025-27: 12 Pos/12.70 FTE</p>	<p>5% \$3,674,278 OF</p> <p>5% \$3,674,278 OF</p>	
<b>Civil Legal Fund Civil Recovery (Includes Civil Recovery Section and a portion of Financial Fraud/Consumer Protection Section)</b>	<p>Reduce Civil Recovery Section Other Funds with a corresponding reduction in attorney and support staff. This would reduce the ability of section attorneys to provide legal services to DCS related to the collection of child support. This reduction in staffing would affect the state's poorest families by decreasing the amount of child support funds coming to them. It would increase the state's welfare payments to make up for the reduction</p> <p>1st 5% reduction, 4 positions / 4.70 FTE would be reduced.</p> <p>2023-25: 4 Pos/4.70 FTE    2025-27: 4 Pos/4.70 FTE</p> <p>2nd 5% reduction, an additional 4 positions / 4.35 FTE would be reduced.</p> <p>2023-25: 4 Pos/4.35 FTE    2025-27: 4 Pos/4.35 FTE</p>	<p>5% \$1,395,931 OF</p> <p>5% \$1,395,931 OF</p>	

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<p><b>Civil Enforcement Division (Cont.)</b></p>       <p><b>Medicaid Fraud Fund</b></p>	<p>The Medicaid Fraud Unit (MFU) operates on a federal matching grant basis: the federal government funds 75% of the costs of all MFU operations provided the state funds the remaining 25%.</p> <p>Reductions in OF/FF would force the following:</p> <ul style="list-style-type: none"> <li>• Reduced ability to investigate and prosecute Medicaid Fraud throughout Oregon.</li> <li>• Elimination of MFU training activities on health care fraud and on elder/dependent abuse issues for state and local government and law-enforcement groups, public interest groups, provider organizations and citizen groups.</li> <li>• Reductions in assistance to state agencies or participation in state committees/task forces on issues related to health care fraud and elder/dependent abuse.</li> </ul> <p>1<sup>st</sup> 5% reduction, 2 positions / 2.00 FTE would be eliminated</p> <p>2023-25: 2 Pos/2.00 FTE    2025-27: 2 Pos/2.00 FTE</p> <p>2<sup>nd</sup> 5% reduction, an additional 1 positions / 2.15 FTE would be reduced.</p> <p>2023-25: 1 Pos/2.15 FTE    2025-27: 1 Pos/2.15 FTE</p>	<p>5% \$98,927 OF 5% \$390,381 FF</p>       <p>5% \$98,927 OF 5% \$390,381 FF</p>	

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<p><b><u>Civil Enforcement Division (Cont.)</u></b></p> <p><b>Tobacco - NPM Fund / Diligent Defense of the Master Settlement Agreement (MSA)</b></p>	<p>Reduce Tobacco-NPM Other Funds funding. This would result in reduced staffing in the 6-person unit that protects the income of \$80 million per year for the State of Oregon from the Tobacco Master Settlement Agreement.</p> <p>1st 5% reduction, 0 positions / 0.45 FTE would be eliminated.</p> <p>2023-25: 0 Pos/0.45 FTE    2025-27: 0 Pos/0.45 FTE</p> <p>2nd 5% reduction, an additional 0.40 FTE would be eliminated.</p> <p>2023-25: 0 Pos/0.40 FTE    2025-27: 0 Pos/0.40 FTE</p>	<p>5% \$ 78,711 OF</p> <p>5% \$ 78,711 OF</p>	

## CRIMINAL JUSTICE DIVISION

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Criminal Justice Division</u></b></p> <p><b>District Attorney Assistance / Organized Crime Program/Analytical Criminal Information Support Section</b></p> <p><b>5% GF</b></p> <p><b>5% OF Legal</b></p>	<p>The first 5% reduction would have a significant negative impact on the Criminal Justice Division by substantially reducing the number of cases the Division could investigate and greatly increasing the amount of time it will take to conduct investigations. It would also reduce our ability to assist law enforcement around the state with analytical case support and real-time deconfliction. We would lose 0.75 Criminal Investigator, 1.0 FTE Investigator 3, 1.0 FTE Research Analyst 3, and 0.75 FTE Research Analyst 1 in the GF reduction. We would also and 1.0 FTE legal secretary from OF Legal. We bear primary responsibility for investigating allegations of criminal misconduct by public employees and elected officials in the state. Those investigations are critical to maintaining trust in government. The loss of a criminal investigator position would detrimentally impact our ability to conduct those types of investigations in a timely manner, which, ultimately, will result in less accountability for public officials and more disruption to local communities. The loss of a full-time legal secretary position to would mean it would take longer to provide discovery and to respond to public records requests. The Investigator 3 is the only investigator assigned to the Environmental Crimes and Cultural Resources unit. Losing that position would negatively impact our ability to investigate and pursue these important cases. Finally, the loss of a Research Analyst 3 and 0.75 FTE Research Analyst 1 would have a significant impact on our ability to provide crucial analytical case support, analysis and training that is essential to Oregon law enforcement. The 5% reduction would be a substantial loss for the Division and the state.</p> <p>2021-23: 5 Pos/4.5 FTE    2023-25: 5 Pos/4.5 FTE</p>	<p>5% \$1,071,270 GF</p> <p>5% \$191,013 OF Legal</p>	

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<p><b><u>Criminal Justice Division (Cont.)</u></b></p> <p><b>District Attorney Assistance / Organized Crime Program/Analytical Criminal Information Support Section</b></p> <p><b>10% GF</b></p> <p><b>10% OF Legal</b></p>	<p>A second 5% reduction would be devastating. With this cut, the Division would lose an attorney position, another Legal Secretary position, another 1.25 FTE criminal investigator positions, and another 0.50 FTE Research Analyst 1. In addition to the impacts above, the Division would significantly reduce the number and types of prosecutions it undertakes. The Division would not be able to provide prosecution support for many cases involving criminal misconduct by public officials, white-collar crimes, organized criminal activity, officer use of force, and homicides. The loss of the ability to investigate and prosecute those serious crimes would be detrimental to all of the counties, particularly the smaller counties that lack the investigative or prosecution resources for complex cases. It would also impact our ability to provide training and advice to prosecutors around the state. The impact on investigations would be the same. The loss of another legal secretary would cripple the Division's ability to timely provide discovery and process public records request, in addition to hindering prosecutions and investigations. The loss of another 0.50 FTE research analyst 1 would further limit our ability to provide information sharing services to Oregon law enforcement and public safety organizations. In particular, this would limit our ability to provide deconfliction services to law enforcement – a service that lets officers know when other investigations are being conducted in the same physical area. This is essential for safety.</p> <p>Additional: 2021-23: 4 Pos/3.75 FTE    2023-25: 4 Pos/3.75 FTE</p> <p>Total: 2021-23: 9 Pos/8.25 FTE    2023-25: 9 Pos/8.25 FTE</p>	<p>10% \$1,071,270 GF</p> <p>10% \$191,013 OF Legal</p>	

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<p><b><u>Criminal Justice Division (Cont.)</u></b></p> <p><b>District Attorney Assistance/ Organized Crime Program/Analytical Criminal Information Services Section</b>  <b>15% GF</b>  <b>15% OF Legal</b></p>	<p>A third 5% would drastically impact the division. With this cut, the Division would lose another 1.5 FTE attorney positions, another Research Analyst 3, and an Office Specialist 1. This would further exacerbate the negative impacts described above. The Division would have to further reduce the number and types of prosecutions it undertakes, including environmental crimes and election law cases. These cases involve specialized authority and legal ability not included in most district attorney offices. This would have a noticeable impact on the state's ability to prosecute these crimes. We would also greatly reduce the number of threat assessments we can provide relating to critical infrastructure, increasing risk to all Oregonians. Finally, without an office specialist 1, we could no longer be able to provide reception services for the building and division.</p> <p>Additional:  2021-23: 4 Pos/3.5 FTE    2023-25: 4 Pos/3.5 FTE</p> <p>Total:  2021-23: 12 Pos/11.75 FTE    2023-25: 12 Pos/11.75 FTE</p>	<p>15% \$1,071,270 GF  15% \$191,013 OF Legal</p>	

