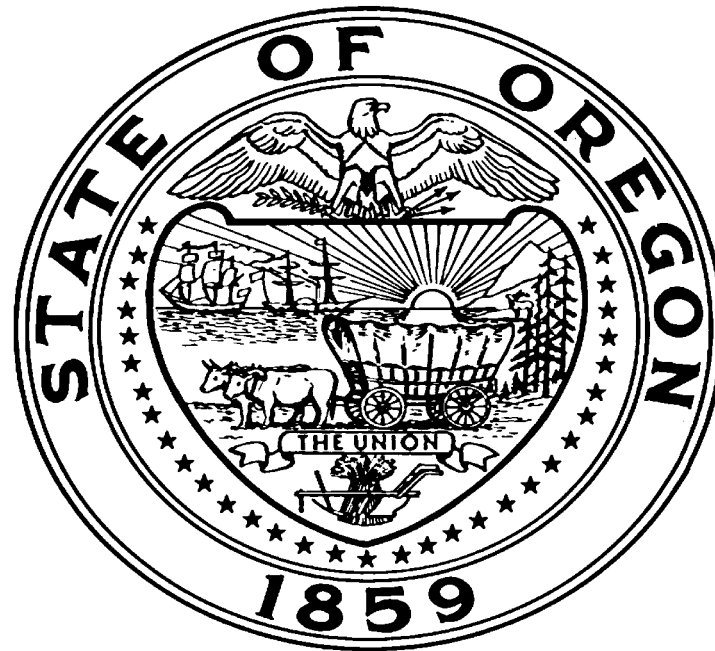


DEPARTMENT OF JUSTICE

2015-2017

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CERTIFICATION

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief, and that the arithmetic accuracy of all numerical information has been verified.

Department of Justice

Agency Name

Justice Building, Salem, Oregon

Agency Address


Signature

Attorney General

Title

Notice: Requests of those agencies headed by a board or commission must be approved by those bodies of official action and signed by the board or commission chairperson. The requests of other agencies must be approved and signed by the agency director or administrator.

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Department of Justice

Legislative Action

Governor's Budget

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled House Bill 5018

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to the financial administration of the Department of Justice; appropriating money; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. There is appropriated to the Department of Justice, for the biennium beginning July 1, 2013, out of the General Fund, the following amounts for the following purposes:

(1) Office of the Attorney	
General and administration	\$ 300,000
(2) Civil Enforcement Division	\$ 3,892,716
(3) Criminal Justice Division	\$ 8,446,620
(4) Crime Victims' Services	
Division	\$ 5,745,098
(5) Defense of Criminal	
Conviction	\$ 20,006,886
(6) Child Support Division	\$ 23,278,185

SECTION 2. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice, for the following purposes:

(1) Office of the Attorney	
General and administration	\$ 27,029,413
(2) Appellate Division	\$ 17,647,715
(3) Civil Enforcement Division	\$ 63,466,524
(4) Criminal Justice Division	\$ 9,605,066
(5) Crime Victims' Services	
Division	\$ 29,736,924
(6) General Counsel Division	\$ 45,021,378
(7) Trial Division	\$ 25,682,734
(8) Child Support Division	\$ 27,500,431

SECTION 3. Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2013, as the maximum limit for payment

Governor's Budget

of expenses from federal funds collected or received by the Department of Justice for the following purposes:

- (1) Civil Enforcement Division..... \$ 3,246,887
- (2) Criminal Justice Division..... \$ 9,603,735
- (3) Crime Victims' Services
Division \$ 19,081,618
- (4) Child Support Division \$ 82,129,709

SECTION 4. For the biennium beginning July 1, 2013, expenditures passed through as special payments for other recipients, primarily district attorneys, for child support federal funds and incentive federal funds and fees, are not limited.

SECTION 5. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect July 1, 2013.

Passed by House June 13, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 21, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

.....
Kate Brown, Secretary of State

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77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled House Bill 2322

Sponsored by Representative BUCKLEY (Pre-session filed.)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending ORS 1.002, 7.124, 7.240, 19.250, 19.365, 19.370, 21.345, 182.454, 184.486, 250.137, 250.139, 250.147, 250.149, 251.185, 285C.615, 285C.635, 285C.639, 286A.806, 291.272, 291.278, 292.311, 292.406, 292.411, 292.416, 292.426, 293.812, 316.502, 323.455, 323.625, 328.331, 328.346, 401.536, 443.733, 565.021 and 565.445 and sections 8b and 9e, chapter 877, Oregon Laws 2007, section 11, chapter 365, Oregon Laws 2011, sections 1, 7 and 8, chapter 604, Oregon Laws 2011, section 16, chapter ____, Oregon Laws 2013 (Enrolled Senate Bill 270), and section 2, chapter ____, Oregon Laws 2013 (Enrolled House Bill 3458); repealing ORS 250.137, 250.139, 250.141, 250.143, 250.146, 250.147, 250.149, 293.814, 293.815, 293.816, 293.817, 297.075, 396.350, 396.366, 396.370, 399.095, 461.558, 565.405, 565.410, 565.415, 565.420, 565.435, 565.440, 565.442, 565.443, 565.449 and 565.450 and sections 3 and 11, chapter 365, Oregon Laws 2011; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

DEPARTMENT OF REVENUE

SECTION 1. Notwithstanding section 7, chapter 710, Oregon Laws 2009, the amount of \$5,478,292 is transferred from the Tax Amnesty Fund to the General Fund for general governmental purposes.

SECTION 2. ORS 323.455 is amended to read:

323.455. (1) All moneys received by the Department of Revenue from the tax imposed by ORS 323.030 (1) shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. The department may pay expenses for administration **and enforcement** of ORS 323.005 to 323.482 out of moneys received from the tax imposed under ORS 323.030 (1). Amounts necessary to pay administrative **and enforcement** expenses are continuously appropriated to the department from the suspense account. After the payment of administrative **and enforcement** expenses and refunds, 89.65 percent shall be credited to the General Fund, 3.45 percent is appropriated to the cities of this state, 3.45 percent is appropriated to the counties of this state and 3.45 percent is continuously appropriated to the Department of Transportation for the purpose of financing and improving transportation services for elderly individuals and individuals with disabilities as provided in ORS 391.800 to 391.830.

(2) The moneys so appropriated to cities and counties shall be paid on a monthly basis within 35 days after the end of the month for which a distribution is made. Each city shall receive such share of the money appropriated to all cities as its population, as determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the cities of the state,

Governor's Budget

(4) Notwithstanding subsections (2) and (3) of this section, adult foster care home providers are not for any other purpose employees of the State of Oregon or any other public body.

(5) The Oregon Department of Administrative Services shall represent the State of Oregon in collective bargaining negotiations with the certified or recognized exclusive representative of an appropriate bargaining unit of adult foster care home providers. The Oregon Department of Administrative Services is authorized to agree to terms and conditions of collective bargaining agreements on behalf of the State of Oregon.

(6) Notwithstanding ORS 243.650 (1), an appropriate bargaining unit for adult foster care home providers is any bargaining unit recognized by the Governor in an executive order issued prior to January 1, 2008.

(7) This section does not modify any right of an adult receiving foster care.

PUBLIC BODY INSURANCE

SECTION 33. Notwithstanding ORS 30.282, 30.285, 278.425, 655.515 and 655.540, the amount of \$10,000,000 is transferred from the Insurance Fund to the General Fund for general governmental purposes. The transfer shall be made not later than June 30, 2014.

DEPARTMENT OF JUSTICE

SECTION 34. Notwithstanding ORS 180.095, 180.096, 646.775 and 646A.284, the amount of \$5,000,000 is transferred from the Department of Justice Protection and Education Revolving Account to the General Fund for general governmental purposes.

OREGON LOCAL DISASTER ASSISTANCE LOAN AND GRANT ACCOUNT

SECTION 35. ORS 401.536, as amended by section 98, chapter 107, Oregon Laws 2012, is amended to read:

401.536. (1) The Oregon Local Disaster Assistance Loan and Grant Account is established as an account in the Oregon Disaster Response Fund. The account consists of moneys appropriated by the Legislative Assembly and any other moneys deposited into the account pursuant to law.

(2) Moneys in the account are continuously appropriated to the Oregon Military Department for:

(a) Providing loans to local governments, as defined in ORS 174.116, and school districts to match, either in full or in part, moneys from federal programs for federally declared disaster relief that require a match;

(b) Providing loans and grants to local governments, as defined in ORS 174.116, and school districts, for the purpose of paying costs incurred by local governments and school districts in response to federally declared disasters; *[and]*

(c) **Providing loans and grants to local governments, as defined in ORS 174.116, and school districts for the purposes of paying costs incurred by local governments and school districts in response to disasters that are not federally declared disasters, as determined by the Legislative Assembly, if all loans and grants provided under paragraphs (a) and (b) of this subsection have been repaid, fulfilled or otherwise satisfied and moneys remain in the account; and**

[(c)] (d) Subject to subsection (5) of this section, paying the department's expenses for administering loans made from the account under paragraph (a) of this subsection.

(3) Loans made under subsection (2)(b) **or** (c) of this section shall be repaid pursuant to such terms and conditions as may be established by the Oregon Department of Administrative Services. Loans made under subsection (2)(b) **or** (c) of this section may be interest free, or bear interest at a rate established by the Oregon Department of Administrative Services. Amounts repaid on loans made under subsection (2)(b) **or** (c) of this section shall be deposited in the General Fund.

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292.411. (1) The annual salary of the Chief Justice of the Supreme Court shall be [~~\$133,556~~] **\$138,556** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

(2) The annual salary of each other judge of the Supreme Court shall be [~~\$130,688~~] **\$135,688** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

SECTION 43. ORS 292.416 is amended to read:

292.416. The annual salary of each judge of a circuit court shall be [~~\$114,468~~] **\$119,468** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 43a. ORS 292.416, as amended by section 43 of this 2013 Act, is amended to read:

292.416. The annual salary of each judge of a circuit court shall be [~~\$119,468~~] **\$124,468** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

SECTION 44. ORS 292.426 is amended to read:

292.426. The annual salary of the judge of the Oregon Tax Court shall be [~~\$118,164~~] **\$123,164** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter.

SECTION 44a. ORS 292.426, as amended by section 44 of this 2013 Act, is amended to read:

292.426. The annual salary of the judge of the Oregon Tax Court shall be [~~\$123,164~~] **\$128,164** for the year beginning [~~January 1, 2014~~] **January 1, 2015**, and for each year thereafter.

STATEWIDE ELECTED OFFICIAL SALARIES

SECTION 45. ORS 292.311 is amended to read:

292.311. The incumbents of each of the following offices shall be paid an annual salary on a monthly basis, as follows:

(1) Governor, [~~\$93,600~~] **\$98,600** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter. The Governor shall also be paid \$1,000 per month regularly for expenses necessarily incurred but not otherwise provided for.

(2) Secretary of State, [~~\$72,000~~] **\$77,000** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter. The Secretary of State shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(3) State Treasurer, [~~\$72,000~~] **\$77,000** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter. The State Treasurer shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(4) Attorney General, [~~\$77,200~~] **\$82,200** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter. The Attorney General shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

(5) Commissioner of the Bureau of Labor and Industries, [~~\$72,000~~] **\$77,000** for the year beginning [~~July 1, 2009~~] **January 1, 2014**, and for each year thereafter. The commissioner shall also be paid \$250 per month regularly for expenses necessarily incurred but not otherwise provided for.

SECTION 45a. (1) The amendments to ORS 292.311, 292.406, 292.411, 292.416 and 292.426 by sections 41, 42, 43, 44 and 45 of this 2013 Act become operative January 1, 2014.

(2) The amendments to ORS 292.406, 292.411, 292.416 and 292.426 by sections 41a, 42a, 43a and 44a of this 2013 Act become operative January 1, 2015.

GOVERNMENTAL SERVICE EXPENSES

SECTION 46. ORS 291.272 is amended to read:

291.272. As used in ORS 291.272 to 291.278, unless the context requires otherwise:

(1) "Administrative expenses" has the meaning defined by ORS 291.305.

