

HB 5007
Criminal Justice Commission

HB 5007 is the main budget bill for the Criminal Justice Commission. This nine member Commission's primary purpose is to develop and maintain a state-wide criminal justice policy and comprehensive long-range plan for a coordinated criminal justice system.

The Public Safety Subcommittee approved a budget of \$21.49 million total funds and eight positions (7.50 FTE). This budget reflects an increase of \$8.9 million General Fund and \$200,000 Other Funds to support grants for evidence-based drug courts. In the prior biennium, these courts had been supported through Federal resources. This budget assumes reduced PERS expenditures attributable to SB 822 in the amount of \$35,143.

The Public Safety Subcommittee recommends HB 5007 be amended and reported out do pass, as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 5007-A

Carrier – House: Rep. Hanna

Carrier – Senate: Sen. Whitsett

Action: Do Pass as Amended and be Printed A-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Art Ayre, Department of Administrative Services

Reviewed By: Monica Brown, Legislative Fiscal Office

Meeting Date: June 6, 2013

Agency

Criminal Justice Commission

Biennium

2013-15

Budget Summary*

| | 2011-13 Legislatively Approved Budget ⁽¹⁾ | 2013-15 Current Service Level | 2013-15 Committee Recommendation | Committee Change from 2011-13 Leg. Approved | |
|---------------|---|----------------------------------|-------------------------------------|--|---------------|
| | | | | \$\$ Change | % Change |
| General Fund | \$ 4,761,327 | \$ 4,771,471 | \$ 13,873,167 | \$ 9,111,840 | 191.4% |
| Other Funds | \$ 299,950 | \$ 283,422 | \$ 483,422 | \$ 183,472 | 61.2% |
| Federal Funds | \$ 19,499,190 | \$ 19,823,048 | \$ 7,135,887 | \$ (12,363,303) | -63.4% |
| Total | \$ 24,560,467 | \$ 24,877,941 | \$ 21,492,476 | \$ (3,067,991) | -12.5% |

Position Summary

| | | | | |
|--------------------------------------|------|------|------|-------|
| Authorized Positions | 10 | 8 | 8 | -2 |
| Full-time Equivalent (FTE) positions | 9.00 | 7.50 | 7.50 | -1.50 |

⁽¹⁾ Includes adjustments through December 2012

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Criminal Justice Commission’s recommended budget is almost 65 percent General Fund. Other Funds, two percent of total expenditures, are supplied by asset forfeiture collections. Federal Funds provide the remaining 33 percent of the Subcommittee’s recommended budget. These include U.S. Department of Justice (USDOJ) Byrne Justice Assistance Grants (JAG).

Summary of Public Safety Subcommittee Action

The Criminal Justice Commission (CJC) was created in 1995 to replace the Criminal Justice Council. Seven members are appointed by the Governor, subject to confirmation by the Senate; there are two additional commission members (non-voting) who are legislators. Historically, CJC had two major program areas, but with the 2005 transfer of the Juvenile Crime Prevention grants to the State Commission on Children and Families, the agency’s primary focus returned to developing and maintaining a state criminal justice policy and comprehensive long-range plan for the state’s criminal justice system.

The CJC currently:

- Staffs and supports the commission in its functions relating to state criminal justice policy and administering the state's sentencing guidelines.
- Administers federal public safety grants for Oregon state and local government such as Byrne/Justice Assistance Grants and statistical analysis funding.
- Administers a General Fund-supported drug court grant program begun in 2006.
- Provides data and other information on criminal justice issues to legislators, state and federal agencies, and the public including the activities of the Statistical Analysis Center.
- Provides technical assistance to local public safety coordinating councils.
- Staffs the Asset Forfeiture Oversight Advisory Committee.
- Coordinates calculation of the fiscal impact of crime-related legislation/ballot measures among state and local public safety agencies.

The Subcommittee recommended a budget of \$21,492,476 total funds and eight positions (7.50 FTE). This is a 12.5 percent decrease from the 2011-13 Legislatively Approved Budget (LAB). The budget includes \$13,873,167 General Fund, a 191.4 percent increase from LAB. The large General Fund increase is a response to the end of one-time Federal Fund monies used to fund evidence based treatment courts.