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<p><b><u>Criminal Justice Division (Cont.)</u></b></p> <p><b>District Attorney Assistance/ Organized Crime Program/Analytical Criminal Information Services Section</b>  <b>20% GF</b>  <b>20% OF Legal</b></p>	<p>A further 5% reduction, for a total 20% cut to the Division, would be crushing. We would lose another 1.25 FTE attorney and another legal secretary, for a total loss of 15 positions. We would be critically understaffed for providing case support and would be unable to assist in many instances. Law enforcement agencies and prosecutors come to the Division for our expertise and experience in complicated and serious cases for which there are little or no local resources. We provide support through both training and casework. With a 20% reduction to the Division, our ability to provide these essential resources would be severely limited. Additionally, the loss of another legal secretary would make it impossible to timely process records and cause other hindrances to prosecutions and investigations. Overall, with this level of reduction, our ability to provide our core functions for the state would be significantly curtailed.</p> <p>Additional:  2021-23: 3 Pos/2.25 FTE    2023-25: 3 Pos/2.25 FTE</p> <p>Total:  2021-23: 16 Pos/15.0 FTE    2023-25: 16 Pos/15.0 FTE</p>	<p>20% \$1,071,270 GF  20% \$191,013 OF Legal</p>	



# CRIME VICTIMS SERVICES DIVISION

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Crime Victim and Survivors Services Division</u></b></p> <p><b>Oregon Domestic and Sexual Violence Services Fund (ODSVS)</b></p> <p><b>Address Confidentiality Program (ACP)</b></p>	<p>1<sup>st</sup> 5% 2021-23: 10 Pos/10.00 FTE    2023-25: 10 Pos/10.00 FTE</p> <p>2<sup>nd</sup> 5% 2021-23: 15 Pos/18.00 FTE    2023-25: 15 Pos/18.00 FTE</p> <p>5% and 10% cuts to the allocation of ODSVS funds will reduce state funding that directly supports 56 non-profit and Tribal domestic and sexual violence programs throughout the state. These services are critical to providing victims of domestic and sexual violence with safety planning, shelter and supports for recovery in every county. Victims are primarily women and children, but services are provided for any victim.</p> <p>ODSVS funding also plays a critical role for grantees to be able to provide the required match funds for federal grant funding. This match is vital to maintaining the level of federal funds available to these programs.</p> <p>ODSVS funding emphasizes stabilizing programs to ensure support for fundamental core services. Any reduction here will be distributed among all grant recipients. ODSVS dollars are also the most flexible funding source for these programs; they allow organizations to pay for vital infrastructure costs not covered by other funding. As such, their loss would be particularly devastating and destabilizing. .</p> <p>A 5% reduction in GF will end the Address Confidentiality Program (ACP). The ACP is a critical part of a victim's safety planning. The Program is designed to prevent offenders from using state and local government records to locate their victims. We have over 1500 participants and process over 2000 pieces of mail each month.</p>	<p>1st 5% \$751,554    GF \$1,592,562 OF \$1,059,166 FF</p> <p>2<sup>nd</sup> 5% \$751,554    GF \$1,592,562 OF \$1,059,166 FF</p>	

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<b><u>Crime Victim and Survivor Services Division (Cont.)</u></b>			
<b>Crime Victims' Law Center</b>	The division is appropriated general fund to be passed through to the Crime Victims' Law Center.		
<b>Federal funds including Victim of Crime Act (VOCA) Assistance and Violence Against Women Act (VAWA) STOP and Sexual Assault Services Program (SASP) grants</b>	<p>The reduction would be taken across all victim services categories, within the portion of funds used for three year competitive grants. The total reduction would result in the loss of grant awards and subsequent positions/ services, many of which use this funding to augment underfunded core services to victims. The impact will be fewer victims of crime served throughout the state.</p> <p>Federal Funds support services across all types of victimization: child abuse, domestic violence, sexual violence, stalking, teen dating violence, underserved populations, and general assistance. Approximately 150 public and private non-profit agencies serving victims receive these funds including child abuse intervention centers, domestic and sexual violence service programs, prosecutors, law enforcement, prosecutor based victim assistance programs, courts and others.</p>		

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Crime Victim and Survivor Services Division (Cont.)</u></b></p> <p><b>Child Abuse Multidisciplinary Intervention Program</b></p>	<p>The Child Abuse Multidisciplinary Intervention (CAMI) Program is the sole source of state funding for the assessment, investigation, and prosecution of child abuse cases. A 5% reduction would adversely affect the already underfunded 36 county Multidisciplinary Child Abuse Intervention Teams (MDTs).</p> <p>MDTs are essential to the effective response to child abuse, and such a coordinated, multi-disciplinary response is considered best practice in child abuse intervention nationally. Each MDT is statutorily mandated to design a child abuse intervention plan for their county and create a budget to support that plan. Additionally, each MDT is required to draft and revise child abuse response protocols and conduct child abuse and child fatality case reviews to coordinate, evaluate, and improve child abuse intervention. Reductions will impede Oregon's ability to maintain this multidisciplinary response. Cuts to CAMI funding would result in duplication of efforts, inefficiency, and increased trauma to child victims because of decreased coordination among law enforcement, child welfare, physicians, forensic interviewers, and prosecutors in their response to child abuse cases.</p> <p>MDTs direct and distribute a large portion of their CAMI funds to Child Abuse Intervention Centers (CAICs) that provide direct services to child victims including medical examinations and forensic interviews. A decrease in funding means a reduction in the availability of assessment and investigation services for child victims throughout Oregon. Decreasing funding will reduce credible evidence available for use in the prosecution of child sexual and physical abuse offenders by reducing counties' ability to provide trained first responders, physicians, and forensic interviewers to timely and appropriately collect evidence.</p> <p>Lack of sufficient funding to pay medical providers leaves many communities dependent on volunteers to provide medical services to</p>		

<b>ACTIVITY OR PROGRAM</b> (which program or activity will not be undertaken)	<b>DESCRIBE REDUCTION</b> (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	<b>AMOUNT AND FUND TYPE</b> (GF, OF, FF. Identify revenue source for OF and FF)	<b>RANK &amp; JUSTIFICATION</b>
<p><b><u>Crime Victim and Survivor Services Division (Cont.)</u></b></p>          <p><b>CFA Funds to Prosecutor Based Victim Assistance Programs</b></p>	<p>child victims. Cuts to the CAMI Program would mean cuts to Law Enforcement and Prosecutors specializing in child abuse intervention.</p> <p>CAMI funding also provides the matching funds required to receive federal grant funding. Without this match, many grantees would not be able to receive federal funding.</p> <p>In addition to loss in coordinated response and direct services to child victims, available services provided by the five Regional Child Abuse Service Providers (RSPs) would be reduced. This would mean less availability of expertise in complex case consultations, peer review for forensic interviews and medical staff, referrals and technical assistance to MDTs throughout the state. Training required by the CAMI statute, provided by RSPs to county MDTs at no cost, would be cut.</p> <p>Prosecutor Based Victim Assistance Programs in all 36 counties would receive a proportionate reduction in funding. Services to victims of crime such as direct victim advocacy, referral to community services and navigation of the criminal justice system, all critical to a victim's recovery, would be compromised. These services are already underfunded due to county economic struggles and could result in the criminal justice system in some counties failing to meet the statutory and constitutional rights of victims. If this were to happen, there will be an increase in victims of crime seeking remedy in the courts when their rights are violated.</p>		

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Crime Victim and Survivor Services Division (Cont.)</u></b></p> <p><b>Crime Victims' Compensation Program (CVCP)</b></p>	<p>The Other Funds reduction in this category would result in a significant reduction of a 60% federal match provided annually through the Victims of Crime Act grant.</p> <p>Additional reductions will have the same effect as outlined above.</p> <p>The first 5% reduction to Other Funds (non CFA) would eliminate 1 FTE Claims Examiner and .75 FTE Revenue Agent. This loss would result in increased time processing claims and an increased delay in payment to victims. Longer processing time means victims wait longer to access services and risk being sent to collections for crime related costs. The loss of revenue positions means that the Division will not collect as much money from offenders and will not collect the money as efficiently. Overtime, this will reduce the money available to victims through the CVC program.</p> <p>2019-21: 1 Pos/1.75 FTE   2021-23: 1 Pos/1.75 FTE</p> <p>The 2<sup>nd</sup> 5% reduction to OF (non CFA) would eliminate the remaining .25 FTE of the Revenue Agent mentioned above, as well as another full FTE Claims Examiner. A loss of two full-time claims examiners would mean that 5000+ claims were being process by two claims examiners. Our KPM of determining all claims within 90 days would be impossible and our response time would double, at minimum, to six months.</p> <p>2019-21: 1 Pos/1.25 FTE   2021-23: 1 Pos/1.25 FTE</p>		

