

## HB 3069 -6 STAFF MEASURE SUMMARY

### Joint Committee On Addiction and Community Safety Response

---

**Prepared By:** Gillian Fischer, LPRO Analyst

**Meeting Dates:** 4/30, 5/21

---

#### WHAT THE MEASURE DOES:

The measure, as introduced, contains placeholder language that directs the Department of Public Safety Standards and Training to study public safety.

#### ISSUES DISCUSSED:

- -1 and -2 proposed amendments
- Expectation of cooperation of county agencies in applying for grants
- Not requesting change in funding amount for grants involved
- Streamlining grant application process for grantee and grantor
- Currently multiple grant review committees housed by multiple entities but overlapping goals and purposes
- Change in commission membership
- Performance metrics for grant recipients and prioritization of ongoing funding for high performing programs
- Technical assistance from CJC to county grant recipients

#### EFFECT OF AMENDMENT:

-6 The amendment replaces the measure. It establishes the Oregon Public Safety Coordination Grant Program (PSC program) within the Oregon Criminal Justice Commission (CJC) and modifies and consolidates several existing grant review programs to exist within the PSC program. The amendment also establishes the Law Enforcement Focused Grant Program within the CJC and modifies and consolidates several existing grant review programs to exist within the Law Enforcement Focused Grant Program.

#### Detailed Summary:

##### Section 1: Oregon Public Safety Coordination Grant Program

- Establishes the Oregon Public Safety Coordination Grant Program (PSC program) within the Oregon Criminal Justice Commission (CJC).
- Consolidates the following grants into the PSC program:
  - The Justice Reinvestment Program
  - The Oregon Treatment Court Grant Program
  - The Oregon Behavioral Health Deflection Program
  - The Improving People's Access to Community-based Treatment, Supports and Services Program; and
  - Any other grant programs administered by the CJC that provide funding consistent with the goals of the program
- Directs the CJC to set aside a proportion of funds from the PSC program for allocation to non-county applicants.
- Establishes criteria that must be included in grant applications for eligibility. An eligible application must:
-

- Be submitted by a local public safety coordinating council under ORS 423.560;
- Include a biennial public safety plan as described by measure;
- Include a list of budget allocations that indicates how state and other funds are used for the public safety plan;
- Indicate each program area for which a count is seeking funding; and
- A description of how each program area is incorporated in the public safety plan provided
- Requires grant funds be used to support programs in public safety plan
- States the proportion of funds available to each county be determined consistent with statutory requirements for each individual program
- Directs the commission to adopt rules to administer the PSC program which may include rules establishing methods for evaluating program efficacy and establishment of supplemental grant periods to distribute unallocated funds
- Rules adopted by the CJC will govern both county and non-county applications for grant funds
- Provides that up to ten percent of program funds may be used for administrative costs
- Requires the CJC to evaluate each recipient's progress related to the public safety plan provided within one year of awarding grant funds and communicate the results to the recipients
- A second final performance review must be conducted before the conclusion of a two-year grant cycle
- Adherence to the public safety plan must be met or exceeded as measured by a final performance evaluation by the CJC to be eligible to receive supplemental funding from the PSC program
- Defines administrative costs

**Sections 2-7: Justice Reinvestment Program**

- Replaces offenders with individuals involved in the criminal justice system
- Allows CJC to provide supplemental funding for:
  - Operation of local jails;
  - Treatment services for persons with substance use disorders on supervision;
  - Intensive supervisions of certain individuals
- Directs the CJC to develop supplemental programs to award funds to counties for downward departure prison diversion programs
- Provides order of apportionment of funds available to the Justice Reinvestment Program (JRI)
- Requires no less than 15 percent of grant funds be retained by the CJC for the purpose of funding local public safety priorities and awarded to grantees who meet the goals as described
- Defines intensive supervision for purposes of measure
- Establishes the Oregon Public Safety Fund
- Repeals and amends statutory language as appropriate to conform with act

**Sections 8-14: Oregon Behavioral Health Deflection Program**

- Adds community-based social service organizations to the definition of deflection program
- Moves the Oregon Behavioral Health Deflection Program from the Improving People's Access to Community-based Treatment, Supports and Services (IMPACTS) Grant Review Committee, including its obligations and authority, to the CJC
- Expands the purpose of the Behavioral Health Deflection Program (Deflection)
- Adds a consortium of counties or tribal governments to the entities that may submit an application for a Deflection grant
- Clarifies specific requirements for tribal government or tribal consortium grant applicants and county or county consortium applicants
- Requires a tribal government applicant to include as partners a law enforcement agency and either a behavioral health entity or a community-based social service organization
- Specifies how the CJC shall distribute moneys in the Oregon Behavioral Health Deflection Program Account
- Expands eligible expenses for which Deflection funds may be used to include case management or outreach workers and the payment of restitution to a victim if potential or outstanding restitution is a barrier to

program participation

- Provides that a county applicant may request up to ten percent of Deflection funds for administrative costs
- Provides that a tribal government applicant may request up to the federally negotiated indirect cost rate for the applicant to cover administrative costs
- Directs the CJC to adopt rules to accomplish the directives outlined by the measure
- Defines relevant terms including 'successful outcome' for purposes of section
- States that the proportion of funds available to an applicant shall be determined by the CJC using the combined projections of potential populations served by Deflection and the formula provided by the measure
- Requires the CJC to prioritize grantees making adequate progress toward meeting population projections of populations served when awarding Deflection grants
- Establishes formula for CJC to distribute moneys from the Oregon Behavioral Health Deflection Program Account established by the measure and specifies deflection program requirements to be eligible for grant funds and future dispersals