(2) "Department" means the Oregon Department of Administrative Services.

(3) "Governmental service expenses" means the expenses of state government that are attributable to the operation, maintenance, administration and support of state government generally, and includes the following:

Governor's Budget

SECTION 89. If House Bill 2506 and House Bill 3233 become law, and notwithstanding ORS 327.008 and 327.013, for the biennium beginning July 1, 2013, if the State Land Board increases distributions for the 2013-2015 biennium from the Common School Fund by an amount exceeding the standard distribution of Common School Fund earnings per board policy adopted April 14, 2009, and the Superintendent of Public Instruction receives a transfer in this amount pursuant to ORS 327.410, then the Department of Education may transfer up to \$12 million from the State School Fund during the biennium beginning July 1, 2013, to the Network of Quality Teaching and Learning Fund established by section 11, chapter 577, Oregon Laws 2013 (Enrolled House Bill 2506).

SECTION 90. Section 89 of this 2013 Act is repealed on June 30, 2015.

MISCELLANEOUS

SECTION 91. The unit captions used in this 2013 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2013 Act.

EMERGENCY CLAUSE

SECTION 92. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House July 8, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 8, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

..... M., 2013

Approved:

..... M., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

..... M., 2013

.....
Kate Brown, Secretary of State

Governor's Budget

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled House Bill 5006

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to the financial administration of the Criminal Fine Account; creating new provisions; amending ORS 137.300; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Notwithstanding ORS 137.300, for the biennium beginning July 1, 2013, the Department of Revenue shall distribute the moneys in the Criminal Fine Account established by ORS 137.300 as specified in sections 2 to 7 of this 2013 Act.

SECTION 2. There are allocated to the Department of Public Safety Standards and Training for the biennium beginning July 1, 2013, from the Criminal Fine Account, the following amounts for the following purposes:

- (1) Criminal justice training and standards operations..... \$ 24,410,000
- (2) Public Safety Memorial Fund ... \$ 110,000

SECTION 3. There are allocated to the Department of Justice for the biennium beginning July 1, 2013, from the Criminal Fine Account the following amounts, for the following purposes:

- (1) Child Abuse Multidisciplinary Intervention Account..... \$ 9,982,089
- (2) Creation and operation of a statewide system of regional assessment centers as provided under ORS 418.746 to 418.796..... \$ 764,721
- (3) Criminal Injuries Compensation Account \$ 8,520,223
- (4) Services to children eligible for compensation under ORS 147.390 and costs to administer provision of these services \$ 646,707

SECTION 4. There are allocated to the Department of Human Services for the biennium beginning July 1, 2013, from the Criminal Fine Account the following amounts, for the following purposes:

- (1) Domestic Violence Fund

Enrolled House Bill 5006 (HB 5006-B)

Page 1

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for the purpose of

ORS 409.292 (1)(a) to (c)..... \$ 2,224,675

(2) Sexual Assault Victims Fund.... \$ 533,332

SECTION 5. There is allocated to the Oregon Health Authority for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$331,824 for the Emergency Medical Services and Trauma Systems Program created under ORS 431.623.

SECTION 6. There is allocated to the State Court Facilities and Security Account established under ORS 1.178 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$9,374,580.

SECTION 7. (1) There is allocated to the Oregon Health Authority for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$42,884 for the purpose of grants under ORS 430.345 for the establishment, operation and maintenance of alcohol and drug abuse prevention, early intervention and treatment services provided through a county.

(2) There is allocated to the Law Enforcement Medical Liability Account established under ORS 414.815 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$1,300,000.

(3) There is allocated to the Oregon State Police for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$253,000 for the purpose of the enforcement of the laws relating to driving under the influence of intoxicants.

(4) There is allocated to the Department of Corrections for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$4,257,421 for the purpose of planning, operating and maintaining county juvenile and adult corrections programs and facilities and drug and alcohol programs. The grant to each county shall be based on amounts deposited in the Criminal Fine and Assessment Account by the circuit court for the county in the 2009-2011 biennium.

(5) There is allocated to the Arrest and Return Account established under ORS 133.865 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$22,500.

(6) There is allocated to the Intoxicated Driver Program Fund created under ORS 813.270 for the biennium beginning July 1, 2013, from the Criminal Fine Account the amount of \$4,323,000.

SECTION 8. After distributing the amounts specified in sections 2 to 7 of this 2013 Act, the Department of Revenue shall distribute funds remaining in the Criminal Fine Account to the General Fund.

SECTION 9. ORS 137.300, as amended by section 14, chapter 89, Oregon Laws 2012, and section 2, chapter 40, Oregon Laws 2013 (Enrolled House Bill 2837), is amended to read:

137.300. (1) The Criminal Fine Account is established in the General Fund. Except as otherwise provided by law, all amounts collected in state courts as monetary obligations in criminal actions shall be deposited by the courts in the account. All moneys in the account are continuously appropriated to the Department of Revenue to be distributed by the Department of Revenue as provided in this section. The Department of Revenue shall keep a record of moneys transferred into and out of the account.

(2) The Legislative Assembly shall first allocate moneys from the Criminal Fine Account for the following purposes, in the following order of priority:

(a) Allocations for public safety standards, training and facilities.

(b) Allocations for criminal injuries compensation and assistance to victims of crime and children reasonably suspected of being victims of crime.

(c) Allocations for the forensic services provided by the Oregon State Police, including, but not limited to, services of the State Medical Examiner.

(d) Allocations for the maintenance and operation of the Law Enforcement Data System.

(3) After making allocations under subsection (2) of this section, the Legislative Assembly shall allocate moneys from the Criminal Fine Account for the following purposes:

Governor's Budget

(a) Allocations to the Law Enforcement Medical Liability Account established under ORS 414.815.

(b) Allocations to the State Court Facilities and Security Account established under ORS 1.178.

(c) Allocations to the Department of Corrections for the purpose of planning, operating and maintaining county juvenile and adult corrections programs and facilities and drug and alcohol programs.

(d) Allocations to the Oregon Health Authority for the purpose of grants under ORS 430.345 for the establishment, operation and maintenance of alcohol and drug abuse prevention, early intervention and treatment services provided through a county.

(e) Allocations to the Oregon State Police for the purpose of the enforcement of the laws relating to driving under the influence of intoxicants.

(f) Allocations to the Arrest and Return Account established under ORS 133.865.

(g) Allocations to the Intoxicated Driver Program Fund established under ORS 813.270.

(4) It is the intent of the Legislative Assembly that allocations from the Criminal Fine Account under subsection (3) of this section be consistent with historical funding of the entities, programs and accounts listed in subsection (3) of this section from monetary obligations imposed in criminal proceedings. Amounts that are allocated under subsection (3)(c) [and (d)] of this section shall be distributed to counties based on the amounts that were transferred to counties by circuit, justice and municipal courts during the 2009-2011 biennium under the provisions of ORS 137.308, as in effect January 1, 2011.

(5) Moneys in the Criminal Fine Account may not be allocated for the payment of debt service obligations.

(6) The Department of Revenue shall deposit in the General Fund all moneys remaining in the Criminal Fine Account after the distributions listed in subsections (2) and (3) of this section have been made.

(7) The Department of Revenue shall establish by rule a process for distributing moneys in the Criminal Fine Account. The department may not distribute more than one-eighth of the total biennial allocation to an entity during a calendar quarter.

SECTION 10. If House Bill 2562 becomes law, section 9 of this 2013 Act (amending ORS 137.300) is repealed and ORS 137.300, as amended by section 14, chapter 89, Oregon Laws 2012, section 2, chapter 40, Oregon Laws 2013 (Enrolled House Bill 2837), and section 27, chapter —, Oregon Laws 2013 (Enrolled House Bill 2562), is amended to read:

137.300. (1) The Criminal Fine Account is established in the General Fund. Except as otherwise provided by law, all amounts collected in state courts as monetary obligations in criminal actions shall be deposited by the courts in the account. All moneys in the account are continuously appropriated to the Department of Revenue to be distributed by the Department of Revenue as provided in this section. The Department of Revenue shall keep a record of moneys transferred into and out of the account.

(2) The Legislative Assembly shall first allocate moneys from the Criminal Fine Account for the following purposes, in the following order of priority:

(a) Allocations for public safety standards, training and facilities.

(b) Allocations for criminal injuries compensation and assistance to victims of crime and children reasonably suspected of being victims of crime.

(c) Allocations for the forensic services provided by the Oregon State Police, including, but not limited to, services of the State Medical Examiner.

(d) Allocations for the maintenance and operation of the Law Enforcement Data System.

(3) After making allocations under subsection (2) of this section, the Legislative Assembly shall allocate moneys from the Criminal Fine Account for the following purposes:

(a) Allocations to the Law Enforcement Medical Liability Account established under ORS 414.815.

(b) Allocations to the State Court Facilities and Security Account established under ORS 1.178.

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(c) Allocations to the Department of Corrections for the purpose of planning, operating and maintaining county juvenile and adult corrections programs and facilities and drug and alcohol programs.

(d) Allocations to the Oregon Health Authority for the purpose of grants under ORS 430.345 for the establishment, operation and maintenance of alcohol and drug abuse prevention, early intervention and treatment services provided through a county.

(e) Allocations to the Oregon State Police for the purpose of the enforcement of the laws relating to driving under the influence of intoxicants.

(f) Allocations to the Arrest and Return Account established under ORS 133.865.

(g) Allocations to the Intoxicated Driver Program Fund established under ORS 813.270.

(4) It is the intent of the Legislative Assembly that allocations from the Criminal Fine Account under subsection (3) of this section be consistent with historical funding of the entities, programs and accounts listed in subsection (3) of this section from monetary obligations imposed in criminal proceedings. Amounts that are allocated under subsection [(3)(d)] (3)(c) of this section shall be distributed to counties based on the amounts that were transferred to counties by circuit[, justice and municipal] courts during the 2009-2011 biennium under the provisions of ORS 137.308, as in effect January 1, 2011.

(5) Moneys in the Criminal Fine Account may not be allocated for the payment of debt service obligations.

(6) The Department of Revenue shall deposit in the General Fund all moneys remaining in the Criminal Fine Account after the distributions listed in subsections (2) and (3) of this section have been made.

(7) The Department of Revenue shall establish by rule a process for distributing moneys in the Criminal Fine Account. The department may not distribute more than one-eighth of the total biennial allocation to an entity during a calendar quarter.

SECTION 11. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House July 6, 2013

Repassed by House July 8, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 8, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

.....
Kate Brown, Secretary of State

Governor's Budget

77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled House Bill 5008

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending section 5, chapter ____, Oregon Laws 2013 (Enrolled House Bill 5030), and section 2, chapter 546, Oregon Laws 2013 (Enrolled Senate Bill 5520); repealing sections 2 and 5, chapter 583, Oregon Laws 2011, section 9, chapter 615, Oregon Laws 2011, section 1, chapter 556, Oregon Laws 2013 (Enrolled Senate Bill 5544), section 4, chapter ____, Oregon Laws 2013 (Enrolled House Bill 2202), section 5, chapter 540, Oregon Laws 2013 (Enrolled Senate Bill 5502), section 2, chapter ____, Oregon Laws 2013 (Enrolled House Bill 5011), and sections 6 and 7, chapter ____, Oregon Laws 2013 (Enrolled House Bill 5030); appropriating money; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$30,000,000 for the purposes for which the Emergency Board lawfully may allocate funds.

SECTION 2. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$86,500,000, to be allocated to state agencies for state employee compensation changes for the biennium beginning July 1, 2013.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2014, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$12,900,000, to be allocated to state agencies for compensation changes for home health care workers who are not state employees, for the biennium beginning July 1, 2013.

(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2014, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 4. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$1,702,192, to be allocated to the State Library for second fiscal year operations.

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(2) If any of the moneys appropriated by subsection (1) of this section are not allocated by the Emergency Board prior to December 1, 2014, the moneys remaining on that date become available for any purpose for which the Emergency Board lawfully may allocate funds.

SECTION 5. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$1,000,000 for deposit in the Primary Health Care Loan Forgiveness Program Fund established in ORS 442.573.