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<p><b><u>Crime Victim and Survivor Services Division (Cont.)</u></b></p> <p><b>Revenue Section</b></p>	<p>The 1st 5% reduction of Other Funds (non CFA) would reduce a Revenue Agent authorized in the 2010 legislative session to .5 FTE. This reduction would mean an actual loss of income to the Division and to the General Fund. For every dollar collected from offenders (as a result of court ordered restitution) for the Crime Victims Services Division (CVSD) by a Revenue Agent, 50% goes to the General Fund.</p> <p>The 2<sup>nd</sup> 5% reduction would eliminate the remaining one half Revenue Agent and reduce another by a quarter. This would leave the Division with less than one full-time revenue agent and this reduction would mean an actual loss of income to the Division and to the General Fund. For every dollar collected from offenders (as a result of court ordered restitution) for the Crime Victims Services Division (CVSD) by a Revenue Agent, 50% goes to the General Fund.</p> <p>2021-23: 1 Pos/0.75 FTE    2023-25: 1 Pos/0.75 FTE</p>		

# GENERAL COUNSEL DIVISION

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>General Counsel Division</u></b></p>	<p>The primary functions of the General Counsel Division include:</p> <ol style="list-style-type: none"> <li>1. Responding to agency requests for legal advice.</li> <li>2. Reviewing agency contracts and providing legal advice concerning agency business transactions.</li> <li>3. Representing agencies in selected areas of litigation, including representing the Department of Revenue in the Tax Court and the Magistrate Division of the Tax Court; representing medical, environmental, professional and other licensing and permitting boards, commissions and agencies in administrative hearings; and representing agencies in labor or employment disputes before arbitrators and mediators, the Employment Relations and the Employment Appeals Boards, and before other regulatory bodies.</li> <li>4. Providing training, including producing the Attorney General's Public Law Conference, for agencies in a variety of legal subject areas, including employment law, public contracting and procurement, public meetings and records, agency rulemaking and contested case procedures, state ethics law, and appropriate dispute resolution.</li> <li>5. Biennially updating publications for state agencies on Public Meetings and Public Records, Public Contracts, and Administrative Law.</li> </ol> <p>The General Counsel Division has no "programs" as such; the division's primary responsibility is to respond to requests from state agencies for legal advice and representation. In other words, for most of the division's work, a client agency has determined that its need for the requested legal service justifies the cost of that service.</p>		
<p><b>Reduce legal services available to state agencies from General Counsel</b></p> <p><b><u>General Counsel Division (Cont.)</u></b></p>	<p>Personnel costs account for approximately 83% of the division's current service level budget. Although the division will look first to non-personnel costs for any available savings, any significant reductions in the division budget necessarily will result in reductions in division attorneys and staff. Such reductions will negatively impact legal services provided by the division to state government.</p>		

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>General Counsel Division (Cont.)</u></b></p>	<p>In general, some work requested by state agencies will not be done and some work will be delayed. Priority will be given to requests for service 1) that impact public safety or welfare (for example, advice to Department of Corrections or representation of a medical licensing board in a license revocation proceeding); 2) that affect state revenue (for example, advice to Lottery related to new games and representation of Department of Revenue in the Tax Court); and 3) involving advice on issues having immediately apparent potential for significant state liability (for example, advice on significant employment matters and advice related to major contract disputes). In addition, the division is statutorily required to review certain contracts for legal sufficiency. That work also will be given priority. Training would be significantly curtailed, and the AG's Public Law Conference scheduled for Autumn 2021 would be substantially reduced in scope or canceled.</p> <p>A 10% reduction in division funding will require that additional classes of contracts be exempted from the legal review requirement. Lack of legal review increases the risk that the contract does not clearly express the intent of the parties or does not comply with procedural requirements, making contract disputes more likely.</p> <p>Contracts for transportation infrastructure construction and other economic development projects often are on expedited schedules, requiring immediate attention to legal issues. A 10% reduction in funding for the General Counsel Division may impair DOJ's capacity to timely prepare these contracts or could require use of outside counsel at two to three times the cost of division attorneys.</p> <p>Each 5% reduction requires a reduction of the following positions and FTE:</p> <p>1<sup>st</sup> 5% reduction:  2021-23: 14 Pos / 13.50 FTE      2023-25: 14 Pos / 13.50 FTE</p> <p>2<sup>nd</sup> 5% reduction:  2021-23: 10 Pos / 10.00 FTE      2023-25: 10 Pos / 10.00 FTE</p> <p>At this level of budget reduction division work increasingly would focus on litigation and on legal advice involving the most immediately critical public health and safety,</p>	<p>1<sup>st</sup> 5%: \$3,673,786 OF Legal</p> <p>2<sup>nd</sup> 5%: \$3,673,786 OF Legal</p>	



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	<p>state revenue and state liability issues. Litigation primarily would entail representation of the Department of Revenue in the Tax Court and Tax Magistrate Court, representation of agencies in administrative hearings involving employment and labor disputes, and appearance in administrative hearings involving professional licenses (for example, revocation of medical practitioner's licenses and actions involving nursing homes and child care facilities). Division attorneys would no longer appear in some hearings, based on risk assessment. Attorney unavailability for hearings would mean that some hearings would need to be delayed for many months before the hearing could occur, effectively delaying finalization of many decisions of licensing and regulatory agencies. In some cases, judges or administrative law judges may decline to delay hearings, raising the possibility of a default dismissal of the agency for non-appearance or requiring attorneys to appear with little or no preparation.</p> <p>Routine review of bond and loan documents, legislative concepts, and administrative rules, except where legal questions involving obvious high levels of substantial risk to the state are raised by an agency, would be eliminated. This will increase the likelihood that activities and transactions where the risk was less obvious will result in legal problems which might have been prevented or reduced by legal review. Legal review also operates as a check against fraud or abuse in the public contracting process; reducing or eliminating legal review will increase the opportunity for fraud or abuse.</p> <p>Consultation between attorneys in the division would be reduced, increasing the likelihood of inconsistent advice on legal issues. General Counsel litigation support for the Trial and Appellate Divisions would be substantially curtailed, increasing the possibility of otherwise avoidable problems in litigation.</p>		

**DEFENSE OF CRIMINAL CONVICTIONS PROGRAM (DCC)**

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ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Defense of Criminal Convictions</u></b></p> <p><b>Reduce Appellate and Trial staff available for work on direct appeals and collateral attacks on convictions.</b></p>	<p>The DCC Program is the funding source for both Appellate and Trial Division work on criminal cases.</p> <p>For the criminal trial, the District Attorney represents the state. Once a conviction is obtained, the DCC program represents the state in the subsequent proceedings. The challenges occur through direct appeal, post-conviction proceedings in state trial and appellate courts and federal habeas corpus proceedings in federal trial and appellate courts. Those convicted of crimes have constitutional and statutory rights to contest their convictions in each of these subsequent stages. The DCC caseload is driven primarily by the decisions of individuals convicted of crimes to contest their convictions and is not discretionary with the state.</p> <p>The obligatory nature of these cases as well as the importance and necessity of trying to uphold these criminal convictions led the legislature to designate the DCC caseload as a mandated caseload. The funding of the mandated caseload is based on two primary factors: our projections of how many cases we will have in each category in the coming biennium and our projections of the average cost per case.</p> <p>If the funding is inadequate to cover all of the work, we have three options. First, improve efficiency. Lawyers and management look for ways to reduce the time we spend on each case. We have taken a number of steps to bring down this cost and continue to search for more ways of increasing our efficiency. Lawyers are taking depositions only when absolutely necessary and with manager approval. Also, experts are retained to rebut the expert testimony provided by the petitioner only when absolutely necessary with manager approval. Attorneys are taking other cost cutting measures. However, with each cost cutting measure taken, the likelihood of a case being overturned increases.</p>		

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<b><u>Defense of Criminal Convictions (Cont.)</u></b>	<p>Second, seek postponement of cases to the next biennium. As the end of a biennium nears and the DCC fund is nearing exhaustion, lawyers work with the courts involved in the cases to delay the processing of the cases. While we have been able to do this successfully with the Oregon Court of Appeals, this is not a viable option for the Trial Division. Trial court judges in both state and federal courts look upon requests for a continuance with disfavor, particularly in cases where a person's liberty interests are at stake. In a recent federal habeas corpus matter, the court order noted that continuances will only be granted upon a showing of "good cause" and that "work load issues <u>do not</u> constitute good cause." (underscore in original).</p> <p>Additionally, even if this second option successful, it produces a fictitious savings for one biennium only by shifting those costs to a future biennium. As a result, these savings are merely deferred expenditures. Additionally, further delaying the briefing and resolution of cases beyond the current 210 days delay runs the very significant risk of the federal courts' determining that proceedings in the Oregon Court of Appeals take too long and intervening in state court proceedings. The third option is concession. In the event the remaining funds in the DCC fund are insufficient to cover the remaining work to be performed in a biennium, the State will have to concede a number of cases by failing to file an appearance. in a number of cases. If the State does not appear, the petitioner may prevail by entrance of a default judgment against the State resulting in a retrial, or in some cases a release of the once convicted adult in custody. This approach will present a significant burden upon the 36 County District Attorneys who then must retry the cases.</p>		

