

**77<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2013 Session  
BUDGET REPORT AND MEASURE SUMMARY**

**MEASURE: HB 5050-A**

**JOINT COMMITTEE ON WAYS AND MEANS**

**Carrier – House: Rep. Williamson  
Carrier – Senate: Sen. Winters**

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

**Vote:** 26 – 0 – 0

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Jenson, Komp, McLane, Nathanson, Read, Richardson, Smith, Tomei, Williamson

Nays:

Exc:

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

**Prepared By:** Art Ayre, Department of Administrative Services

**Reviewed By:** Linda Gilbert, Legislative Fiscal Office

**Meeting Date:** June 6, 2013

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Agency

Youth Authority

Biennium

2013-15

## **Budget Summary\***

	2011-13 Legislatively Approved Budget <sup>(1)</sup>	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$\$ Change	% Change
General Fund	\$ 250,012,705	\$ 274,568,268	\$ 273,545,562	\$ 23,532,857	9.4%
General Fund Capital Improvements	\$ 695,620	\$ 738,174	\$ 738,174	\$ 42,554	6.1%
General Fund Debt Service	\$ 5,342,506	\$ 2,017,315	\$ 2,017,315	\$ (3,325,191)	-62.2%
Other Funds	\$ 13,173,713	\$ 14,008,787	\$ 14,048,764	\$ 875,051	6.6%
Federal Funds	\$ 31,107,231	\$ 36,887,629	\$ 34,503,534	\$ 3,396,303	10.9%
Federal Funds Debt Service Nonlimited	\$ 1	\$ 1	\$ 1	\$ 0	0.0%
<b>Total</b>	<b>\$ 300,331,776</b>	<b>\$ 328,220,174</b>	<b>\$ 324,853,350</b>	<b>\$ 24,521,574</b>	<b>8.2%</b>

## **Position Summary**

Authorized Positions	1,152	1,032	1,030	-122
Full-time Equivalent (FTE) positions	979.76	994.58	992.58	12.82

<sup>(1)</sup> Includes adjustments through December 2012

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

General Fund supports the major share (85 percent) of activities and operations for the Oregon Youth Authority (OYA). Other Funds make up four percent of the total budget; funding sources include trust recoveries from Supplemental Security Income disability payments, child support collections, and other client funds used to reimburse the state for the maintenance costs of youth in care. Child support revenues have decreased by \$1.1 million primarily due to a higher proportion of older youth in OYA custody. Federal Funds from Title XIX (Medicaid) funds for Targeted Case Management, Medicaid Administration, and Behavioral Rehabilitation Services are forecast at \$34.5 million, supporting 11 percent of the budget.

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

The Oregon Youth Authority (OYA) is responsible for a continuum of services for youth offenders through a statewide network of state facilities, state employees, counties, and other contracted community providers. OYA's close custody system includes three major population groups: juveniles convicted in adult court under Measure 11 or waived to adult court; Public Safety Reserve youth committed for certain violent crimes,

but too young for Measure 11 to apply; and youth committed for new crimes and parole violations as part of the county Discretionary Bed Allocation (DBA). The Office of Economic Analysis (OEA) April 2013 OYA Demand Forecast projects a substantially lower demand of 642 beds during the 2013-15 biennium. The recommended capacity of 753 beds is more than adequate to house the Measure 11/waived and Public Safety Reserve youth, and preserves the number of DBA beds available to counties for lower-level offenders as OYA implements the Youth Reformation System (YRS). Community placement beds are funded for 658 beds, However, the OEA forecast indicates an additional 841 community placements will be necessary to meet demand once the YRS is fully implemented.

The Public Safety Subcommittee approved a budget of \$324,853,350 Total Funds, including 1,030 positions (992.58 FTE). The 2013-15 total funds budget is an 8.2 percent increase from the 2011-13 LAB, while the General Fund of \$276,301,051 which includes Capital Improvement and Debt Service, is 7.9 percent above the 2011-13 LAB.