SECTION 6. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Revenue, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$3,637,432 for the core system replacement project.

SECTION 7. Notwithstanding any other law limiting expenditures, the amount of \$26,528,818 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Department of Revenue, for the core system replacement project.

SECTION 8. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Revenue, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$1,554,716, which may be expended for capital debt service and related costs for outstanding general obligation bonds sold pursuant to Article XI-Q of the Oregon Constitution for the core system replacement project.

SECTION 9. Notwithstanding any other law limiting expenditures, the amount of \$521,182 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for the costs of issuance of general obligation bonds sold pursuant to Article XI-Q of the Oregon Constitution from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Department of Revenue for the capital debt service and related costs program.

SECTION 10. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Revenue by section 1 (1), chapter 549, Oregon Laws 2013 (Enrolled Senate Bill 5538), for the biennium beginning July 1, 2013, for administration, is decreased by \$440,937 for purposes of chapter 472, Oregon Laws 2013 (Enrolled Senate Bill 184).

SECTION 11. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 549, Oregon Laws 2013 (Enrolled Senate Bill 5538), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in section 2, chapter 549, Oregon Laws 2013 (Enrolled Senate Bill 5538), collected or received by Department of Revenue for administration, is decreased by \$146,979 for purposes of chapter 472, Oregon Laws 2013 (Enrolled Senate Bill 184).

SECTION 12. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 623, Oregon Laws 2011, for the biennium beginning July 1, 2011, for emergency management, is decreased by \$460,000 for the Oregon Local Disaster Assistance Loan and Grant Account.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (5), chapter 623, Oregon Laws 2011, for the biennium beginning July 1, 2011, for capital debt service and related costs, is decreased by \$26,748.

SECTION 13. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (3), chapter 555, Oregon Laws 2013 (Enrolled Senate Bill 5534), for the biennium beginning July 1, 2013, for emergency

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SECTION 22. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 562, Oregon Laws 2013 (Enrolled House Bill 5019), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, federal funds and those funds described in section 7, chapter 562, Oregon Laws 2013 (Enrolled House Bill 5019), collected or received by the Department of Community Colleges and Workforce Development, is decreased by \$307,051.

SECTION 23. Notwithstanding any other law limiting expenditures, the amount of \$307,051 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for debt service on the outstanding general obligation bonds sold pursuant to Article XI-G of the Oregon Constitution from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds, federal funds and those funds described in section 7, chapter 562, Oregon Laws 2013 (Enrolled House Bill 5019), collected or received by the Department of Community Colleges and Workforce Development.

SECTION 24. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1, chapter ____, Oregon Laws 2013 (Enrolled Senate Bill 5519), for the biennium beginning July 1, 2013, is decreased by \$12,826,545 for the State School Fund.

SECTION 25. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter ____, Oregon Laws 2013 (Enrolled Senate Bill 5519), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the Department of Education for the State School Fund, is increased by \$12,826,545.

SECTION 26. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Land Conservation and Development, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$116,000 for the Southern Oregon Regional Planning Pilot Program.

SECTION 27. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (4), chapter 496, Oregon Laws 2013 (Enrolled House Bill 5005), for the biennium beginning July 1, 2013, for community corrections, is increased by \$9,000,000.

SECTION 28. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (4), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, for the Crime Victims' Services Division, is increased by \$1,800,000.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (5), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice for the Crime Victims' Services Division, is increased by \$700,000.

SECTION 29. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (1), chapter 505, Oregon Laws 2013 (Enrolled House Bill 5038), for the biennium beginning July 1, 2013, for patrol services, criminal investigations and gaming enforcement, is increased by \$1,617,000.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of State Police by section 1 (3), chapter 505, Oregon Laws 2013 (Enrolled House Bill 5038), for the biennium beginning July 1, 2013, for forensic services and the State Medical Examiner, is increased by \$1,770,000.

SECTION 30. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 508, Oregon Laws 2013 (Enrolled House Bill 5042), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses

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from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Public Safety Standards and Training for operations, is increased by \$1,000,000.

SECTION 31. If House Bill 3194 becomes law:

(1) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (1), chapter 496, Oregon Laws 2013 (Enrolled House Bill 5005), for the biennium beginning July 1, 2013, for operations and health services, is decreased by \$18,537,652.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (2), chapter 496, Oregon Laws 2013 (Enrolled House Bill 5005), for the biennium beginning July 1, 2013, for administration, general services and human resources, is decreased by \$1,376,354.

(3) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (3), chapter 496, Oregon Laws 2013 (Enrolled House Bill 5005), for the biennium beginning July 1, 2013, for offender management and rehabilitation, is increased by \$168,302.

(4) Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Corrections by section 1 (4), chapter 496, Oregon Laws 2013 (Enrolled House Bill 5005), for the biennium beginning July 1, 2013, for community corrections, is increased by \$13,086,534.

SECTION 32. If House Bill 3194 becomes law, notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (4), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, for the Crime Victims' Services Division, is increased by \$2,200,000.

SECTION 33. If House Bill 3194 becomes law, notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Criminal Justice Commission by section 1, chapter 497, Oregon Laws 2013 (Enrolled House Bill 5007), for the biennium beginning July 1, 2013, is increased by \$10,190,000.

SECTION 34. Notwithstanding any other law limiting expenditures, the amount of \$615,000 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for the cost of issuance of bonds for the Capitol Master Plan project from fees, moneys or other revenues, including Miscellaneous Receipts and reimbursements from federal service agreements, but excluding lottery funds and federal funds not described in this section, collected or received by the Legislative Administration Committee.

SECTION 35. In addition to and not in lieu of any other appropriation, there is appropriated to the Legislative Administration Committee, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$1,421,341 for the capital debt service and related costs for bonds for the Capitol Master Plan project.

SECTION 36. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Justice, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$1,601,856 for the payment of debt service on bonds issued to replace the Child Support Program data system.

SECTION 37. Notwithstanding any other law limiting expenditures, the amount of \$14,139,728 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for replacement of the Child Support Program data system from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice.

SECTION 38. Notwithstanding any other law limiting expenditures, the amount of \$27,447,707 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for replacement of the Child Support Program data system from federal funds collected or received by the Department of Justice.

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SECTION 39. For the biennium beginning July 1, 2013, expenditures passed through as special payments for purposes described in ORS 180.095 (1)(a) by the Department of Justice from the Department of Justice Protection and Education Revolving Account are not limited.

SECTION 40. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (3), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Justice for the Civil Enforcement Division, is decreased by \$471,040.

SECTION 41. (1) Notwithstanding any other law limiting expenditures, the amount of \$65,000 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for the costs of issuance of general obligation bonds sold pursuant to Article XI-Q of the Oregon Constitution for the Veteran's Home in Linn County from fees, moneys or other revenues, including Miscellaneous Receipts and the Oregon War Veterans' Bond Sinking Account, but excluding lottery funds and federal funds, collected or received by the Department of Veterans' Affairs.

(2) This section does not limit expenditures from the Oregon War Veterans' Bond Sinking Account for purposes described in section 3, chapter 509, Oregon Laws 2013 (Enrolled House Bill 5047).

SECTION 42. In addition to and not in lieu of any other amount, there is appropriated to the Department of Veterans' Affairs, for the biennium beginning July 1, 2013, out of the General Fund, the amount of \$502,814 for payment of debt service associated with general obligation bonds sold pursuant to Article XI-Q of the Oregon Constitution for the Veterans' Home in Linn County.

SECTION 43. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2, chapter 561, Oregon Laws 2013 (Enrolled House Bill 5015), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses for operations from fees, moneys or other revenues, including Miscellaneous Receipts and federal funds from the United States Department of Housing and Urban Development for contract services, but excluding lottery funds and federal funds not described in section 2, chapter 561, Oregon Laws 2013 (Enrolled House Bill 5015), collected or received by the Housing and Community Services Department, is increased by \$5,076,190 for preservation of existing affordable housing.

SECTION 44. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1, chapter ___, Oregon Laws 2013 (Enrolled House Bill 5011), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Department of Energy, is increased by \$9,876,190 for home energy efficiency programs.

SECTION 45. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 1 (1), chapter 449, Oregon Laws 2013 (Enrolled Senate Bill 5540), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of State Lands, is increased by \$307,360 for the Laton Point range land conversion project.

SECTION 46. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter 449, Oregon Laws 2013 (Enrolled Senate Bill 5540), for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from federal funds collected or received by the Department of State Lands is increased by \$135,000 for Environmental Protection Agency Grant Funds.

SECTION 47. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 4 (3), chapter ___, Oregon Laws 2013 (Enrolled Senate Bill

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SECTION 62. (1) Section 2, chapter ___, Oregon Laws 2013 (Enrolled House Bill 5011), is repealed.

(2) Notwithstanding any other law limiting expenditures, the amount of \$2,166,050 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of expenses from lottery moneys allocated from the Administrative Services Economic Development Fund to the State Department of Energy for debt service for the energy efficiency and sustainable technology loan program and for home energy efficiency programs.

SECTION 63. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Justice by section 1 (4), chapter 499, Oregon Laws 2013 (Enrolled House Bill 5018), for the biennium beginning July 1, 2013, as modified by legislative or Emergency Board action, is increased by \$75,000 for the Oregon Crime Victims Law Center.

SECTION 64. (1) The Oregon Courthouse Capital Construction and Improvement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned on moneys in the Oregon Courthouse Capital Construction and Improvement Fund shall be credited to the fund.

(2) The fund consists of moneys deposited in the fund pursuant to section 8, chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506), and moneys transferred to the fund by a county pursuant to section 9 (1)(b), chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506), and may include fees, revenues and other moneys appropriated by the Legislative Assembly for deposit in the fund.

(3) Moneys in the fund are continuously appropriated to the Judicial Department for:

(a) The purposes described in section 8 (3), chapter ___, Oregon Laws 2013 (Enrolled Senate Bill 5506);

(b) Payment of the costs incurred by the department to administer the fund; and

(c) Payment of bond-related costs, as defined in ORS 286A.816.

SECTION 65. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Military Department by section 1 (4), chapter 555, Oregon Laws 2013 (Enrolled Senate Bill 5534), Oregon Laws 2013, for the biennium beginning July 1, 2013, for community support, is increased by \$15,000 for the Oregon Youth Challenge program for the reimbursement of fuel costs of the parents or legal guardians of participating youths.

SECTION 66. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services for use by the Oregon University System by section 1 (1), chapter 564, Oregon Laws 2013 (Enrolled House Bill 5031), for the biennium beginning July 1, 2013, for public university support, is increased by \$15,000,000 to limit tuition increases.

(2) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Department of Administrative Services for use by the Oregon University System by section 1 (2), chapter 564, Oregon Laws 2013 (Enrolled House Bill 5031), for the biennium beginning July 1, 2013, for state programs, is increased by the following amounts for the following purposes:

- (a) Expansion of fermentation sciences programs at Oregon State University \$ 1,200,000
- (b) Labor Education Research Center at the University of Oregon \$ 80,000

SECTION 67. In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2013, out of the General Fund, the following amounts, which are to be expended for payments for the following purposes:

- (1) Historic Public Market Foundation building project \$ 250,000

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section 2 (4), chapter ____, Oregon Laws 2013 (Enrolled Senate Bill 5518), for the biennium beginning July 1, 2013, is increased by \$500,000 for the Farm-to-School program.

SECTION 96. Notwithstanding any other provision of law, the authorized appropriations and expenditure limitations for the biennium beginning July 1, 2013, for the following agencies and programs are changed by the amounts specified:

(1) ADMINISTRATION.