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<b><u>Defense of Criminal Convictions (Cont.)</u></b>	<p>Thus, any reductions in the program's budget would:</p> <ul style="list-style-type: none"> <li>• Reduce significantly the quality of the work produced, making it more likely that valid criminal convictions are erroneously overturned;</li> <li>• Impair victims' rights by preventing the State from advocating for those rights adequately;</li> <li>• Increase the work load of the appellate courts—especially the Court of Appeals; and</li> <li>• Lengthen the time it takes for appeals to be submitted to the appellate court and decided.</li> </ul> <p><b>Reductions</b></p> <p>For purposes of this exercise, the department forecasts the effects of five and ten percent budget reductions, respectively. As explained below, at either level the department would be forced to make significant cuts in the program.</p> <p><b>Effect of a 5% reduction</b></p> <p>A reduction at this level will require the Appellate Division waiving appearance in up to 120 appellate cases. Many more of the briefs that we do file would be substantially shorter (likely in “bullet” or “outline” form). These briefs would not provide as good a representation of the state's position, and they would not be of as much assistance to the courts as the Division's briefs currently are. This would mean more resources would have to be expended by the State's courts to conduct the legal research. If the case is remanded to the District Attorney and the prosecutor cannot re-</p>	5%: \$1,721,887 GF	

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<b><u>Defense of Criminal Convictions (Cont.)</u></b>	<p>try a case because of stale evidence or deceased or absent witnesses, the convicted criminal would be released. The cost of new trials will be borne by the District Attorney's office and fall primarily on counties.</p> <p>For the Trial Division, deferral is not a viable option in trial courts. A 5% reduction will result in the State not appearing in 34 cases per biennium that likely will result in the petitioner prevailing in each case.</p> <p>The reduction would curtail our ability to take State's appeals in criminal and post-conviction cases—appeals where the State lost in the trial court but the decision appears to be legally incorrect. This would force us to leave arguably incorrect legal decisions in place inconsistently around the state, hampering our ability to advance the law and to assist local prosecutors on individual cases in which evidence was wrongly suppressed by a circuit court.</p> <p>We would also likely need to drastically curtail the amount of advice we provide to prosecutors and law-enforcement agencies on criminal-law issues. Currently we provide weekly updates to prosecutors statewide on significant developments in the law, conduct training for prosecutors and law-enforcement officials, and provide advice to District Attorneys' offices by phone. This advice helps prevent problems that could lead to dismissal of criminal cases or reversals of convictions. If we curtail it, we are likely to see more criminal convictions that cannot be defended on appeal.</p> <p>Reductions would also require the division to cut back on the amount of resources we could devote to our capital cases. This reduction would cause the division to defer approximately 779 hours (5%) of work on our capital cases.</p>		

<b><u>ACTIVITY OR PROGRAM (which program or activity will not be undertaken)</u></b>	<b>DESCRIBE REDUCTION</b> (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	<b>AMOUNT AND FUND TYPE</b> (GF, OF, FF. Identify revenue source for OF and FF)	<b>RANK &amp; JUSTIFICATION</b>
<b><u>Defense of Criminal Convictions (Cont.)</u></b>	<p>This would significantly delay a process that is already moving at a glacial pace, and the deferred expenditures would be shifted to a future biennium.</p> <p><b>Effect of a 2<sup>nd</sup> 5% reduction</b></p> <p>A reduction at this level will require waiving appearance in an additional 120 appellate cases. Again, many more of the briefs that we do file would be substantially shorter and would not provide as good a representation of the state's position, and they would not be of as much assistance to the courts as the Division's briefs that are currently filed.</p> <p>Because deferral is not a viable option in trial courts, the reduction will result in the State not appearing in an additional 34 cases per biennium that likely will result in the petitioner prevailing in each case.</p> <p>This reduction would cause the division to defer an additional 779 hours (5%) of work on our capital cases. This would significantly delay a process that is already moving at a glacial pace, and the deferred expenditures would again be shifted to a future biennium.</p> <p>As explained above, the more cases in which we waive appearance or do not fully brief the legal issues, the greater likelihood there is that a serious criminal conviction will be reversed or a dangerous offender will be released.</p> <p>An additional 5% cut would probably eliminate our ability to file State's appeals in all but the most serious of cases. This level of reduction would also probably require eliminating entirely any advice we give to prosecutors or law-enforcement officials.</p>	<p>5%: \$1,721,887 GF</p>	

## APPELLATE DIVISION

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Appellate Division</u></p> <p>Reduce Appellate staff available for work on appeals and ballot titles.</p>	<p>The Appellate Division represents the state and its officers in state and federal appellate courts. Approximately 2/3 of the work of the Appellate Division involves the Defense of Criminal Convictions (DCC): direct criminal appeals, state post-conviction relief and federal habeas corpus appeals, and post-conviction and habeas corpus trial work in capital cases. The rest of the work of the Division involves civil and administrative appeals. Budget reductions would likely be spread proportionally across the Division (thus having a greater impact on the Department's DCC program). The reductions to the DCC program are detailed more in the following section.</p> <p>Any reductions in the Appellate Division's overall budget would:</p> <ul style="list-style-type: none"> <li>• Reduce significantly the quality of the work produced, making it more likely that the state will lose both routine and important appeals;</li> <li>• Impair victims' rights by preventing the state from advocating for those rights adequately;</li> <li>• Increase the work load of the appellate courts<sup>3/4</sup>especially the Court of Appeals; and</li> <li>• Lengthen the time it takes for appeals to be submitted to the appellate court and decided.</li> </ul> <p>Effect of a 1st 5% reduction</p> <p>A 5% reduction of Other Funds would require the Division to eliminate five positions: two attorney positions, one legal secretary, one office specialist 1, one support services supervisor 2, and reducing several partial positions.</p> <p>A reduction at this level could require waiving appearance in cases. Waiving appearance means that the state's legal position simply would not be presented to the appellate courts. Waiving appearance shifts the workload to the Court of Appeals and increases the risk that the state's legal position is not upheld when it otherwise would have. If that happens, the "cost" is shifted to other state agencies that have to address the issues on remand.</p>	<p>5%: \$1,285,128 OF Legal 5%: \$20,085 GF</p>	





	<p>ultimately will shift much of the work to the Supreme Court to sort out the matter without the usual level of help from the Division.</p> <p>2021-23: 5 Positions / 5.40 FTE    2023-25: 5 Positions / 5.40 FTE</p> <p><b>Effect of a 2nd 5% reduction</b></p> <p>A 2nd 5% reduction of Other Funds would require the division to eliminate one more attorney positions and reducing several more to permanent partial positions.</p> <p>In addition to the effects outlined above, a cut at this level would require waiving appearance in more cases and drafting rudimentary, “bullet” briefs in even more cases. The more cases in which we waive appearance or do not fully brief the legal issues, the greater likelihood that a serious criminal conviction will be reversed, a dangerous offender will be released, or that a state agency will be saddled with a significant monetary loss by an adverse appellate court decision.</p> <p>An additional 5% cut would probably eliminate our ability to file state’s appeals in all but the most serious of cases. This level of reduction would also probably require drastically curtailing any advice we give to prosecutors or law-enforcement officials.</p> <p>A reduction of 5% General Funds would reduce the agency’s ability to work on Ballot Titles by another 100 hours.</p> <p>2021-23: 1 Position / 4.00 FTE    2023-25: 1 Position / 4.00 FTE</p>	<p>5%: \$1,285,128 OF Legal</p> <p>5%: \$20,085 GF</p>	
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## TRIAL DIVISION

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Trial Division</u></b></p> <p><b>Reduce Trial staff available to defend the state.</b></p>	<p>Approximately 79% of Trial's Other Funds budget is personnel cost. These personnel costs, as well as other costs, are recovered through billings to state agencies. DOJ, of course, has no direct ability to limit the number of cases that others file against our clients; in fact, those suits and the hours to litigate them may increase as our clients are forced to adjust to their own budget cuts. We can assist our clients in determining how best to provide services in a way that should limit the number of meritorious claims, and how to provide services in a way that will allow for the strongest defense.</p> <p>To make these reductions, Trial would have to lay off attorneys, paralegals, investigators, and support staff, even though the division's attorneys already bill hundreds of hours above their required billable hours and there is no indication that future workloads will decrease. The division's ability to provide an effective and comprehensive defense in each case would diminish significantly as the reduction percentage increases. At a minimum, we would be forced to become less responsive to our agency clients as each remaining attorney juggles a heavier workload. Trial would not have the resources to take on as much environmental enforcement work for our clients or to intervene in private litigation to protect state interests or statutes. Agencies would have three options: to retain private lawyers, at two to three times the hourly rate charged by Trial; or to accept the losses that an enforcement suit should have recovered; or to accept that a court might invalidate a statute as unconstitutional without the State having any voice in the decision. And this would not be limited to enforcement or constitutional challenges work; the Trial Division would not be able to capably defend the State in every suit. Some agencies would have to retain private firms to defend themselves in cases that the Trial Division lawyers otherwise could handle, simply because Trial would not have the necessary lawyers and staff.</p> <p>Agencies' litigation budgets would be depleted quickly by the higher rates charged by private firms, and their objectives would suffer in the absence of a vigorous defense (or, in some cases, any defense at all). In short, the Trial Division would not be able to carry out its vital mission of protecting limited state resources. State agencies would ultimately bear the cost in</p>		
<p><b><u>Trial Division (Cont.)</u></b></p>			