**Sections 14 - 19: IMPACTS Program**

- Replaces the IMPACTS Grant Review Committee with the CJC including its obligations and authority
- Requires the CJC to designate a percentage of funds to be awarded to at least one federally recognized Indian tribe
- Amends application requirements for grant requests submitted by a federally recognized Indian tribe and allows a request to include letters of support and commitments from community leaders or organizations
- Provides that data reported by grantees as required by statute is exempt from public disclosure, may only be used for statistical purposes, and that it may not contain information that reveals the identity of any individual
- Allows the CJC to develop outcome measures or evaluation tools to establish priorities for funds

**Sections 20-22: Treatment Court Grants**

- Directs the CJC to establish the Oregon Treatment Court Grant Program to make grants to counties in order to provide supplemental funding for treatment courts. The grants must support the adherence of treatment courts to the treatment court standards developed under ORS 137.680
- Establishes the Oregon Treatment Court Grant Program Account

**Section 22-23: Law Enforcement-Focused Grant Programs**

- Establishes the Oregon Law Enforcement Grant Program within the CJC to support local law enforcement in Oregon.
- Provides that the Law Enforcement Grant Program consists of grants awarded to cities and counties in the following areas:
  - The Oregon Retail Theft Program;
  - The Illegal Marijuana Market Enforcement Grant Program;
  - The Oregon Jail-Based Medications for Opioid Use Disorder Grant Program;
  - The Jason Myers Public Safety and Wellness Grant Program; and
  - Any other grant programs administered by the CJC that provide funding consistent with the goals described in this section
- Directs the CJC to adopt rules and procedures for soliciting grant applications and awarding grants for counties and entities other than counties
- Allows counties to request up to ten percent of program funds for administrative costs

**Sections 24-25: Organized Retail Theft Grant Program**

- Conforms existing statutes to reflect changes made by measure
- Establishes the Organized Retail Theft Grant Program Account

**Section 26: Illegal Marijuana Market Enforcement Grant Program**

- Conforms existing statutes to reflect changes made by measure

**Sections 27-30: Jail-Based Medications for Opioid Use Disorder Grant Program**

- Conforms existing statutes to reflect changes made by measure
- Directs the CJC to award grants to cities, counties, and federally recognized tribes in Oregon that operate a local correctional facility
- Requires at least 10 percent of total moneys awarded to grant recipients to be awarded to local correctional facilities in rural areas as defined by the CJC
- Describes how moneys awarded may be used by grant recipients
- Directs the CJC to adopt rules to administer the program for non-county applicants and establishes minimum requirements for granting funds to those entities

**Sections 31-32: Jason Myers Public Safety Wellness Grant Program**

- Directs the CJC to establish and administer the Jason Myers Public Safety Wellness Grant Program subject to available funds
- The purpose of the program is provide agencies employing first responders with supplemental funding designed to improve the wellness of employees of the agency
- Describes how moneys awarded may be used by recipients
- Directs the CJC to adopt rules to carry out the program as provided
- Defines 'first responder' and 'qualifying event' for purposes of program
- Establishes the Jason Myers Public Safety Wellness Grant Program Account

**Sections 33-36: Oregon CJC Changes**

- Increases the number of members on the Oregon Criminal Justice Commission from 9 to 11
- Specifies the categories and representation of persons the Governor shall appoint for nine of the eleven members subject to confirmation by the Senate
- Specifies statewide organizations who must put forth candidates from whom the Governor must select for appointment for certain positions on the CJC
- Provides that the two non-voting members shall be appointed by the President of the Senate and the Speaker of the House of Representatives
- Provides that a current member of the CJC must be permitted to complete the member's current term

**Sections 31-46 – House Bill 3194 (2013) Changes**

- Conforms existing statutes to reflect changes made by measure
- Repeals ORS 475.934, which becomes operative July 1, 2033, and applies to crimes committed on or after July 1, 2033
- Directs the supervisory authority to provide a copy of the release place to the reentry court if the supervisory authority is recommending that certain adults in custody participate in a reentry court
- Provides that a circuit court that enters an order admitting a person into reentry court as provided by provision has concurrent jurisdiction over the imposition of sanctions for violations of conditions of post-prison supervision

**Sections 47-49: Conforming Amendments**

**Section 50: Operative Dates**

**Section 51: Applicability**

**Section 52: Captions**

**Section 53: Emergency Clause**

- Declares an emergency, effective on passage.

**BACKGROUND:**

The mission of the Oregon Criminal Justice Commission is to improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems. The Criminal Justice Commission (CJC) administers multiple public safety grant programs intended for local, state, and tribal governments and community-based organizations working on criminal justice initiatives.

CJC administers the following grant programs established by the Oregon Legislature:

- Behavioral Health Deflection (BHD)
- Illegal Marijuana Market Enforcement (IMMEGP)
- Improving People's Access to Community-based Treatment, Supports, and Services (IMPACTS)
- Jail-based Medications for Opioid Use Disorder (JMOUD)
- Justice Reinvestment (JRP)
- Organized Retail Theft (ORT)
- Restorative Justice (RJ)
- Treatment Courts (TC)