Agency/Program/Funds	2013 Oregon Laws Chapter/ Section	Adjustment
Oregon Advocacy Commissions		
Office:		
Operating Expenses		
General Fund	SB 5501 1	-\$15,031
Oregon Department of Administrative Services:		
Office of the Chief Operating Officer		
General Fund	HB 5002 1(1)	-7,828
Other funds	HB 5002 2(1)	-61,266
Enterprise Asset Management		
General Fund	HB 5002 1(2)	-25,298
Other funds	HB 5002 2(6)	-632,571
Oregon Public Broadcasting		
General Fund	HB 5002 1(3)	-10,000
Oregon Historical Society		
General Fund	HB 5002 1(4)	-15,000
Chief Financial Office		
Other funds	HB 5002 2(2)	-85,943
Chief Information Office		
Other funds	HB 5002 2(3)	-50,078
Chief Human Resources Office		
Other funds	HB 5002 2(4)	-102,313
Enterprise Technology Services		
Other funds	HB 5002 2(5)	-540,032
Enterprise Goods and Services		
Other funds	HB 5002 2(7)	-1,292,491
Enterprise Human Resource Services		
Other funds	HB 5002 2(8)	-54,534
DAS Core Services		
Other funds	HB 5002 2(9)	-36,458
State Treasurer:		

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Commission:
 Operating Expenses
 General Fund SB 5511 1 -22,545

(9) PUBLIC SAFETY.

Agency/Program/Funds	2013 Oregon Laws Chapter/ Section	Adjustment
State Board of Parole and Post-Prison Supervision:		
General Fund		
General Fund	HB 5035 1	-\$155,702
Department of State Police:		
Patrol Services, Criminal Investigations and Gaming Enforcement		
General Fund	HB 5038 1(1)	-3,824,682
Other funds	HB 5038 2(1)	-16,071
Fish and Wildlife Enforcement		
General Fund	HB 5038 1(2)	-75,611
Other funds	HB 5038 2(2)	-16,172
Federal funds	HB 5038 3(2)	-929
Lottery funds	HB 5038 4	-5,964
Forensic Services and State Medical Examiner		
General Fund	HB 5038 1(3)	-904,485
Other funds	HB 5038 2(3)	-205
Administrative Services, Information Management and Office of the State Fire Marshal		
General Fund	HB 5038 1(4)	-1,150,586
Other funds	HB 5038 2(4)	-32,740
Federal funds	HB 5038 3(4)	-774
Department of Corrections: Operations and Health Services		
General Fund	HB 5005 1(1)	-27,253,283
Other funds	HB 5005 2(1)	-283
Administration, General Services and Human Resources		
General Fund	HB 5005 1(2)	-5,325,885
Other funds	HB 5005 2(2)	-108
Offender Management and Rehabilitation		

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General Fund	HB 5005 1(3)	-2,895,604
Community Corrections		
General Fund	HB 5005 1(4)	-4,422,163
Capital Improvements		
General Fund	HB 5005 1(6)	-53,975
Oregon Criminal Justice Commission:		
General Fund	HB 5007 1	-317,879
Federal funds	HB 5007 3	-400
District Attorneys/Deputies:		
Department of Justice for District Attorneys:		
General Fund	SB 5517 1	-219,881
Department of Justice: Office of Attorney General and administration		
General Fund	HB 5018 1(1)	-6,000
Other funds	HB 5018 2(1)	-29,458
Civil Enforcement		
General Fund	HB 5018 1(2)	-83,207
Other funds	HB 5018 2(3)	-453,350
Federal funds	HB 5018 3(1)	-4,478
Criminal Justice		
General Fund	HB 5018 1(3)	-467,954
Other funds	HB 5018 2(4)	-38,563
Crime victims' services		
General Fund	HB 5018 1(4)	-118,260
Other funds	HB 5018 2(5)	-21,842
Federal funds	HB 5018 3(3)	-2,044
Defense of criminal conviction		
General Fund	HB 5018 1(5)	-1,830,473
Child Support Division		
General Fund	HB 5018 1(6)	-459,536
Other funds	HB 5018 2(8)	+169,954
Federal funds	HB 5018 3(4)	+732,215
Appellate		
Other funds	HB 5018 2(2)	-20,795
General Counsel		
Other funds	HB 5018 2(6)	-52,589
Trial		
Other funds	HB 5018 2(7)	+85,089
Oregon Military Department:		
Administration		
General Fund	SB 5534 1(1)	-164,684
Other funds	SB 5534 2(1)	-69
Operations		
General Fund	SB 5534 1(2)	-181,917
Other funds	SB 5534 2(2)	-5,142

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neous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education is increased by \$658,916 for the Network of Quality Teaching and Learning.

SECTION 99. Section 5, chapter ____, Oregon Laws 2013 (Enrolled House Bill 5030), is amended to read:

Sec. 5. For the biennium beginning July 1, 2013, the following expenditures by the Oregon Health Authority are not limited:

- (1) Expenditures from the Women, Infants and Children Program food vouchers.
- (2) Expenditures for the federal funds debt service on Build America Bonds.
- (3) Expenditures from the Oregon Medical Insurance Pool Account for payment of claims and third party administration contracts in the Oregon Medical Insurance Pool program, and for payment of claims and other costs associated with administration and support in the Oregon Reinsurance Program.
- (4) Expenditures from the Public Employees' Revolving Fund for administration of dependent care assistance as authorized by ORS 243.221 (2)(c) and expense reimbursement plans as authorized by ORS 243.221 (2)(d).
- (5) Expenditures from the Public Employees' Revolving Fund for health insurance premium subsidies and self-insurance as authorized by ORS 243.167.
- (6) Expenditures from the Oregon Educators Revolving Fund for benefit plan premiums and self-insurance as authorized by ORS 243.870 and 243.884.
- (7) Expenditures from the Oregon Educators Revolving Fund for administration of flexible benefit plans as authorized by ORS 243.874.

SECTION 100. Sections 6 and 7, chapter ____, Oregon Laws 2013 (Enrolled House Bill 5030), are repealed.

SECTION 101. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House July 8, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate July 8, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

.....
Kate Brown, Secretary of State

Governor's Budget

77th OREGON LEGISLATIVE ASSEMBLY – 2014 Session
BUDGET REPORT AND MEASURE SUMMARY

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 5201-A

Carrier – House: Rep. Buckley

Carrier – Senate: Sen. Devlin

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

Vote: 21 – 5 – 0

House

Yeas: Barker, Buckley, Frederick, Huffman, Jenson, Komp, Nathanson, Read, Smith, Tomei, Williamson

Nays: Hanna, Freeman, McLane, Richardson

Exc:

Senate

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

Nays: Whitsett

Exc:

Prepared By: Linda Ames and Laurie Byerly, Legislative Fiscal Office

Reviewed By: Daron Hill, Legislative Fiscal Office

Meeting Date: March 6, 2014

Agency

Various Agencies

Emergency Board

Biennium

2013-15

HB 5201-A
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Governor's Budget

	2013-15 Legislatively Approved Level ⁽²⁾	2014 Committee Recommendation	Committee Change from 2013-15 Leg. Approved	
			\$\$ Change	% Change
<u>Department of Justice</u>				
General Fund	\$ 64,380,931	\$ 66,289,084	\$ 1,908,153	3.0%
Other Funds	\$ 259,697,319	\$ 265,469,616	\$ 5,772,297	2.2%
Federal Funds	\$ 142,235,349	\$ 144,356,473	\$ 2,121,124	1.5%
<u>Oregon Military Department</u>				
General Fund	\$ 20,783,532	\$ 21,863,993	\$ 1,080,461	5.2%
Other Funds	\$ 111,646,205	\$ 113,902,017	\$ 2,255,812	2.0%
Federal Funds	\$ 284,930,096	\$ 287,230,606	\$ 2,300,510	0.8%
<u>Board of Parole and Post-Prison Supervision</u>				
General Fund	\$ 4,063,865	\$ 4,189,720	\$ 125,855	3.1%
<u>Department of State Police</u>				
General Fund	\$ 232,126,436	\$ 240,590,265	\$ 8,463,829	3.6%
Lottery Funds	\$ 6,914,543	\$ 7,166,858	\$ 252,315	3.6%
Other Funds	\$ 91,213,655	\$ 93,291,730	\$ 2,078,075	2.3%
Federal Funds	\$ 9,411,098	\$ 9,446,084	\$ 34,986	0.4%
<u>Department of Public Safety Standards and Training</u>				
Other Funds	\$ 34,859,020	\$ 35,668,666	\$ 809,646	2.3%
<u>Oregon Youth Authority</u>				
General Fund	\$ 269,052,312	\$ 275,662,044	\$ 6,609,732	2.5%
Other Funds	\$ 19,508,582	\$ 19,553,725	\$ 45,143	0.2%
Federal Funds	\$ 34,496,051	\$ 34,680,918	\$ 184,867	0.5%
<u>TRANSPORTATION PROGRAM AREA</u>				
<u>Department of Aviation</u>				
Other Funds	\$ 6,202,750	\$ 6,297,654	\$ 94,904	1.5%
Federal Funds	\$ 4,769,741	\$ 4,778,379	\$ 8,638	0.2%
<u>Department of Transportation</u>				
General Fund	\$ 2,060,000	\$ 6,060,000	\$ 4,000,000	194.2%
Other Funds	\$ 3,813,954,090	\$ 3,837,855,561	\$ 23,901,471	0.6%
Federal Funds	\$ 119,483,481	\$ 119,553,108	\$ 69,627	0.1%

Governor's Budget

	2013-15 Legislatively Approved Level	2014 Committee Recommendation	Committee Change from 2013-15 Leg. Approved	
			Change	% Change
<u>Department of Energy</u>				
Authorized Positions	115	114	(1)	-0.9%
Full-time Equivalent (FTE) positions	114.02	112.81	(1.21)	-1.1%
<u>Department of Environmental Quality</u>				
Authorized Positions	719	720	1	0.1%
Full-time Equivalent (FTE) positions	706.33	704.87	(1.46)	-0.2%
<u>Department of Fish and Wildlife</u>				
Authorized Positions	1,523	1,520	(3)	-0.2%
Full-time Equivalent (FTE) positions	1,262.41	1,258.99	(3.42)	-0.3%
<u>Department of Land Conservation and Development</u>				
Authorized Positions	61	60	(1)	-1.6%
Full-time Equivalent (FTE) positions	58.06	57.31	(0.75)	-1.3%
<u>Water Resources Department</u>				
Authorized Positions	157	157	-	0.0%
Full-time Equivalent (FTE) positions	154.80	154.55	(0.25)	-0.2%
<u>Department of Corrections</u>				
Authorized Positions	4,490	4,488	(2)	0.0%
Full-time Equivalent (FTE) positions	4,443.68	4,441.68	(2.00)	0.0%
<u>Department of Justice</u>				
Authorized Positions	1,282	1,285	3	0.2%
Full-time Equivalent (FTE) positions	1,265.25	1,266.83	1.58	0.1%
<u>Oregon Military Department</u>				
Authorized Positions	523	522	(1)	-0.2%
Full-time Equivalent (FTE) positions	478.01	477.51	(0.50)	-0.1%
<u>Department of State Police</u>				
Authorized Positions	1,260	1,259	(1)	-0.1%
Full-time Equivalent (FTE) positions	1,247.13	1,245.63	(1.50)	-0.1%
<u>Oregon Youth Authority</u>				
Authorized Positions	1,030	1,025	(5)	-0.5%
Full-time Equivalent (FTE) positions	992.58	989.79	(2.79)	-0.3%

Governor's Budget

Summary of Revenue Changes

The General Fund appropriations made in the bill are within resources available as projected in the February 2014 economic and revenue forecast by the Department of Administrative Services Office of Economic Analysis, supplemented by one-time savings identified in several agencies, as well as a transfer from Secretary of State's Corporate Division as authorized in House Bill 4157.

Summary of Capital Construction Subcommittee Action

House Bill 5201 is the omnibus budget reconciliation bill for the 2014 legislative session, implementing the statewide rebalance plan that addresses changes in projected revenues and expenditures since the close of the 2013 session. The Subcommittee approved House Bill 5201 with amendments to reflect budget adjustments as described below.

Statewide Adjustments

EMPLOYEE COMPENSATION DISTRIBUTION

The Subcommittee approved allocating \$86.5 million General Fund to state agencies for employee compensation. This amount is 100% of the General Fund special purpose appropriation to the Emergency Board, made by House Bill 5008 (2013) for employee compensation. Also approved were associated expenditure limitation increases of \$2.6 million Lottery Funds, \$84.7 million Other Funds, and \$44.2 million Federal Funds. The General Fund component is expected to cover about 90% of the statewide estimate of costs for compensation and benefit changes agreed to through collective bargaining or other salary agreements. Lottery Funds, Other Funds, and Federal Funds expenditure limitations are calculated at the full cost estimate level.