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<p><b>Trial Division (Cont.)</b></p>	<p>the form of increased exposure to liability and a diversion of resources from service to the public to involvement in litigation.</p> <p>Finally, the reductions would prevent Trial from undertaking proactive efforts to improve government by educating client agencies to consider the possible litigation implications of their day-to-day decisions. We anticipate that those efforts would likely result in lower verdicts and fewer lawsuits, not to mention even better service to the public from its public servants. But if Trial's lawyers are struggling to keep up with an unsustainable workload, there will be no opportunity to take on this initiative, and the State will lose the economic benefit of such proactive measures.</p> <p><b>1st 5% Reduction</b></p> <p>At this level we would be required to cut ten positions: four attorneys, one paralegal, and five support staff positions. In doing so, the division would lose thousands of hours of capacity annually, damaging Trial's ability to address the civil cases filed against the State.</p> <p>Any increase from the current level of complex cases will have to be outsourced to private law firms; Trial simply would not have the capacity to take them on.</p> <p>Cuts at this level would overload Trial Division lawyers on a permanent basis. To this point, Trial has benefited from our lawyers' willingness to work longer hours than their contract requires. But at the 5%-reduction level, the attorneys still would not have the capacity to handle in a timely manner all the cases that come into the Trial Division, even when putting in long hours. Lawyers and staff cannot maintain an extraordinary work schedule for a sustained period of months without resulting in an increased risk of error, low morale and increased staff turnover – all of which lead to a further decrease in quality of work and in productivity.</p>	<p>5% \$2,215,585 OF Legal</p>	

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Trial Division (Cont.)</u></b></p>	<p>This extraordinary workload would also cause substantial delays in the handling of cases, because the attorneys would have more cases than can be moved briskly. Delay results in increased costs because Risk Management funds remain committed for undue periods of time. And litigation delays invariably make certain testimony and evidence less available documents are lost, witnesses move, memories fade.</p> <p>The quality of representation would also, inevitably, suffer. When the Trial Division's lawyers, paralegals, and staff are all forced to spread their effort and talent too thinly across a too-great number of cases, small details will be missed in the rush to get work completed, and the lawyers will not have the time or freedom to develop creative solutions together. These small details and new ideas can make the difference between a win and a loss.</p> <p>Another effect of this reduction would be that agencies might have to stipulate to temporary restraining orders or injunctions against them. Those matters require intensive and sometimes round-the-clock preparation in a very short period of time, and the Trial Division would not have lawyers who could put aside all their other work in order to focus on a shorter-term emergency. Stipulating to such motions and orders can cost agencies significant sums of money and prevent them from carrying out legislative mandated activities.</p> <p>2021-23: 10 Positions / 10.00 FTE    2023-25: 10 Positions / 10.00 FTE</p> <p><b>2nd 5% Reduction</b></p> <p>At this level, the Trial Division would be required to cut an additional four positions: one investigator, one legal secretary, one paralegal, one PEM H and reducing more partial permanent positions.</p> <p>The additional cut, on top of the earlier 5% cut, would devastate the division's remaining lawyers, support staff and paralegals. The division simply would not be able to accommodate the more than 11,000 lost hours of production annually through the remaining attorneys. As a result, state</p>	<p>5% \$2,215,585 OF Legal</p>	

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><b><u>Trial Division (Cont.)</u></b></p>	<p>agencies would be forced to retain private law firms, whose lawyers would have to spend significant time educating themselves on the technical defenses and immunities and considerations involved in defending the States—knowledge that Trial’s lawyers already have. Those lawyers also would not have the same incentive to limit state expenditures and thus would not share Trial’s focus on helping clients reach a prompt and efficient resolution. In addition, the agencies would be using state resources to pay private firms hourly rates between \$250 - \$450 per hour, which are well above the 19-21 proposed rate charged by DOJ.</p> <p>The Trial Division would no longer be involved in some classes of cases, such as intervening in a private dispute that implicates an important State interest, filing enforcement actions to protect Oregon’s natural resources, or stepping into an ongoing lawsuit to defend the constitutionality of an important state statute. The affected agency would then have to determine whether to abandon the interest that the Trial Division could have protected, or to hire a private law firm to represent the agency in court.</p> <p>On the cases it did handle, Trial resources would be so depleted that some cases will receive little preparation. This will expose the State to higher verdicts than a careful defense would have yielded, and it will potentially leave important State interests unguarded. As the plaintiffs’ bar learned of the division’s short-handed staffing, they would press harder for higher settlements knowing the division could not properly staff all of its cases through to a successful verdict.</p> <p>Because the Criminal and Collateral Remedies section defends criminal convictions at the trial-court level, the Trial Division would not only be neglecting our civil cases. We would also have to choose whether to defend certain convictions, which would damage DOJ’s goal of ensuring public safety. Trial would also have to consider forgoing appearances in Psychiatric Safety Review Board and State Hospital Review Panel hearings, where agencies determine whether criminal offenders at the State Hospital should be released into communities (see DCC program reductions).</p>		

<b>ACTIVITY OR PROGRAM</b> (which program or activity will not be undertaken)	<b>DESCRIBE REDUCTION</b> (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	<b>AMOUNT AND FUND TYPE</b> (GF, OF, FF. Identify revenue source for OF and FF)	<b>RANK &amp; JUSTIFICATION</b>
	<p>In short, cuts at these levels would not only result in undue delays, increased costs to the State, and reduced litigation quality, but they would also result in an increased risk to public safety.</p> <p>2021-23: 4 Positions / 6.55 FTE    2023-25: 4 Positions / 6.55 FTE</p>		

## ADMINISTRATION

<b>ACTIVITY OR PROGRAM</b> <b>(which program or activity will not be undertaken)</b>	<b>DESCRIBE REDUCTION</b> (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	<b>AMOUNT AND FUND TYPE</b> (GF, OF, FF. Identify revenue source for OF and FF)	<b>RANK &amp; JUSTIFICATION</b>
<b><u>Administration</u></b> <b>Attorney General's Office</b>	The Attorney General's Office provides the policy direction, strategy, leadership, oversight, budgeting, and accountability for the effective and efficient operation of the Department.		
<b>Administrative Services Division</b>	The Administrative Services Division (ASD) delivers business services that enable all Department employees to do their jobs. This ranges from issuing invoices to managing federal grants, and working with landlords on work space. All of this work is enabled by the technology, financial, operational, and employee services that ASD provides throughout DOJ.		
<b>Staffing reduction</b>	<b>Effect of a 1st 5% reduction</b>  2021-23: 7 Pos / 7.00 FTE      2023-25: 7 Pos / 7.00 FTE		
<b>Attorney General's Office</b>	As part of the Division's 5% reduction, the Office could eliminate one (1) full-time (1.00 FTE) Honor's Attorney position. Nine Honor's Attorney positions (8.00 FTE) would remain. This reduction results in fewer attorneys working in DOJ to meet the demand of state agencies for legal advice.	1 <sup>st</sup> 5%: 2,076,377 OF Legal 1 <sup>st</sup> 5%: 34,102 GF	
<b>Administrative Services Division</b>	A 5% reduction means the loss of six (6) positions (6.00 FTE). Reductions at this level consist of positions performing HR support, business administration, training, accounting, and technology support.  The loss of these positions will jeopardize our ability to plan, execute, and report on the Department's business continuity program. Additionally, we will lose the core functionality of our classification and compensation team. This work would need to be contracted out to DAS. Finally, the loss of our technology support positions and trainer will dramatically increase the response time and time to market for technology solutions in both our infrastructure and application teams.		



[illegible]

<b>ACTIVITY OR PROGRAM</b> (which program or activity will not be undertaken)	<b>DESCRIBE REDUCTION</b> (Describe the effects of this reduction. Include positions and FTE in 2021-23 and 2023-25.)	<b>AMOUNT AND FUND TYPE</b> (GF, OF, FF. Identify revenue source for OF and FF)	<b>RANK &amp; JUSTIFICATION</b>
<b>Administrative Services Division (Cont.)</b>	deciding what does not get done as everything being done seems to be critical in nature or mandated by federal or local partners.		