### **Facility Programs**

OYA operates seven youth correctional facilities (YCF) and four transition programs across the state. The facilities provide youth offenders with “bed and board”, physical and mental health care, treatment services, education programs, recreation, and work experience for youth. Services are provided by OYA employees and by contract with community professionals, local school districts or education service districts. The majority of educational costs are financed through the State School Fund, although educational services provided to youth with a high school diploma or age 21 and older are paid for directly in OYA’s budget.

The Subcommittee recommended a Facility Programs budget of \$160,947,984 total funds, including 791 positions (755.33 FTE).

The Subcommittee recommended Package 090: Analyst Adjustments. This package increases Other Funds expenditure limitation by \$90,059 to support the cost of issuance related to bond sales for deferred maintenance projects funded in the Capital Construction program.

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving 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 reduces General Fund by \$309,678, Other Funds expenditure limitation by \$5,966, and Federal Funds expenditure limitation by \$60.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in SB 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 SB 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 reduces General Fund by \$2,475,627, Other Funds expenditure limitation by \$47,690, and Federal Funds expenditure limitation by \$478.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package is a base budget PERS rate correction with addition of \$185,698 General Fund, \$3,574 Other Funds expenditure limitation, and \$36 Federal Funds expenditure limitation in personal services.

### **Community Programs**

Community Programs funds parole and probation services; community placement services, such as residential services and foster care; individualized community services; and grants to counties for youth gang services, juvenile crime prevention, and services to divert high risk youth offenders from OYA placement.

The Subcommittee recommended a Community Programs budget of \$129,675,889 Total Funds, including 140 positions (138.25 FTE).

The recommended budget includes Package 092: PERS Tax Policy. This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving 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. This package reduces General Fund by \$52,812 and Federal Funds expenditure limitation by \$10,596.

The recommended budget includes Package 093: Other PERS Adjustments. This package reflects the policy change in SB 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 SB 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. This package reduces General Fund by \$422,188 and Federal Funds expenditure limitation by \$84,704.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package makes three adjustments: (1) base budget PERS rates were understated by \$31,681 General Fund and \$6,337 Federal Funds expenditure limitation; (2) change in Federal Medical Assistance Percentages (FMAP) rate reduces General Fund and increases Federal Funds expenditure limitation by \$181,579; and (3) backfill for declining Behavior Rehabilitation Services (BRS) rates adds \$3,435,436 General Fund and reduces \$2,389,392 Federal Funds expenditure limitation.

### **Program Support**

Program Support includes the director's office and agency business services, such as accounting, employee services, budget and contracts, and information systems staff and expenditures. An internal audits office and the internal investigations function (the Office of Professional Standards) are also part of this budget. Operational costs for the Juvenile Justice Information System and agency-wide costs such as insurance premiums, Attorney General costs, and state government service charges are also paid by this budget.

The Subcommittee recommended a Program Support budget of \$31,473,987 Total Funds, including 99 positions (99.00 FTE).

The Subcommittee recommended Package 081: May 2012 Emergency Board. This package completes the phase-in of one-time 2011-13 General Fund reductions taken in SB 5701, February 2012. It also identifies two management positions that were permanently abolished. This package increases General Fund by \$19,284, decreases Federal Funds expenditure limitation by \$5,386, and eliminates two positions (2.00 FTE).

The recommended budget includes 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 Executive Branch had intended for these reductions to be specified in the Governor's 2013-15 recommended budget. The Department of Administrative Services will continue to work on details of these reductions with agencies and report back during the 2014 session. This package reduces General Fund by \$841,737 and Federal Funds expenditure limitation by \$63,356.

The recommended budget includes Package 092 PERS Tax Policy. This package reflects the policy change in SB 822 that eliminates the increased retirement benefits resulting from Oregon income taxation of payments if the person receiving 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%. This package reduces General Fund by \$48,762 and Federal Funds expenditure limitation by \$2,297.

The recommended budget includes Package 093 Other PERS Adjustments. This package reflects the policy change in SB 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%.