Section 105 of the budget bill reflects the employee compensation amounts approved for each agency; adjustments for agencies are not addressed in the agency narratives, although they are included in the table at the beginning of the budget report.

2% HOLDBACK

House Bill 5008 (2013) included a 2% supplemental ending balance holdback that was primarily applied to General Fund, and excluded debt service as well as selected programs. Agencies' 2013-15 legislatively adopted budgets were reduced by these amounts. With the current statewide economic conditions and revenue forecast, these budget reductions are being partially restored. Generally, 25% of the holdback is being restored to each affected agency, although there are a number of exceptions. Restorations include a total of \$68.3 million General Fund and \$0.3 million Lottery Funds. Section 104 of the budget bill reflects the restoration amounts for each agency. More detail is available in the narrative for each affected agency; agencies without General Fund or Lottery Funds in their budgets were not affected.

PACKAGE 091

Package 091 Statewide Administrative Savings is another 2013-15 adjustment affecting most agency budgets and captured in agency budget bills. The 2013 Legislature approved this package of \$62.0 million total funds in permanent reductions as a placeholder for administrative efficiencies.

Governor's Budget

The placeholder, which carried forward from the Governor's budget, was simply a pro rata calculation across personal services and services and supplies expenditures in administrative budget structures. The Department of Administrative Services (DAS) committed to work out reduction details with agencies and report to the Joint Committee on Ways and Means during the 2014 session. The areas targeted for reduction were finance, information technology, human resources, accounting, payroll, and procurement expenditures.

The legislative expectation was that DAS would present a statewide plan identifying specific efficiencies and realigning placeholder reductions, if needed. However, DAS did not come forward with a plan, but instead reported that efforts to realize the savings in Package 091 met with unexpected challenges. These include actual savings taking longer than one biennium to materialize and some ideas requiring up front investments that would offset any near term savings. Since DAS failed to deliver a plan, the Legislative Fiscal Office worked with state agencies and their DAS budget analysts to replace placeholders with specific reduction actions. For some agencies, the updated Package 091 will deviate from placeholder expenditure categories or appropriations; these changes are described in the individual agency narratives. Agency narratives, where applicable, will also identify position count and full-time equivalent (FTE) decreases.

Emergency Board

The Emergency Board allocates General Fund and provides Lottery Funds, Other Funds, and Federal Funds expenditure limitation to state agencies for unanticipated needs in approved agency budgets when the Legislature is not in session. As part of the 2013-15 biennium statewide rebalance plan, House Bill 5201 adjusts the Emergency Board's special purpose appropriations as described below:

- Eliminates a special purpose appropriation for state agencies of \$86.5 million, with corresponding General Fund appropriations to various state agencies for state employee compensation changes.
- Eliminates a special purpose appropriation for state agencies of \$12.9 million, with corresponding General Fund appropriations to the Department of Human Services (\$11,038,678) and the Oregon Health Authority (\$1,861,322) for compensation changes for home health care workers who are not state employees.
- Eliminates a special purpose appropriation for the Oregon Department of Education (ODE) of \$4.6 million, with a General Fund appropriation of \$4.4 million to ODE for assessments including those assessments required under the federal Elementary and Secondary Act and linked to Common Core Standards.
- Eliminates a special purpose appropriation for the Oregon Department of Education (ODE) of \$1,789,557, with a corresponding General Fund appropriation to the ODE for program funding for the second year of the biennium for youth development grants, performance-based contracts, and services at the local level.
- Eliminates multiple special purpose appropriations for the Housing and Community Services Department totaling \$9,215,066, with a General Fund appropriation of \$8,540,066 to the Housing and Community Services Department for second year operations, and an appropriation of \$225,000 to the agency for one-time supplemental funding to the Oregon Hunger Response Fund for fiscal year 2014.
- Eliminates a special purpose appropriation for the Oregon Health Authority of \$3.3 million, with a General Fund appropriation of \$2,942,895 to the Oregon Health Authority for adult residential rate increases within the alcohol and drug system.

Governor's Budget

PUBLIC SAFETY

Department of Corrections

The Subcommittee restored \$26,043,835 General Fund, nearly the full 2% supplemental ending balance holdback. The funding allocation by division is unchanged from the legislatively adopted budget for 2013-15.

- \$17,849,890 in Operations and Health services
- \$4,342,090 in Community Corrections
- \$2,570,120 in Administration, general services, and human resources
- \$1,281,735 in Offender management and rehabilitation

The Capital Improvements 2% holdback was not restored.

The Subcommittee approved an updated Package 091 Statewide Administrative Savings, eliminating 2 positions and 2.00 FTE in information technology. A portion of the agency's reduction was also moved from personal services to services and supplies.

Criminal Justice Commission

The Subcommittee restored \$69,366 General Fund of the 2% supplemental ending balance holdback that was included in the agency's original legislatively adopted budget for 2013-15; this amount represents 25% of the holdback. The Commission will utilize the restored funds for Attorney General costs related to rule-making implementation for the Justice Reinvestment Grant Program established in HB 3194 (2013).

An updated Package 091 Statewide Administrative Savings was approved, that included shifting the full amount of the reduction to services and supplies. This action was taken primarily because the agency's budget is 93% special payments and contains only 9 positions.

District Attorneys and Their Deputies

The Subcommittee restored the full 2% supplemental ending balance holdback of \$209,190 General Fund for the District Attorneys. This action was taken primarily because the agency's budget is 96% personal services and without the restoration the agency would need to reduce district attorney working days.

The Subcommittee added \$240,000 General Fund to the budget of the District Attorneys to provide a one-time \$5,000 compensation increase to the salary plan for each District Attorney effective July 1, 2014. It is the intent of the Subcommittee that this appropriation be used to increase the salary of each District Attorney by the \$5,000 amount regardless of what tier each District Attorney is currently in within the compensation plan.

Department of Justice

The Subcommittee restored the full 2% supplemental ending balance holdback of \$1,212,520 General Fund for the Department of Justice. The Subcommittee, however, repurposed the restoration by restoring the \$1.2 million in the following amounts for the following purposes:

- \$6,000 to the Office of the Attorney General and administration for Project Clean Slate

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- \$87,865 to the Crime Victims' Services Division for Oregon Domestic and Sexual Violence Services
- \$25,043 to the Crime Victims' Services Division for Multidisciplinary Teams and Child Abuse Intervention
- \$1,992 to the Crime Victims' Services Division for the Address Confidentiality Program
- \$1,091,620 to the Criminal Justice Division for support of the Internet Crimes Against Children program, the Fusion Center, and district attorneys and law enforcement partners.

The addition of the General Fund to the Criminal Justice Division (\$793,340 personal services and \$298,271 services and supplies) will allow the Department to retain an existing forensic investigator position assigned to the Internet Crimes Against Children program, establish four limited duration positions (3.46 FTE; one PEM D and three Research Analysts) in support of Fusion Center operations once grant funding ends this biennium, and reestablish two permanent senior assistant attorney general positions (1.16 FTE) and establish one permanent criminal investigator position (0.50 FTE) to provide support to district attorneys and law enforcement partners.

In addition, the Subcommittee approved an increase of \$586,354 Other Funds (\$485,702 personal services and \$100,652 services and supplies) in the Criminal Justice Division for support of the Fusion Center. When the 2013-15 legislatively adopted budget was developed, the Department anticipated receiving grant funding through the Oregon Military Department, Office of Emergency Management, to partially support the Fusion Center. However, the grant award had not been made and the corresponding Other Funds expenditure limitation and position authority were not included in the budget. The Fusion Center continued to maintain operations and the agency now has received the first year grant award and is anticipating a second year award.

The Subcommittee approved an updated Package 091 Statewide Administrative Savings, eliminating a total of four positions and 3.54 FTE and making shifts between personal services and services and supplies. To better align the permanent administrative savings reductions, the Subcommittee made the following adjustments to the original placeholder reduction:

- Office of the Attorney General and administration – added a net \$87,993 Other Funds expenditure limitation increase (increased personal services by \$314,581 and decreased services and supplies by \$226,588) and eliminated 2 positions (2.00 FTE)
- General Counsel Division – reduced the Other Funds expenditure limitation by \$87,993 (personal services) and eliminated 1 position (0.54 FTE)
- Crime Victims' Services Division – no net dollar change, but increased personal services by \$3,400 Other Funds and decreased services and supplies by \$3,400 Other Funds, plus eliminated 1 position (1.00 FTE)

The Subcommittee also authorized \$135,000 General Fund to support the Oregon Crime Victims Law Center.

In addition, to gain a better understanding of work currently underway to identify and evaluate alternative funding models for the agency's programs providing legal support to state agencies, the Subcommittee approved the following budget note:

Budget Note:

Costs of legal representation in an increasingly complex modern legal system continue to drive agency budget and policy decisions. The Department of Justice has begun working with the Department of Administrative Services and agencies to

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identify and evaluate alternative funding models to improve the stability, affordability, and effectiveness of legal costs for agencies and to encourage pro-active consultation with the Department by agencies.

As the Department of Justice continues with this effort, it shall prioritize developing options for legal services for the Child Welfare program and report on these efforts to the Joint Committee on Ways and Means during the 2015 legislative session. In addition, no later than September 1, 2014, the Department of Justice and the Department of Human Services will also provide a joint written status report to the Legislative Fiscal Office on the specific options under consideration and progress being made on the development of those options.

Oregon Military Department

The agency received a partial restoration of its 2% ending balance holdback that totaled \$151,000 General Fund. The funds are appropriated to the Operations program to support operations and maintenance costs at the Portland and Kingsley Field airbases. The restoration represents 59% of the initial holdback.

The Subcommittee approved an updated Package 091 Statewide Administrative Savings. The agency was able to reduce its personal services by \$259,280 by eliminating one vacant permanent part-time Fiscal Analyst 3 position in the Administration program (0.50 FTE) and reducing overtime and temporaries. The remaining personal services reduction of \$164,517 was moved to services and supplies and capital outlay. The agency has a plan to find efficiencies in various services and supplies line-items, including in-state travel, office expense, employee training, publications, facilities maintenance, expendable property, as well as other line-items. The capital outlay reduction will be to the automotive and aircraft line-item where the agency has identified savings.

The Subcommittee established a \$385,000 Other Funds Capital Improvement expenditure limitation for the purchase of 1.46 acres of commercial property contiguous to the Department's Forest Grove Readiness Center compound. The property and building will be used as a field maintenance shop for Washington County's National Guard contingent. The source of the Other Funds is the agency's Capital Construction Account. This is a one-time expenditure limitation increase and will not continue into future biennia.

The Other Funds expenditure limitation for the Community Support program was increased by \$1,404,971 for the reimbursement of firefighting expenditures related to the 2013 fire season. This is a one-time expenditure limitation that is not to continue into future biennia.

As part of the agency's compensation plan funding, the Subcommittee approved \$734,800 in General Fund for the Operations program. This adjustment is to partially fund the difference between what the federal government will reimburse the state and recently concluded contract negotiations with the Portland and Kingsley Field airbase firefighter unions. This is a one-time appropriation and will not continue into future biennia.