The Subcommittee recommended package 070: Revenue Shortfalls, to remove Federal Funds revenue and expenditure limitation that will not be available in the 2013-15 biennium. These funds came from the American Recovery and Reinvestment Act and were used to support drug courts. The package reduces Federal Funds expenditure limitation by \$12.7 million.

The Subcommittee recommended package 091: Statewide Administrative Savings. This package is a placeholder for administrative efficiencies in finance, information technology, human resources, accounting, payroll, and procurement expenditures. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. The package decreases General Fund by \$12,032 and Federal Funds expenditure limitation by \$13,568.

The Subcommittee recommended package 092: PERS Taxation Policy. This package reflects the policy change in Senate Bill 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving the payments does not pay Oregon income tax on those benefits and is not an Oregon resident. This change reduces state employer contribution rates by approximately 0.30 percent. The package decreases General Fund by \$2,181 and Federal Funds expenditure limitation by \$1,728.

The Subcommittee recommended package 093: Other PERS Adjustments. This package reflects the policy change in Senate Bill 822 that modifies the cost-of-living adjustment under the Public Employees Retirement System. This change reduces state employer contribution rates by approximately 2.2 percent.

An administrative action by the PERS Board, as directed by a budget note in the Senate Bill 822 budget report, will reduce state employer contribution rates by up to an additional 1.9 percent. However, no employer rate is reduced below its 2011-13 biennium rate. The package decreases General Fund by \$17,425 and Federal Funds expenditure limitation by \$13,809.

The Subcommittee recommended package 101: Sustaining Evidence Based Treatment Courts. This package provides \$8.9 million General Fund and \$200,000 Other Funds (Asset Forfeiture) expenditure limitation backfill to maintain 27 drug courts for the 2013-15 biennium.

The Subcommittee recommended package 810: LFO Analyst Adjustments. The Governor's recommended budget double-counted a reduction to State Government Service Charges; the amount needs to be restored to avoid unintended service reduction. The package increases General Fund by \$205,045.

Summary of Performance Measure Action

See attached Legislatively Adopted 2013-15 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 5007-A

**Oregon Criminal Justice Commission
Art Ayre - 503-378-3108**

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|---|----------------------|---------------|-------------------|-------------|------------------------|-------------|-----------------------|----------|-------------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| 2011-13 Legislatively Approved Budget at Dec 2012 * | \$ 4,761,327 | \$ 0 | \$ 299,950 | \$ 0 | \$ 19,499,190 | \$ 0 | \$ 24,560,467 | 10 | 9.00 |
| 2013-15 ORBITS printed Current Service Level (CSL)* | \$ 4,771,471 | \$ 0 | \$ 283,422 | \$ 0 | \$ 19,823,048 | \$ 0 | \$ 24,877,941 | 8 | 7.50 |
| <u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u> | | | | | | | | | |
| SCR 001 - Sentencing, Policy, and Research | | | | | | | | | |
| Package 070: Revenue Shortfalls | | | | | | | | | |
| Special Payments | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ (12,658,056) | \$ 0 | \$ (12,658,056) | | |
| Package 091: Statewide Administrative Savings | | | | | | | | | |
| Personal Services | \$ (9,626) | \$ 0 | \$ 0 | \$ 0 | \$ (10,854) | \$ 0 | \$ (20,480) | 0 | 0.00 |
| Services and Supplies | \$ (2,406) | \$ 0 | \$ 0 | \$ 0 | \$ (2,714) | \$ 0 | \$ (5,120) | | |
| Package 092: PERS Taxation Policy | | | | | | | | | |
| Personal Services | \$ (2,181) | \$ 0 | \$ 0 | \$ 0 | \$ (1,728) | \$ 0 | \$ (3,909) | 0 | 0.00 |
| Package 093: Other PERS Adjustments | | | | | | | | | |
| Personal Services | \$ (17,425) | \$ 0 | \$ 0 | \$ 0 | \$ (13,809) | \$ 0 | \$ (31,234) | 0 | 0.00 |
| Package 101: Sustaining Evidence Based Treatment Courts | | | | | | | | | |
| Special Payments | \$ 8,928,289 | \$ 0 | \$ 200,000 | \$ 0 | \$ 0 | \$ 0 | \$ 9,128,289 | | |
| Package 810: LFO Analyst Adjustments | | | | | | | | | |
| Services and Supplies | \$ 205,045 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 205,045 | | |
| TOTAL ADJUSTMENTS | \$ 9,101,696 | \$ 0 | \$ 200,000 | \$ 0 | \$ (12,687,161) | \$ 0 | \$ (3,385,465) | 0 | 0.00 |
| SUBCOMMITTEE RECOMMENDATION * | \$ 13,873,167 | \$ 0 | \$ 483,422 | \$ 0 | \$ 7,135,887 | \$ 0 | \$ 21,492,476 | 8 | 7.50 |
| | | | | | | | | | |
| % Change from 2011-13 Leg Approved Budget | 191.4% | 0.0% | 61.2% | 0.0% | -63.4% | 0.0% | -12.5% | -20.0% | -16.7% |
| % Change from 2013-15 Current Service Level | 190.8% | 0.0% | 70.6% | 0.0% | -64.0% | 0.0% | -13.6% | 0.0% | 0.0% |