# VACANCIES

## Department of Justice

2025-27 Biennium

### Long-term vacancies as of December 31, 2024

1	4	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Agency	Pos No	Position Title	Pos Type	GF Fund Split	LF Fund Split	OF Fund Split	FF Fund Split	FTE	2025-27 GF PS Total	2025-27 LF PS Total	2025-27 OF PS Total	2025-27 FF PS Total	2025-27 Total Bien PS BUDGET	Vacant Date	Position eliminated in GRB? Y/N	Reason for vacancy
DOJ	0813007	PROJECT MANAGER 2	PF			1.00		1.00			266,018		266,018	6/30/2023	N	Being used to fund a LD employee through 6/30/25
DOJ	0854008	PROJECT MANAGER 1	PF			1.00		1.00			236,213		236,213		N	Recruitment planned 3/2025
DOJ	0104088	OFFICE SPECIALIST 1	PF			1.00		1.00			165,094		165,094	7/3/2023	N	office worker
DOJ	0013028	PARALEGAL	PF			1.00		1.00			227,528		227,528	7/31/2023	N	In Recruitment
DOJ	0107029	LEGAL SUPPORT SERVICES MGR 1	PF			1.00		1.00			286,394		286,394	8/1/2022	N	To be used for permanent finance plan to support new Civic Administration
DOJ	1524001	ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	1/31/2020	N	Recruitment planned 3/2025
DOJ	1525020	PARALEGAL	PF			1.00		1.00			227,528		227,528	10/1/2023	N	finance plan
DOJ	7505013	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	9/22/2023	N	Recruitment planned 3/2025
DOJ	9992027	AGENCY HEAD 3	PF			1.00		1.00			551,040		551,040	1/1/2023	N	hiring 3/2025
DOJ	7505004	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	4/14/2022	N	In Recruitment
DOJ	9993058	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	7/1/2023	N	In Recruitment
DOJ	0013031	PARALEGAL	PF			1.00		1.00			227,528		227,528	10/14/2022	N	Hold for vacancy savings
DOJ	0014007	OFFICE SPECIALIST 1	PF			1.00		1.00			165,094		165,094	8/1/2022	N	In Recruitment
DOJ	0104019	SUPPORT SERVICES SUPERVISOR 2	PF			1.00		1.00			207,616		207,616		N	Employee Work out of class into this position
DOJ	0015002	OFFICE SPECIALIST 1	PF			1.00		1.00			165,094		165,094	7/3/2023	N	Hold for vacancy savings
DOJ	0104020	LEGAL SECRETARY	PF			1.00		1.00			182,059		182,059	5/23/2023	N	Hold for vacancy savings
DOJ	1524004	PARALEGAL	PF			1.00		1.00			227,528		227,528	1/31/2022	N	In Recruitment
DOJ	1524107	PARALEGAL	PF			1.00		1.00			227,528		227,528	1/31/2022	N	Being used for a permanent finance plan
DOJ	1524133	PARALEGAL	PF			1.00		1.00			227,528		227,528	2/3/2023	N	Funding reclasses
DOJ	9994025	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	7/31/2023	N	In Recruitment
DOJ	7505134	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	1/6/2023	N	In Recruitment
DOJ	7505285	SR ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855	12/19/2023	N	In Recruitment
DOJ	0872009	OPERATIONS & POLICY ANALYST 3	PF	0.34			0.66	1.00	97,374			189,020	286,394	9/20/2021	N	Recruitment planned 3/2025
DOJ	0007002	OFFICE SPECIALIST 1	PF			1.00		1.00			165,094		165,094	5/1/2023	N	Hold for vacancy savings
DOJ	9994052	ASSISTANT ATTORNEY GENERAL	PF			1.00		1.00			365,855		365,855		N	Recruitment planned 3/2025
								-					-			
		TOTAL		0.34	0.00	24.00	0.66	25.00	97,374	0	6,681,724	189,020	6,968,118			

## PROGRAM PRIORITIZATION FOR 2025-27

[illegible]

4	1	DCC	LS	Legal Services - Defense of Criminal Convictions		5	50,704,853							\$ 50,704,853	0	0.00	N	Y	C/FMS	14th Amendment, Due Process Clause; 28 USC Section 2254; ORS 180.060; ORS 138.012; 138.040; ORS 138.650	Criminal defendants have multiple opportunities to challenge their convictions. In addition to the right to appeal currently provided in Oregon statutes, defendants have a due process right to file an appeal of a criminal conviction. Adults in custody (AICs) also have a federal statutory right, and a federal constitutional due process right, to file for habeas corpus relief. Although the right to post-conviction review in state court is currently a creature of statute, if the ability to appeal a criminal conviction was taken away, defendants could avail themselves of the Oregon Supreme Court's original habeas jurisdiction under the Oregon Constitution, Article VII (amended), section 2. Eliminating the state's ability to appear in the appellate, state post-conviction, or federal habeas corpus cases means that more work and costs will be shifted to the state courts, we will lose more appeals and some convictions will be reversed unnecessarily.	N/A
5	3	CE	NPM	Non-Participating Manufacturers	1,2	1		1,881,466						\$ 1,881,466	4	4.20	N	Y	S	ORS 323.800-806; 180.400-455		Pkg. #100 Reconcile Intra-Agency Charges \$3,086 OF 0 Positions / 0 FTE Pkg. # 103 Hardware Lifecycle Replacement \$3,956 OF 0 Positions / 0 FTE
6	1	GC		Chief Counsel				101,759,976						\$ 101,759,976	178	176.97	Y	Y	S	ORS 180.060 (2), (6), (8). ORS 180.100. ORS 180.220 (1)(b). ORS 192.450. ORS 291.047.	Provisions of ORS chapter 180 require the Attorney General to issue legal opinions at the request of state officers and agencies, to assign to each state agency "counsel responsible for ensuring the performance of the legal services requested by the agency," and, at the request of legislators, to prepare bills for introduction to the Legislative Assembly. ORS 291.047 requires the Attorney General to perform legal sufficiency review of public contracts. ORS 192.450 requires the Attorney General to receive and issue orders on petitions for disclosure of public records. The Attorney General has assigned primary responsibility for those mandatory functions to the General Counsel Division.	POP # 103 - DOJ IT Operational Costs - \$ 176,119 OF POP # 100 - Intra-Agency Charges Realignment - \$ 302,815 OF
7	2	CE	MF	Medicaid Fraud	1,2	3		2,327,291		6,874,623				\$ 9,201,914	19	19.00	N	Y	FM	14th Amendment Due process Clause	Federal law REQUIRES any state that receives Medicaid funds to have a Medicaid Fraud Unit to prosecute fraud and oversee the Medicaid funds, and the Medicaid Fraud Unit must be separate and apart from the Department of Human Services and the Oregon Health Plan.	Pkg. # 100 Reconcile Intra-Agency Charges \$4,752 OF \$68,529 FF 0 Positions / 0 FTE
8	1	ADMIN	ADMIN	Central Administration Costs	5	4	933,100	60,023,109						\$ 60,956,209	132	130.75	Y	Y	S	ORS 180	Administrative services are essential to the operations of all department programs.	ADMINISTRATIVE SUPPORT SERVICES \$2,183,885 OF 6.9 FTE POP 151 LEGAL TOOLS REPLACEMENT