Board of Parole and Post-Prison Supervision

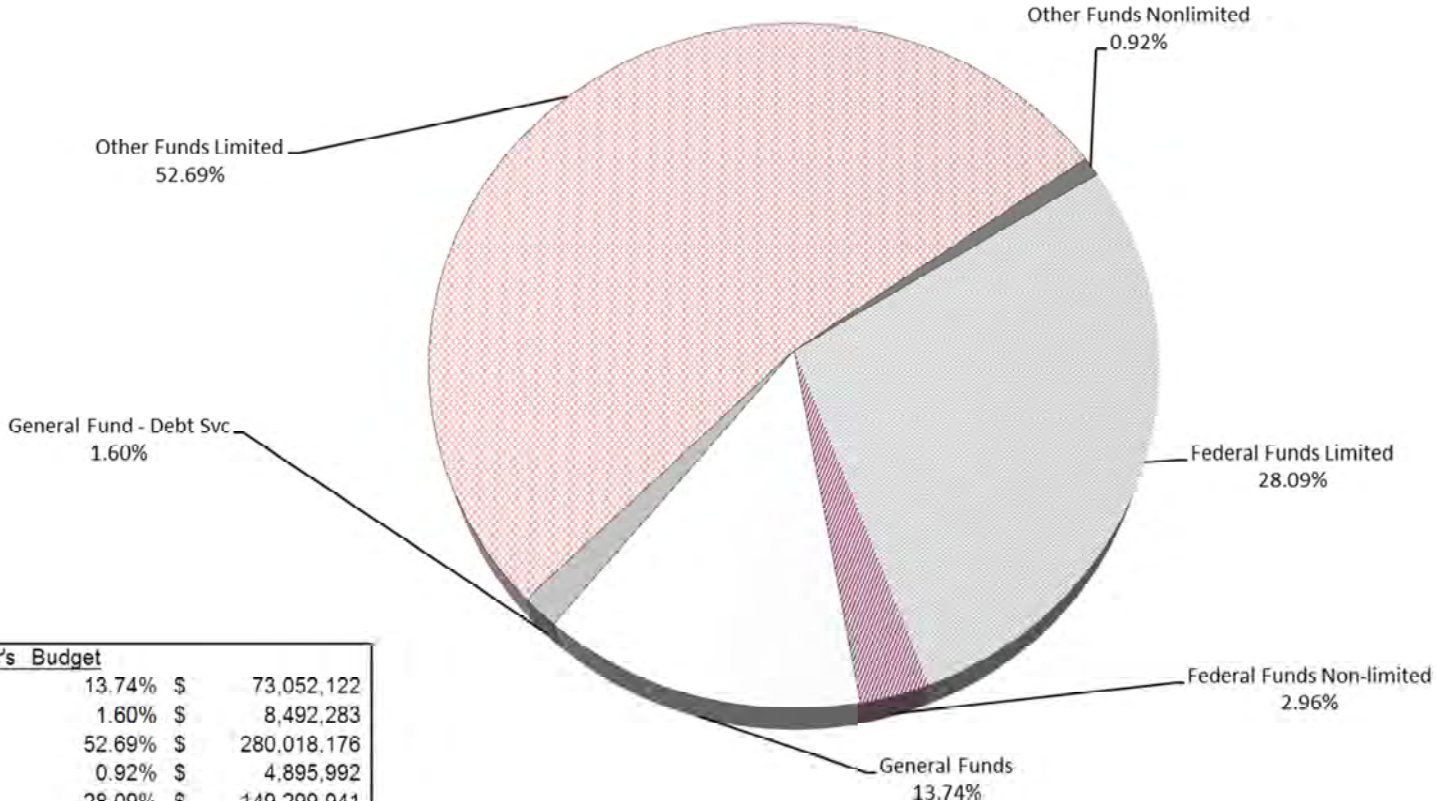
The Subcommittee approved a restoration of \$19,825 of the 2% supplemental ending balance holdback that was included in the agency's original legislatively adopted budget for 2013-15. That represents 25% of the initial holdback.

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Budget Summary Graphics

Department of Justice 2015-17 Agency Request Budget Expenditures by Fund



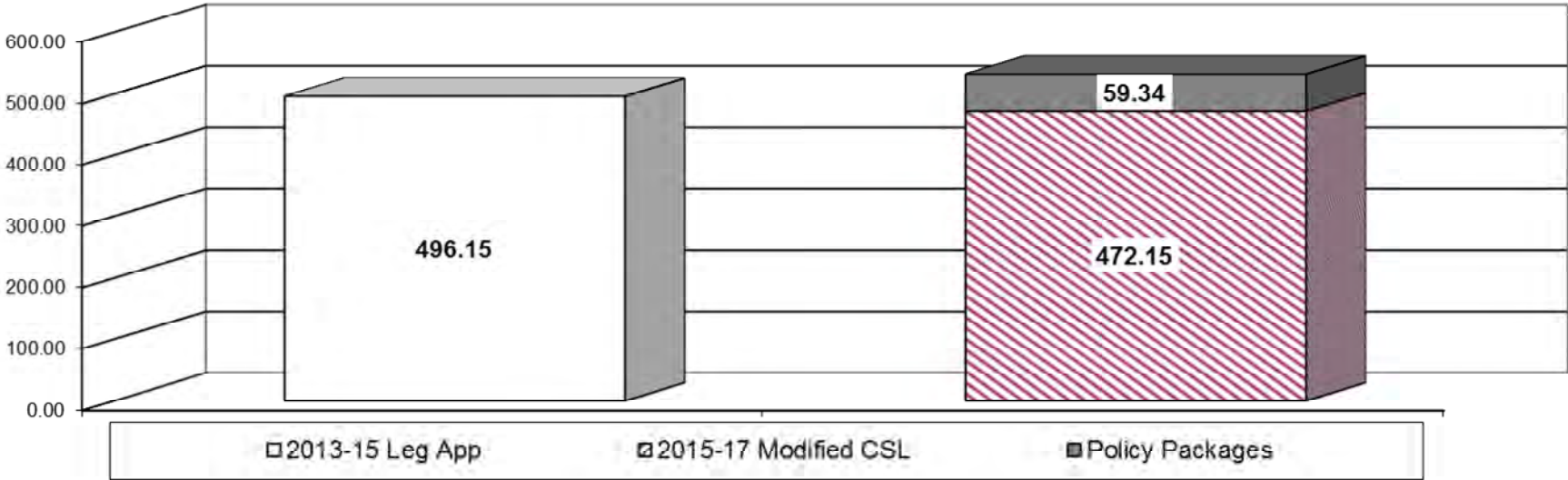
2015 -17 Governor's Budget		
General Funds	13.74%	\$ 73,052,122
General Fund - Debt Svc	1.60%	\$ 8,492,283
Other Funds Limited	52.69%	\$ 280,018,176
Other Funds Nonlimited	0.92%	\$ 4,895,992
Federal Funds Limited	28.09%	\$ 149,299,941
Federal Funds Non-limited	2.96%	\$ 15,740,252
	100.00%	\$ 531,498,766

Governor's Budget

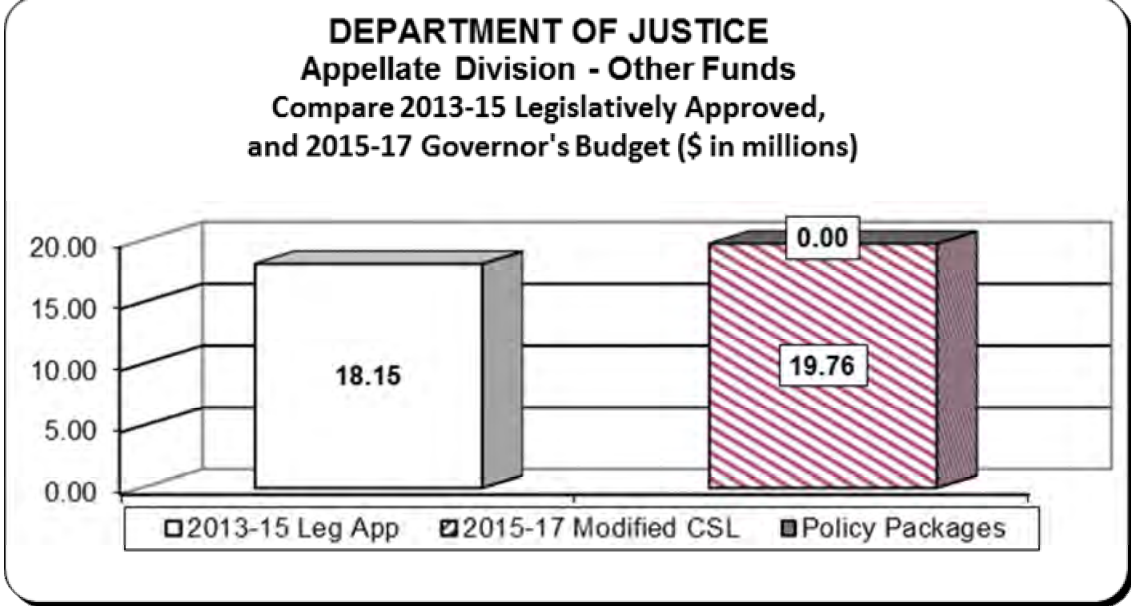
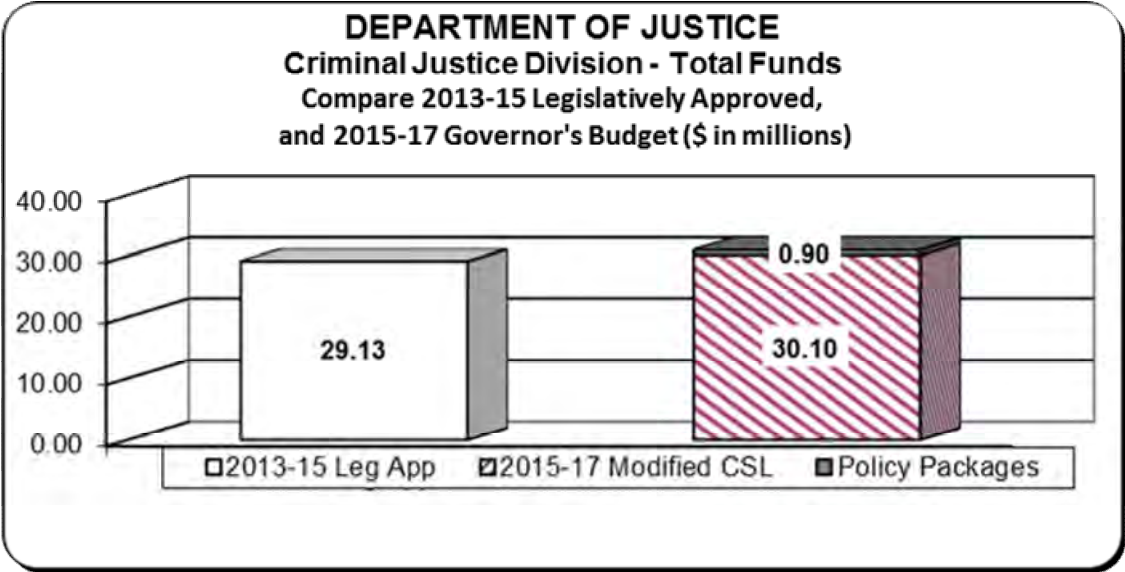
DEPARTMENT OF JUSTICE