An administrative action by the PERS Board, as directed by a budget note in the SB 822 budget report, will reduce state employer contribution rates by up to an additional 1.9%. However, no employer rate is reduced below its 2011-13 biennium rate. This package reduces General Fund by \$389,814 and Federal Funds expenditure limitation by \$18,362.

The Subcommittee approved Package 810: LFO Analyst Adjustments. This package corrects PERS rate in base budget by adding \$28,601 General Fund and \$1,375 Federal Funds expenditure limitation. It also corrects Federal Funds expenditure limitation on two positions for a General Fund reduction and Federal Funds expenditure limitation increase of \$1,209.

**Budget Note:**

The Oregon Youth Authority (OYA) has two aging youth correctional facilities in the Willamette Valley that are operating well below the intended bed capacity and that have significant deferred maintenance needs. The April 2013 Oregon Youth Authority Demand Forecast projects a reduction in the number of close custody beds necessary to house incarcerated youth and also shows a need for a substantial increase in the number of community residential treatment beds.

The Joint Committee on Ways and Means directs OYA to develop a facilities plan that:

1. Evaluates facilities in terms of capacity, operating and maintenance cost, and deferred maintenance need;

2. Develops 10-year or longer term plans for the facilities;
3. Includes recommendations and rationale for facility disposition, if appropriate; and
4. Recommends future uses of the buildings that OYA would no longer need.

The Oregon Youth Authority is developing the Youth Reformation System, a predictive analysis model to inform decisions at all levels of Oregon's juvenile justice system. The model uses juvenile data in Oregon's unique Juvenile Justice Information System to create better outcomes for youth in terms of returning to society ready to take part in a productive, healthy, crime-free life. The model, in turn, reduces victimization and reduces taxpayer expense.

The Joint Committee on Ways and Means directs OYA to develop a business plan that:

1. Includes business efficiencies, including maximizing asset utility, that effectively use taxpayer dollars;
2. Creates a timeline and project plan to implement the Youth Reformation System;
3. Does not compromise the safety and security of youth, staff, or the community; and
4. To the greatest extent possible, avoids layoffs.

OYA is further directed to report on the facility and Youth Reformation System business plans to the Joint Committee on Ways and Means during the February, 2014 Legislative Session.

### **Debt Service**

Debt service is the obligation to repay the principal and interest costs of Certificates of Participation (COPs) issued to finance OYA's capital construction and deferred maintenance needs.

The Subcommittee recommended a total of \$2,017,315 General Fund and a \$1 placeholder for non-limited Federal Funds expenditure limitation.

### **Capital Improvements**

Capital Improvement pays for land and building improvements, including major repair or replacement, which cost more than \$5,000 but less than \$1.0 million. Funding for capital improvements continues to be limited, allowing OYA to address only the most critical or emergent needs.

The Subcommittee recommended a budget of \$738,174 General Fund.