9	2	DCS	DCS	Field Services	10,11,12,13	1	30,538,561	13,769,551	80,293,476	\$ 124,601,588	342	342.00	N	Y	FM/FO/S/D	Title IV-D of the Social Security Act (SSA), 45 CFR (Code of Federal Regulations) parts 301, 302, and 303. The state statute is ORS 419C.597, creating an assignment as provided in ORS 412.024 (for OYA non-eligible case work).	The SSA and CFR mandate requirements for state Title IV-D child support programs. If not met, the Oregon Child Support Program is not recognized as a IV-D program and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the IV-D program and compliance with federal and state requirements.	Pkg # 481 Family-First Child Support Service Needs \$616,941 GF / \$1,197,591 FF Pkg #103 DOJ IT Operational Costs \$115,372 GF / \$223,869 FF Pkg # 100 Intra-Agency Reallocation \$96,433 GF / \$202,481 FF
10	4	CE	CP&E	Consumer Protection	1,2	3,9		25,148,758		\$ 25,148,758	27	26.80	N	Y	S	ORS 180.010 et seq; ORS 646.605 et seq.; ORS 646.705 et seq; ORS 646.990; ORS 180.750 et seq.		Pkg. #100 Reconcile Intra-Agency Charges \$22,647 OF 0 Positions / 0 FTE Pkg. #103 Hardware Lifecycle Replacement \$26,703 OF 0 Positions / 0 FTE Pkg. # 221 Wildfire and Antitrust Litigation Resources \$26,277,876 OF 2 Positions / 1.76 FTE
11	1	CE	LS	Civil Recovery	1,2,3			31,775,659		\$ 31,775,659	60	58.40	Y	Y	C/FM/S	ORS 419.010 et seq (ORS 419B.875); 42 USC § 67 et seq; 42 USC § 621-629; regs. 45 CRF § 1356; 25 USC § 1901 et seq; 42 USC § 670 et seq; ORS 25.010 et seq; ORS 180.010 et seq; Eighth Amendment,	ORS 180.220 dictates that the DOJ has general control and supervision of all legal proceedings in which the State is a party or has an interest and full control of all legal business of all departments of the state which require the services of an attorney.	Pkg. # 100 Reconcile Intra-Agency Charges \$65,922 OF 0 Positions / 0 FTE Pkg. # 221 Wildfire and Antitrust Litigation Resources \$1,079,769 OF 2 Positions / 1.76 FTE Pkg. # 103 Hardware Lifecycle Replacement \$59,389 OF 0 Positions / 0 FTE
12	5	CE	CA	Charitable Trust and Gaming	1,2,6	3		8,916,059		\$ 8,916,059	18	18.10	Y	Y	S	ORS 128.610 et seq; ORS 128.801 et seq; and ORS 646.250-464.995		Pkg. #100 Reconcile Intra-Agency Charges \$15,936 OF 0 Positions / 0 FTE Pkg. #103 Hardware Lifecycle Replacement \$17,802 OF 0 Positions / 0 FTE

13	1	CJ	LS	CJ Legal	1,2,7,8	1,5	9,938		3,424,034				\$ 3,433,972	8	8.00	Y	Y	S	ORS 180.060; ORS 180.070; ORS 180.080; ORS 180.090; ORS 180.120; ORS 180.240; ORS 180.610.		Pkg #100 Intra-Agency Charges Realignment - \$ 124,682 GF / \$5,296 FF
14	1	CVSSD	CVA	Crime Victims Assistance Program			20,489,450		44,999,890		45,867,183		\$ 111,356,523	36	35.00	Y	Y	C/S	Or Const Art 1 § 42. ORS 419C.450	The Federal Office of Victims' of Crime Act (VOCA) has increased over five fold since 2014. These positions are necessary to efficiently administer and monitor these funds to victim services programs throughout the state.	POP 327: HB4140 - \$22,000,000 GF POP 331: HB 5202 - \$1,028,642 OF. Grant Funding - \$10,000,000 GF POP 334: - \$1,152,086 FF and \$327,165 OF. Fund shift for one PF position (1.00 FTE) - \$488,346 GF. POP 335: Companion to Pkg070. \$15,000,000 GF.
15	2	CVSSD	CVC	Crime Victims' Compensation			6,076,271		14,395,319		1,913,861		\$ 22,385,451	19	18.25	Y	Y	C/S	Or Const Art 1 § 42. ORS 419C.450	The Oregon Constitution requires that a victim has the right to receive prompt restitution from the convicted criminal or youth offender who caused the victim's loss or injury. Or Const Art 1 § 42. ORS 419C.450. However, many offenders do not pay restitution and those that do, typically pay in small increments over many years. As a result, victims are responsible to the financial expenses associated with their victimization. The Crime Victims' Compensation Program is the only program available to victims to assist them in covering their out-of-pocket crime related expenses. The Program covers medical, funeral and counseling expenses as well as loss of earnings. This program is essential for supporting victims in their physical and emotional recovery.	
16	2	CJ	DA	Special Investigation and Prosecutions Unit/Racketeering and Public Corruption Unit	1,2,7,8	8	26,961,616						\$ 26,961,616	44	44.00	Y	Y	S	ORS 180.060; ORS 180.070; ORS 180.080; ORS 180.090; ORS 180.120; ORS 180.240; ORS 180.610.		POP 271: Criminal Justice Workload Resources 4 PF positions (3.50 FTE) - \$1,411,297 GF

17	3	CJ	ICAC	Internet Crimes Against Children		1,5	7,138,942				1,514,738		\$ 8,653,680	19	19.00	Y	Y				
18	4	CJ	EP	Enforcement Programs		1,3,5	38,811,772		6,209,763		1,514,738		\$ 46,536,273	83	83.00	Y	Y	FO/S/FMC	ORS180.630; ORS 180.640.		
19	1	DCS	DCS	Director's Office	10,11,12,13	1	4,404,441		1,155,104		10,907,423		\$ 16,466,968	44	43.98	N	Y	FMFO/S/D	Title IV-D of the Social Security Act (SSA), 45 CFR (Code of Federal Regulations) parts 301, 302, and 303. The state statute is ORS 419C.597, creating an assignment as provided in ORS 412.024 (for OYA non-eligible case work).	The SSA and CFR mandate requirements for state Title IV-D child support programs. If not met, the Oregon Child Support Program is not recognized as a IV-D program and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the IV-D program and compliance with federal and state requirements.	Pkg #481 Family-First Child Support Service Needs \$1,334,225 GF / \$2,024,992 FF Pkg #103 DOJ IT Operational Costs \$15,174 GF / \$29,443 FF
20	3	DCS	DCS	Business Services	10,11,12,13	1	9,435,991		4,598,473		19,631,484		\$ 33,665,948	101	99.69	N	Y	FMFO/S/D	Title IV-D of the Social Security Act (SSA), 45 CFR (Code of Federal Regulations) parts 301, 302, and 303. The state statute is ORS 419C.597, creating an assignment as provided in ORS 412.024 (for OYA non-eligible case work).	The SSA and CFR mandate requirements for state Title IV-D child support programs. If not met, the Oregon Child Support Program is not recognized as a IV-D program and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the IV-D program and compliance with federal and state requirements.	Pkg # 481 Family-First Child Support Service Needs \$483,407 GF / \$3,244 GF / \$944,372 FF Pkg #103 DOJ IT Operational Costs \$33,721 GF / \$65,433 FF Pkg # 100 Intra-Agency Reallocation \$31,738 GF / \$55,592 FF
21	4	DCS	DCS	Technical Services	10,11,12,13	1	9,749,228		2,067,456		21,549,654		\$ 33,366,338	51	51.00	N	Y	FMFO/S/D	Title IV-D of the Social Security Act (SSA), 45 CFR (Code of Federal Regulations) parts 301, 302, and 303. The state statute is ORS 419C.597, creating an assignment as provided in ORS 412.024 (for OYA non-eligible case work).	The SSA and CFR mandate requirements for state Title IV-D child support programs. If not met, the Oregon Child Support Program is not recognized as a IV-D program and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the IV-D program and compliance with federal and state requirements.	Pkg # 481 Family-First Child Support Service Needs \$301,144 GF / \$584,575 FF Pkg # 482 Origin O&M and Gap Analysis \$2,358,014 GF / \$4,577,321 FF Pkg # 483 Origin Software Licensing \$337,086 GF / \$654,344 FF Pkg # 484 Origin Framework Refactoring \$451,407 GF / \$876,261 FF Pkg #103 DOJ IT Operational Costs \$17,205 GF / \$33,384 FF Pkg # 100 Intra-Agency Reallocation \$28,249 GF / \$46,641 FF



22	5	CJ	SP	Specially Funded Programs	7,8	7,8	4,711,214		6,209,763				\$ 10,920,977	20	20.00	Y	Y	FO/S/FMC	ORS180.630; ORS 180.640.	These programs are funded with federal grant(s) with mandatory requirements per the grant award document; with pass through funding from another state agency originating from a Federal grant; user fees, etc.	POP 278: Ongoing Grants (UASI/SHSG & TSRP) - 4 LF positions (4.00 FTE) - \$1,822,630 OF
23	5	DCS	DCS	DA Subrecipients	10,11,12,13	1	2,515,326		4,563,813		20,717,709		\$ 27,796,848			N	Y	S	ORS 180.345 and ORS 25.080		
24	6	CE	MM	Mortgage Mediation	1,2	1			4,415,588				\$ 4,415,588	0	0.50	N	Y	S			Pkg. #100 Reconcile Intra-Agency Charges \$253 OF 0 Positions / 0 FTE
							212,997,452	-	447,917,253	-	210,784,889	-	\$ 871,699,594	1,405	1,397.39						