Total Funds

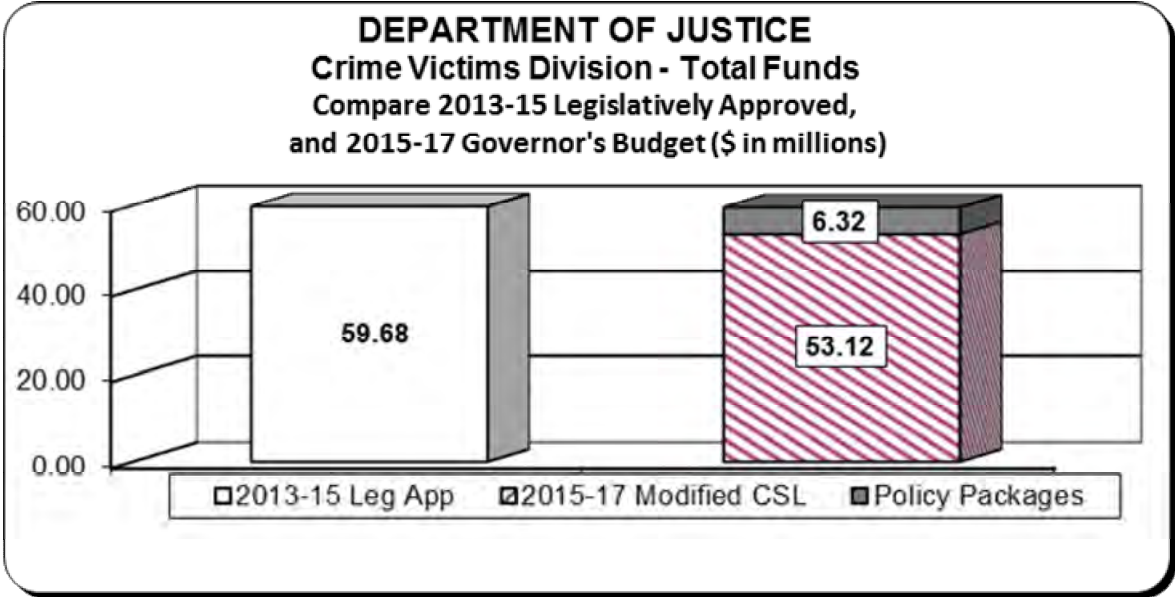
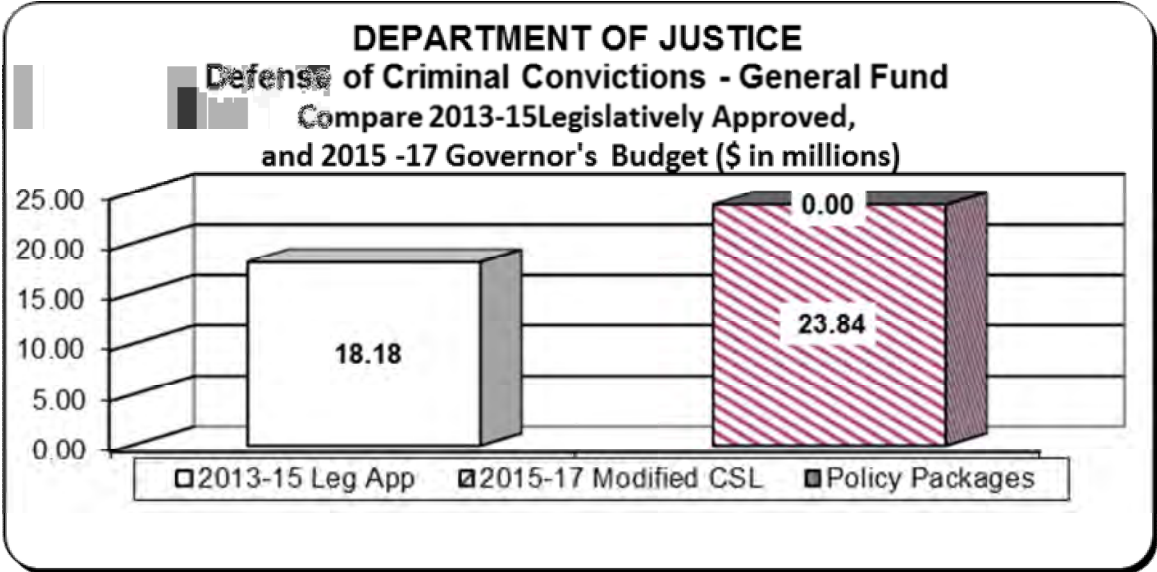
Compare 2013-15 Legislatively Approved,
and 2015-17 Governor's Budget (\$ in millions)



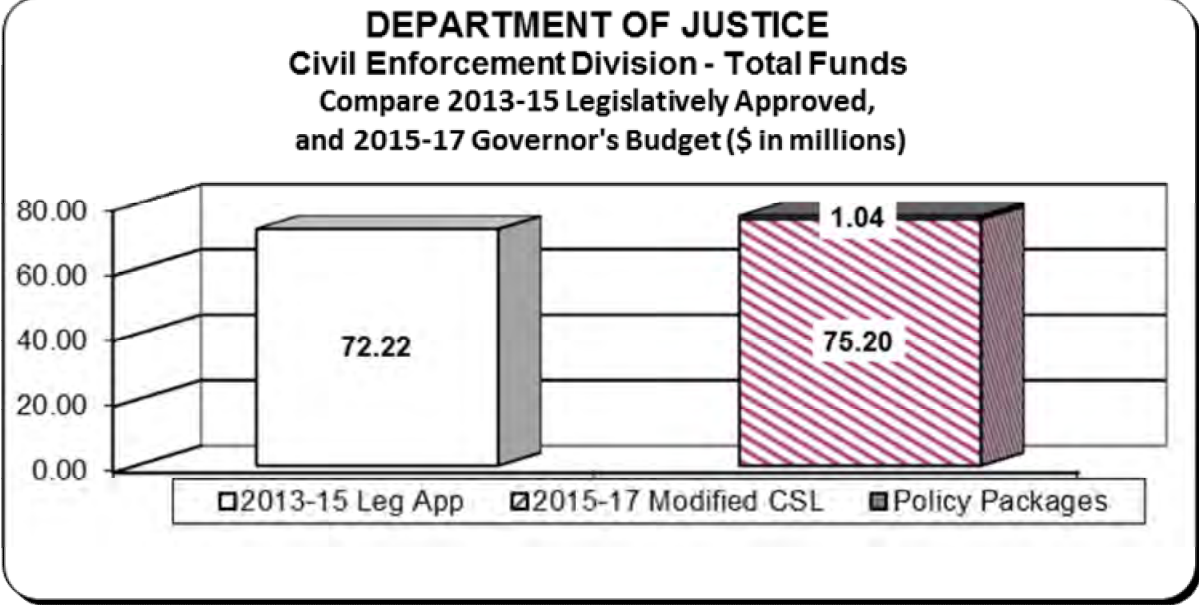
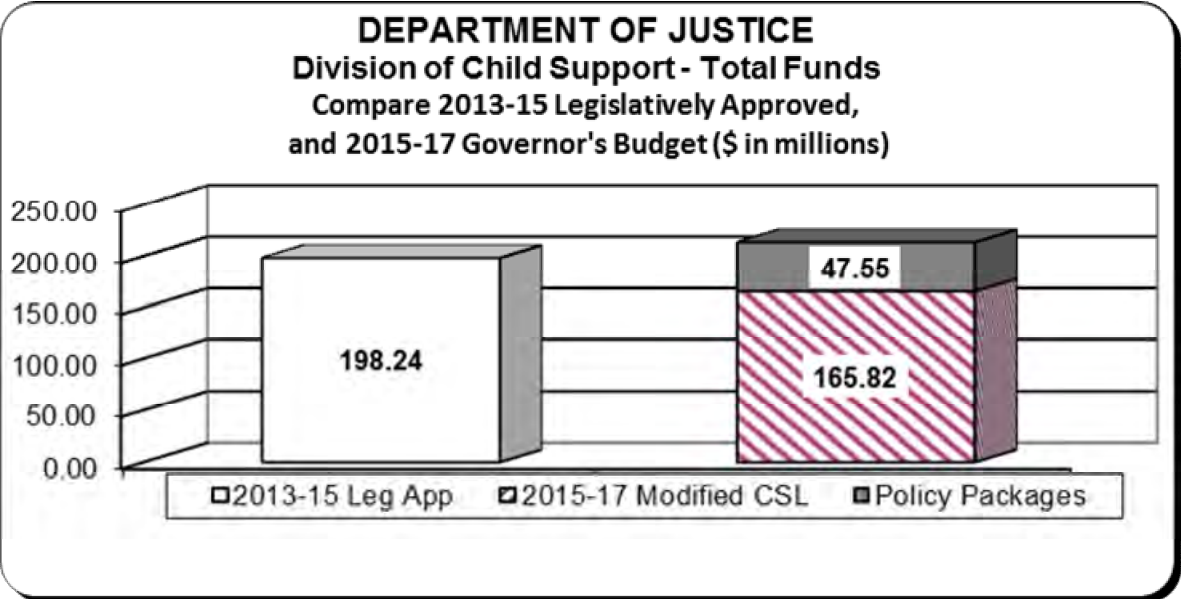
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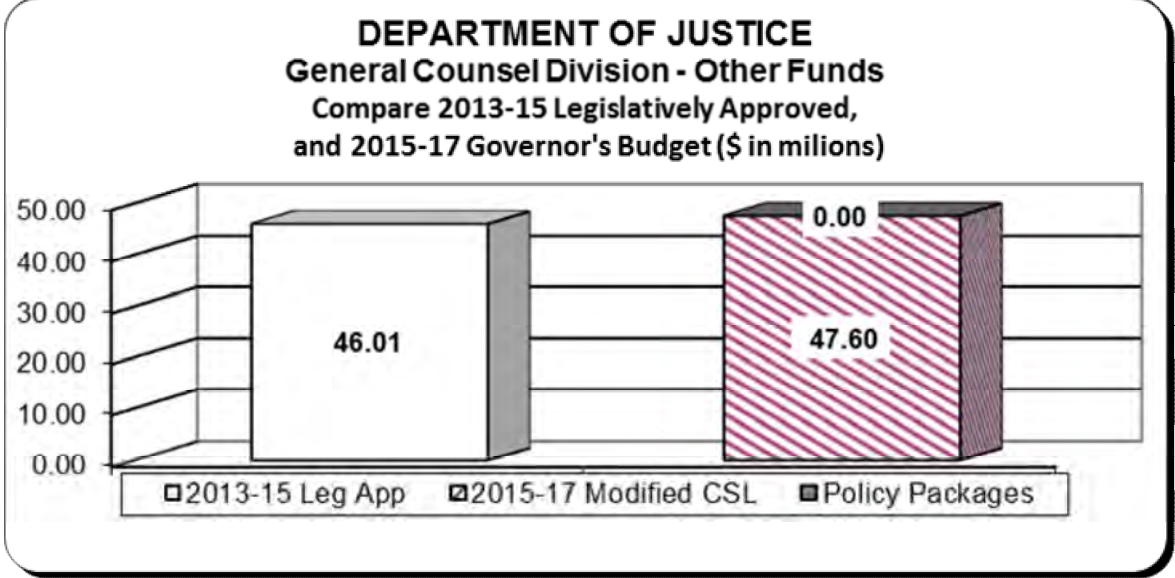
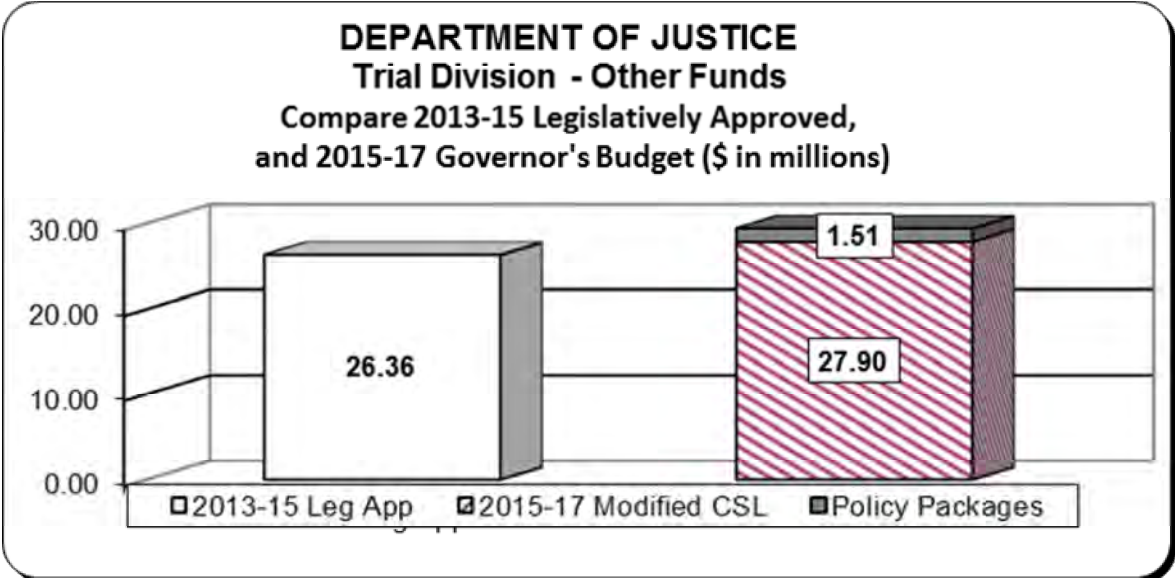
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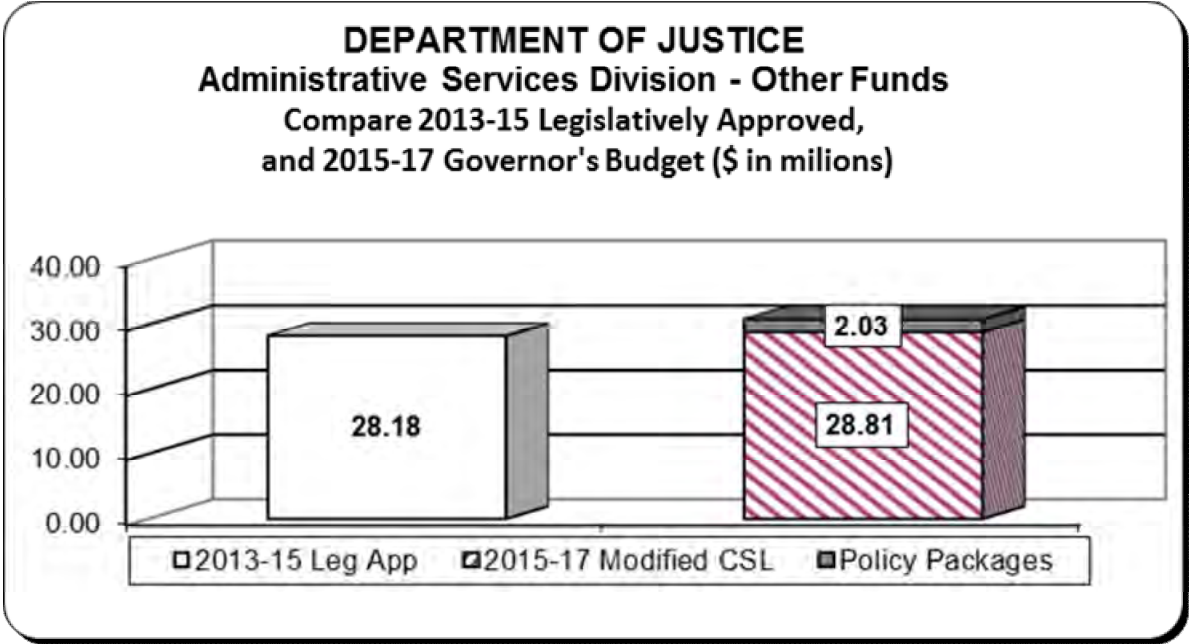
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Mission Statement