### **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 5050-A**

**Oregon Youth Authority**  
**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 *	\$ 256,050,831	\$ 0	\$ 13,173,713	\$ 0	\$ 31,107,231	\$ 1	\$ 300,331,776	1,152	979.76
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 277,323,757	\$ 0	\$ 14,008,787	\$ 0	\$ 36,887,629	\$ 1	\$ 328,220,174	1,032	994.58
<b><u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u></b>									
<b>SCR 010 - Facility Programs</b>									
Package 090: Analyst Adjustments									
Services and Supplies	\$ 0	\$ 0	\$ 90,059	\$ 0	\$ 0	\$ 0	\$ 90,059		
Package 092: PERS Taxation Policy									
Personal Services	\$ (309,678)	\$ 0	\$ (5,966)	\$ 0	\$ (60)	\$ 0	\$ (315,704)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (2,475,627)	\$ 0	\$ (47,690)	\$ 0	\$ (478)	\$ 0	\$ (2,523,795)	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 185,698	\$ 0	\$ 3,574	\$ 0	\$ 36	\$ 0	\$ 189,308	0	0.00
<b>SCR 020 - Community Programs</b>									
Package 092: PERS Taxation Policy									
Personal Services	\$ (52,812)	\$ 0	\$ 0	\$ 0	\$ (10,596)	\$ 0	\$ (63,408)	0	0.00
Package 093: Other PERS Adjustments									
Personal Services	\$ (422,188)	\$ 0	\$ 0	\$ 0	\$ (84,704)	\$ 0	\$ (506,892)	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 31,681	\$ 0	\$ 0	\$ 0	\$ 6,337	\$ 0	\$ 38,018	0	0.00
Special Payments (Dist. to Individuals)	\$ 3,253,857	\$ 0	\$ 0	\$ 0	\$ (2,207,813)	\$ 0	\$ 1,046,044		
<b>SCR 030 - Program Support</b>									
Package 081: May 2012 Emergency Board									
Personal Services	\$ 19,284	\$ 0	\$ 0	\$ 0	\$ (5,386)	\$ 0	\$ 13,898	-2	-2.00
Package 091: Statewide Administrative Savings									
Personal Services	\$ (673,390)	\$ 0	\$ 0	\$ 0	\$ (50,685)	\$ 0	\$ (724,075)	0	0.00
Services and Supplies	\$ (168,347)	\$ 0	\$ 0	\$ 0	\$ (12,671)	\$ 0	\$ (181,018)		
Package 092: PERS Taxation Policy									
Personal Services	\$ (48,762)	\$ 0	\$ 0	\$ 0	\$ (2,297)	\$ 0	\$ (51,059)	0	0.00

**Oregon Youth Authority**  
**Art Ayre - 503-378-3108**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
Package 093: Other PERS Adjustments									
Personal Services	\$ (389,814)	\$ 0	\$ 0	\$ 0	\$ (18,362)	\$ 0	\$ (408,176)	0	0.00
Package 810: LFO Analyst Adjustments									
Personal Services	\$ 27,392	\$ 0	\$ 0	\$ 0	\$ 2,584	\$ 0	\$ 29,976	0	0.00
<b>TOTAL ADJUSTMENTS</b>	<b>\$ (1,022,706)</b>	<b>\$ 0</b>	<b>\$ 39,977</b>	<b>\$ 0</b>	<b>\$ (2,384,095)</b>	<b>\$ 0</b>	<b>\$ (3,366,824)</b>	<b>-2</b>	<b>-2.00</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 276,301,051</b>	<b>\$ 0</b>	<b>\$ 14,048,764</b>	<b>\$ 0</b>	<b>\$ 34,503,534</b>	<b>\$ 1</b>	<b>\$ 324,853,350</b>	<b>1,030</b>	<b>992.58</b>
% Change from 2011-13 Leg Approved Budget	7.9%	0.0%	6.6%	0.0%	10.9%	0.0%	8.2%	-10.6%	1.3%
% Change from 2013-15 Current Service Level	-0.4%	0.0%	0.3%	0.0%	-6.5%	0.0%	-1.0%	-0.2%	-0.2%