#### 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

DOJ									
2025-27 Biennium		Other Fund Ending Balance				Contact Person (Name & Eileen Maki 503-480-5964			
Updated Other Funds Ending Balances for the 2023-25 and 2025-27 Bienna									
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Other Fund Type	Program Area (SCH)	Treasury Fund #/Name	Category/Description	Constitutional and/o statutory reference	2023-25 Ending Balance		2025-27 Ending Balance		Comments
					In LAB	Revised	In CSL	Revised	
Limited	010-00-00-00000	0401 Oregon State General Fund	Operations/Legal Services	ORS 180.180	35,088,753	26,523,780	35,773,579	22,543,156	2023-25 Revised Ending Balance: Represents 1.5 months of working capital. This is a conservative estimate and DOJ is monitoring the balance closely. 2025-27 Budget CSL ending balance assumes an approved legal rate that will generate at least \$9 million in working capital.
Limited	020-00-00-00000	0401 Oregon State General Fund	Operations/Appellate	ORS 180.180	774,957	23,373	787,613	733,376	2023-25 Ending Balance represents less one week of working capital.
Limited	030-00-00-00000	0401 Oregon State General Fund	Operations/Charitable Trust /Reg Gaming	ORS 128.670 (9), 464,450	2,973,763	3,028,440	2,670,707	6,204,266	2023-25 Ending Balance: represents just over 17 months of working capital. By the end of 2025-27 the ending balance is projected to represent just over 5 months of working capital. Revenue is slowly returning to normal after the pandemic.
Limited	030-00-00-00000	0401 Oregon State General Fund	Operations/Consumer Protection & Education	ORS 180.095	39,352,461	13,614,747	38,156,959	31,420,204	2023-25 Ending Balance: represents 2.5 biennia of working capital and includes several large and one-time settlements that are unlikely to occur in future biennia. 2025-27 ending balance: represents 1.6 biennia of working capital. CP&E settlements are very volatile and it's unlikely to see another influx of revenue as in previous biennia. The program needs the extra working capital to cover expenses when settlements are not coming in.
Limited	030-00-00-00000	0401 Oregon State General Fund	Operations/Medicaid Fraud	ORS 180.180	79,816	3,304,198	3,268,605	4,251,153	2023-25 Ending Balance: Represents less than 6 months of working capital. In past biennia, the program has collected one-time penalty awards from pharmaceutical companies. These types of cases encourage companies not to participate in fraud, so the department has seen less settlements and does not expect significant penalty income in the future.
Limited	030-00-00-00000	1151 Tobacco Enforcement Fund	Operations	ORS 180.205	568,806	204,078	608,218	(4,031,006)	2023-25 Ending Balance: represents slightly less than 1 biennia of working capital. 2025-27 Ending balance: represents about 12 months of working capital. The transfer of revenue from DAS needed to run the program sometimes occurs around the 2nd or 3rd quarter of the biennium so a cash balance is needed to cover expenditures in the interim.
Limited	030-00-00-00000	1440 Foreclosure Avoidance Mediation Fund	Operations	ORS 86.705 to 86.795	(219,908)	978,858	(522,976)	(955,294)	2023-25 Ending Balance: represents just under 10 months of working capital. By the end of 2025-27 the ending balance is currently projected to go negative. Revenue for this program continues to improve as we come out of the pandemic. This program is volatile making it hard to project. It is possible (and increasingly likely) there will be decreased expenditures in the coming biennia as demand slows resulting in improving the estimated 2025-27 ending balance. Even while revenue is increasing, professional services expenditures are decreasing.
Limited	035-00-00-00000	0401 Oregon State General Fund	Operations/Child Advocacy Division	ORS 180.180	500,000	383,210	690,315	833,440	2023-25 Revised Ending Balance: Represents 1.5 months of working capital. This is a conservative estimate and DOJ is monitoring the balance closely.
Limited	040-00-00-00000	0401 Oregon State General Fund	Operations/CJ	ORS 180.180	0	225,176	2,270,887	472,958	Reimbursement Account. Typically no ending balance.
Limited	045-00-00-00000	0401 Oregon State General Fund	Operations/Crime Victims	ORS 147.225, 31.735	4,292,140	0	28,643,112	27,343,499	2023-25 Ending Balance: Revised balance reflects a \$2.3M punitive damages settlement received in May 2024. Revised 2025-27 CSL Balance represents an estimated close to 0. At least three years of working capital is desired because revenue comes from extremely uncertain punitive damages award settlements. Fund received one-time grants for 2023-25 in the amount of \$19M for ODSVS and CAC programs. Projected to use all funds before 6/30/2027. Remaining revised balance will reflect punitive damages balance funds less than three years working capital as required.

Limited	045-00-00-00000	0998 Child Abuse Multidisciplinary Intervention Acct.	Operations	ORS 418.746	0	0	0	0	Estimated to tie to 2025-27 CSL. No ending balance estimated.
Limited	045-00-00-00000	1123 Sexual Assault Victims Emergency Med Res	Operations	ORS 147.399	0	0	0	0	Program mainly funded by General Fund. No estimated ending balance.
Limited	050-00-00-00000	0401 Oregon State General Fund	Operations/General Counsel	ORS 180.180	498,323	577,280	598,063	778,715	2023-25 Ending Balance represents less one week of working capital. Additional staffing and an increased legal rate will reflect an increase in the projected ending balance for 2025-27.
Limited	060-00-00-00000	0401 Oregon State General Fund	Operations/Trial	ORS 180.180	2,382,991	2,328,971	51,318,750	40,687,825	2023-25 Ending Balance represents less less than amonth of working capital.
Limited	160-00-00-00000	0401 Oregon State General Fund	Operations/DCS	ORS 180.180	1,012,141	2,398,246	115,961	288,678	The Division of Child Support is in the process of balancing the Child Support Deposit Account (1065) for the Oregon Child Support Program. Surplus funds from the Operating account will be necessary to backfill (1) uncollected receivables from 2003 - 2019, (2) Title XIX funds collected as medical support to be transferred to DHS (or returned to the person who pays support), and (3) the original shortfall from the transfer of the program to DOJ from DHS. These estimated costs are included in the estimates for the ending balance for 2021-23 and 2023-25. Increased tax offsets and unemployment collections during the pandemic due to federal stimulus efforts created the additional recovery income. Current forecasts show revenue declining to pre-pandemic levels. We expect this downward trend to continue as it was before the pandemic.
Non-Limited	160-00-00-00000	1065 Child Support Deposit Account	Other - Pass Through of Child Support Payments for Obligees	ORS 180.365, 25.725	N/A	N/A	N/A	N/A	Not Included in ORBITS - Client \$
Non-Limited	All	0882 DOJ Client Trust	Trust Fund	ORS 180.200	N/A	N/A	N/A	N/A	Not Included in ORBITS - Client \$

[illegible]

2025-27 Biennium	ARPA Ending Balance						Eileen Maki 503-480-5964
2023-25 ARPA Ending Balances							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
SCR	Program Description	2023-25 LAB	2023-25		2025-27 POP		Comments
			Ending Balance	Amount Obligated	Y/N	POP #	
13700-045-00-00-00000	ARPA - Housing Funds	1,250,000	-	944,294	N		Plans to award and distribute to grantees by 06/30/23. Grantees have until 12/31/24 to spend the funds. We will continue to monitor and complete reporting to DAS as well as collect any unused funds at the end of the grant period. Any unused funds will be returned prior to 6/30/2025.
13700-045-00-00-00000	ARPA - Community Violence Intervention Funds	15,000,000	-	14,341,812	N		Anticipated timeline for the first release of funds is end of May 2024. We hope to have grant agreements executed in mid-May, allowing us to distribute the funds by end of May. We plan to do a second round of grants with remaining funds, these will take place between October 2024 and March 2025. We plan to release these grants in essentially two phases: first, to existing programs doing this work who are looking to increase their capacity to meet increasing/unmet needs, and second, to community-based programs already doing this work and/or to community-based organizations who want to add these services to their work in the community. It is anticipated that the remaining \$658,188 ARPA funds will be distributed prior to 6/30/2025.
<b>Instructions:</b> Column (a): Select the appropriate Summary Cross Reference number and name from those included in the 2023-25 legislatively approved budget. Column (b): List American Rescue Plan Act (ARPA) balances by legislatively approved uses and/or specified transfers to agency programs. Column (c): Provide the expenditure limitation approved for the ARPA funds in the 2023-25 legislatively approved budget. Column (d): Enter the total estimated balance of ARPA funds that will be unspent at the close of the 2023-25 biennium. Column (e): Enter the amount of the unspent ARPA balance obligated to a project/program through an award, grant agreement, or other contract as of December 31, 2024. Column (f) and (g): Indicate whether the 2025-27 Governor's Budget includes a policy option package (POP) to utilize the ARPA funds carrying forward into the 2025-2 biennium, and if so, provide the POP number. (h) Please provided any additional information related to ARPA ending balances.							

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