Legislatively Approved 2013-2015 Key Performance Measures

Agency: **CRIMINAL JUSTICE COMMISSION, OREGON**

Mission: The mission of the Criminal Justice Commission is to provide centralized policy and planning development for the state and local criminal justice systems. The Commission administers the sentencing guidelines for most felony convictions by administrative rules and statutes. The current primary duty of the Commission is to provide and maintain a long-range public safety plan and to serve as an impartial forum for the development of public safety policy. The goal of the work of the Commission is to improve public safety in the state.

| Legislatively Proposed KPMs | Customer Service Category | Agency Request | Most Current Result | Target 2014 | Target 2015 |
|--|-----------------------------|----------------|---------------------|-------------|-------------|
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Accuracy | Approved KPM | 86.00 | 80.00 | 80.00 |
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Availability of Information | Approved KPM | 73.00 | 80.00 | 80.00 |
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Expertise | Approved KPM | 90.00 | 80.00 | 80.00 |
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Helpfulness | Approved KPM | 100.00 | 80.00 | 80.00 |
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Overall | Approved KPM | 88.00 | 80.00 | 80.00 |
| 1 - CUSTOMER SERVICE : Percent of customers rating their satisfaction with the agency's customer service as good or excellent: overall, timeliness, accuracy, helpfulness, expertise, availability of information. | Timeliness | Approved KPM | 90.00 | 80.00 | 80.00 |

Agency: CRIMINAL JUSTICE COMMISSION, OREGON

Mission: The mission of the Criminal Justice Commission is to provide centralized policy and planning development for the state and local criminal justice systems. The Commission administers the sentencing guidelines for most felony convictions by administrative rules and statutes. The current primary duty of the Commission is to provide and maintain a long-range public safety plan and to serve as an impartial forum for the development of public safety policy. The goal of the work of the Commission is to improve public safety in the state.

| Legislatively Proposed KPMs | Customer Service Category | Agency Request | Most Current Result | Target 2014 | Target 2015 |
|---|----------------------------------|-----------------------|----------------------------|--------------------|--------------------|
| 2 - GRANT ADMINISTRATION: Percentage of CJC administered grant programs that meet or exceed 75% or more of the grant requirements (i.e. individuals served, services delivered, etc) contained in their grant applications. | | Approved KPM | 90.00 | 90.00 | 90.00 |

LFO Recommendation:

Approve targets.

Sub-Committee Action:

Approved targets for 2014 and 2015.

HB 5007-2
(LC 9007)
5/1/13 (TR/ps)

**PROPOSED AMENDMENTS TO
HOUSE BILL 5007**

- 1 In line 6 of the printed bill, delete "\$13,668,122" and insert "\$13,873,167".
- 2 In line 7, delete "\$283,422" and insert "\$483,422".

3