## Legislatively Approved 2013-2015 Key Performance Measures

### Agency: YOUTH AUTHORITY, OREGON

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

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
1 - ESCAPES - Number of escapes per fiscal year.		Approved KPM	0.00	5.00	5.00
2 - RUNAWAYS - Number of runaways from provider supervision (including youth on home visit status) per fiscal year.		Approved KPM	268.00	255.00	255.00
3 a - YOUTH TO YOUTH INJURIES - Number of injuries to youth by other youth per fiscal year. a) Facilities		Approved KPM	19.00	32.00	32.00
3 b - YOUTH TO YOUTH INJURIES - Number of injuries to youth by other youth per fiscal year. b) Field		Approved KPM	0.00	6.00	6.00
4 a - STAFF TO YOUTH INJURIES - Number of injuries to youth by staff per fiscal year. a) Facilities		Approved KPM	6.00	3.00	3.00
4 b - STAFF TO YOUTH INJURIES - Number of injuries to youth by staff per fiscal year. b) Field		Approved KPM	0.00	0.00	0.00
5 a - SUICIDAL BEHAVIOR - Number of youth with serious suicidal behavior, including attempts, during the fiscal year. a) Facilities		Approved KPM	20.00	10.00	10.00
5 b - SUICIDAL BEHAVIOR - Number of youth with serious suicidal behavior, including attempts, during the fiscal year. b) Field		Approved KPM	6.00	1.00	1.00
6 - INTAKE ASSESSMENTS - Percent of youth who received an OYA Risk/Needs Assessment (OYA/RNA) within 30 days of commitment or admission.		Approved KPM	78.00	90.00	90.00
7 - CORRECTIONAL TREATMENT - Percent of youth whose records indicate active domains in an OYA case plan as identified in the OYA/RNA, within 60 days of commitment or admission.		Approved KPM	65.00	90.00	90.00
8 - EDUCATIONAL SERVICES - Percent of youth committed to OYA for more than 60 days whose records indicate that they received the education programming prescribed by their OYA case plan.		Approved KPM	92.00	95.00	95.00

**Agency: YOUTH AUTHORITY, OREGON**

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<b>Legislatively Proposed KPMs</b>	<b>Customer Service Category</b>	<b>Agency Request</b>	<b>Most Current Result</b>	<b>Target 2014</b>	<b>Target 2015</b>
9 - COMMUNITY REENTRY SERVICES - Percent of youth released from close custody during the fiscal year who are receiving transition services per criminogenic risk and needs (domains) identified in OYA case plan.		Approved KPM	65.00	90.00	90.00
10 - SCHOOL AND WORK ENGAGEMENT - Percent of youth living in OYA Family Foster Care, independently or at home (on OYA parole/probation) who are engaged in school, work, or both within 30 days of placement.		Approved KPM	66.00	70.00	70.00
11 - RESTITUTION PAID - Percent of restitution paid on restitution orders closed during the fiscal year.		Approved KPM	36.00	40.00	40.00
12 a - PAROLE RECIDIVISM - Percent of youth paroled from an OYA close custody facility during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 12 months).		Approved KPM	9.80	8.00	8.00
12 b - PAROLE RECIDIVISM - Percent of youth paroled from an OYA close custody facility during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 24 months).		Approved KPM	22.20	16.50	16.50
12 c - PAROLE RECIDIVISM - Percent of youth paroled from an OYA close custody facility during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 36 months).		Approved KPM	30.80		
13 a - PROBATION RECIDIVISM - Percent of youth committed to OYA for probation during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 12 months).		Approved KPM	7.20	9.50	9.50
13 b - PROBATION RECIDIVISM - Percent of youth committed to OYA for probation during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 24 months).		Approved KPM	13.40	13.50	

**Agency: YOUTH AUTHORITY, OREGON**

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Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2014	Target 2015
13 c - PROBATION RECIDIVISM - Percent of youth committed to OYA for probation during a fiscal year who were adjudicated/convicted of a felony with a disposition or sentence of formal supervision by the county or state in the following fiscal year(s) (at 36 months).		Approved KPM	24.10		
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Accuracy	Approved KPM	54.00	80.00	80.00
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Availability of Information	Approved KPM	49.00	80.00	80.00
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Expertise	Approved KPM	65.00	80.00	80.00
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Helpfulness	Approved KPM	63.00	80.00	80.00
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Overall	Approved KPM	80.00	80.00	80.00
14 - CUSTOMER SERVICE- Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	Timeliness	Approved KPM	49.00	80.00	80.00

**LFO Recommendation:**

Approve agency KPM's as presented with one exception:#1 - Number of escapes per year. Reduce target to 5 from 9 to reflect recent actual experience.

**Sub-Committee Action:**

The Sub-Committee discussed the meaning of escape in the KPM (from residential care, not from close custody facilities) and approved the LFO recommendation.