“As attorney general, my first priority will be to work with our governor and with the dedicated public servants who make up the Department of Justice --- as well as the community leaders and stakeholders --- to ensure that the Oregon Department of Justice is a strong, effective department of government. In these tough economic times, I will be a steward of the public's money and ensure that, under my leadership, the department is efficient, responsive and committed to serving the public.”

-- Ellen Rosenblum, June 6, 2012

The Mission of the Oregon Department of Justice is to serve state government and to support safe and healthy communities throughout Oregon by providing essential justice services.

The Attorney General and our nine divisions are dedicated to:

- Providing ethical, independent and high quality legal services to state government;
- Safeguarding consumers from fraud and unfair business practices;
- Fighting crime and helping crime victims;
- Advocating for vulnerable children;
- Supporting families through the collection of child support;
- Enforcing environmental protections;
- Defending the civil rights of all Oregonians;
- Pursuing justice and upholding the rule of law.

Governor's Budget

Statutory Authority

The powers and duties of the Attorney General and the Department of Justice are set out primarily in ORS chapter 180. A list of some of the key sections of law follows:

25.080	Establish and enforce child support obligations for families who receive public assistance.
36.224	Develop rules for confidentiality of mediation communications.
86.726 – 86.748	Foreclosure Mediation
128.610 - 128.995	Enforce Oregon's charitable corporation and solicitation laws.
138.570	Represent the state in post-conviction cases.
147.005 - 147.345	Crime victim compensation.
166.715 - 166.735	Enforce Oregon's civil racketeering laws.
180.060	Appear for the state, when required by the Governor or the Legislature, in any court or tribunal in any cause in which the state is a party or in which the state is directly interested.
180.060	Issue legal opinions on questions of law upon request of a state official, agency, board or commission. (The Attorney General and her assistants are prohibited by statute from providing legal services directly to private citizens.)
180.060	Provide day-to-day legal advice to state officials, agencies, boards and commissions.
180.060	Assist and advise Oregon's District Attorneys in criminal matters and represent the state on appeal in criminal cases.
180.060	Appear, commence, prosecute or defend for the state all causes or proceedings in the Supreme Court or the Court of Appeals in which the state is a party or has an interest.

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Statutory Authority (Cont.)

180.400 - 180.455 (and 323.806)	Preserve the "integrity of the tobacco Master Settlement Agreement (MSA), the fiscal soundness of the state and the public health." Require the Attorney General to undertake certain additional duties intended generally to enhance the enforcement of the Non-Participating Manufacturer (NPM) statutes.
180.520	Coordinate consumer protection services and advance consumer education.
180.610	Establish, coordinate and assist local, state and federal law-enforcement in the investigation and suppression of organized criminal activity.
183.341	Develop model administrative law rules.
190.430	Review local government and interstate agreements.
190.490	Approve international agreements.
192.450	Review denial of access to public records by state agencies.
244.260	Review Oregon Government Ethics Commission Executive Director's statement of facts at conclusion of preliminary review.
250.065	Prepare ballot titles.
260.345	Investigate and prosecute criminal violations of election and campaign finance laws.
279A.065	Develop model public contract rules.
291.047	Approve public contracts for legal sufficiency; adopt rules exempting classes of contracts from the requirement for legal sufficiency review.
323.800 – 323.806	Enforce Oregon's NPM statutes to protect continued receipt of MSA funds.
323.435	Investigate any criminal violation of the Cigarette Tax Act; recover the amount of any taxes penalties and interest due under this Act.

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Statutory Authority (Cont.)

323.619	Investigate any criminal violation of the Tobacco Tax Act; recover the amount of any taxes, penalties and interest due under this Act.
323.730	The Attorney General may bring an action to enforce any provision of the Delivery Sales Act or prevent or restrain violations.
305.120(2)	The Director of the Department of Revenue may call upon the Attorney General to prosecute violations of tax laws as they relate to the assessment and taxation of property and the collection of public taxes and revenues.
468.961	Adopt model guidelines for prosecution of environmental crimes by Attorney General, District Attorneys.
646.605 - 646.652	Enforce Oregon's Unlawful Trade Practices Act.
646.705 - 646.836	Enforce Oregon's antitrust laws.
659A.885(7)	In specified circumstances, the Attorney General may file a civil action on behalf of individuals aggrieved by unlawful discriminatory practices.

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PROGRAM DESCRIPTIONS

The primary programs of the Department of Justice (the "Department" or "DOJ"), with one exception, correspond to the Department's divisions:

CRIMINAL JUSTICE DIVISION

The Criminal Justice Division provides a myriad of law-enforcement services to state and local law-enforcement agencies including: investigating and prosecuting internet crimes against children, official misconduct, and social security fraud; combating organized crime; facilitating information sharing among law-enforcement agencies; and assisting District Attorneys with investigations and prosecutions and with training of prosecutors.

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 not a separate division of personnel within the Department. The DCC program is funded by General Fund and jointly staffed by Appellate and Trial Division personnel. The purpose of the program is to defend 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 VICTIMS SERVICES DIVISION

The Crime Victims 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.

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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 related issues. DCS accomplishes this by establishing paternity and child-support orders and collecting, disbursing, enforcing and modifying these orders for families who currently receive, or in the past have received, public assistance. Public assistance includes Temporary Assistance to Needy Families (TANF), Medicaid and the Oregon Health Plan. DCS is responsible for statewide compliance with federal law. In 26 counties, District Attorneys share child-support enforcement responsibilities with DCS. In ten counties the District Attorneys have contracted with DCS to provide all child-support services.

CIVIL ENFORCEMENT DIVISION

The Civil Enforcement Division provides civil law-enforcement services including protecting civil rights, assisting state agencies in recovering money owed to the state, providing legal support to family law programs, prosecuting financial fraud, preventing fraud through consumer protection programs, and regulating charitable and gaming activities. The Medicaid Fraud Control Unit (MFU) investigates and prosecutes Medicaid fraud; in some cases the MFU invokes civil law and in others the MFU applies criminal laws. The Division also enforces the tobacco NPM statutes and oversees the work of Special Assistant Attorneys General (SAAGs) hired to help defend Oregon's continued receipt of approximately \$80 million in annual payments from the national tobacco Master Settlement Agreement (MSA). The Child Advocacy Section provides juvenile dependency services for Child Welfare administration in the Department of Human Services and provides legal services for DOJ's Division of Child Support.

TRIAL DIVISION

The Trial Division represents the state and its agencies, departments, boards, commissions, officers, employees and agents in state and federal trial courts, often in cases filed by plaintiffs seeking money damages from the state and its officials.

GENERAL COUNSEL DIVISION

The General Counsel Division helps state agencies operate their programs within established laws and legal guidelines. The attorneys provide preventative legal advice and respond to the varied legal needs of state agencies, boards, and commissions.

Governor's Budget

ADMINISTRATION PROGRAM

Administration reviews and directs the operations of the agency through the Attorney General's Office and maintains the business functions of the Department. It manages the Department's resources through personnel, fiscal, operations and information systems. The Department's Honors Attorney Program is located, for purposes of the budget, in the Administration Program.

Governor's Budget

Environmental Factors

Achieving the Department's missions as effectively as resources will permit in turn rests on at least the following:

- Maintaining consolidation of legal services in the Department under the Attorney General.

The consolidation of state legal services is essential to the maintenance of quality and consistency in the State's public policy. The State's legal policy must be articulated with a single voice. This requirement reinforces the necessity for greater physical consolidation of office professionals. It also requires an effective interoffice communications system, easily retrievable centralized docketing, clear professional leadership from the Office of Attorney General, and because of rapid changes through budget cuts or reallocations in state government, the ability to shift lawyers, personnel and caseloads on short notice.

- Enhancement of Professional Quality

Legal services must be enhanced in quality, since the greater volume and higher dollar exposure of state actions vitally affect the ability of government to function effectively and with a minimum of financial and program disruptions. Three policy choices by the Legislature and Congress make quality legal work essential. First, the Legislature has provided for private actions for damages against the state. Second, the Legislature increasingly has permitted court review of many governmental decisions. Third, Congress has provided a complex set of federal laws regulating government programs and has granted rights of legal enforcement to private parties. The sum of these developments means that court decisions can and do decide how public funds are spent. Without quality legal representation, State legislative and executive policy and administrative choices cannot be exercised or maintained.

- Recruitment, Compensation and Professional Advancement of Personnel

Major efforts are maintained to ensure recruitment of high quality professional personnel and to provide career opportunities through lateral and vertical mobility within the office. Improvement in levels of professional compensation is a central mechanism to achieve these objectives. An adequate system of professional evaluation and merit reward incentives is another. An innovative and substantial program of continuing legal education and professional development is yet a third.

Governor's Budget

- Application of New Technology to Legal Services

For reasons quite independent of economies, the department must use advances in technology and in productivity. The department commonly confronts experienced opposing counsel from the private sector, and the department must be equipped with the latest developments in research and computer technology that its opponents already are using.

- Preventive Legal Advice

The department is client-driven with respect to a large proportion of legal matters it undertakes. Since the office occupies the intersection between law and public policy, it must be prepared to respond to the legal implications of virtually every political issue on the state government agenda. This fact carries with it three further responsibilities. First, the office must develop and maintain the professional competence to handle non-routine issues of first impression. Second, client agencies and public officials must be educated by DOJ personnel to recognize early those issues which will require the attention of legal counsel. Third, when state agency funds are inadequate to finance the full array of DOJ legal services at optimum levels, those agencies and the Justice Department must be able to assign caseload and personnel priorities and to reassign legal personnel rapidly to other problem areas. As courts and legislatures expand the responsibilities of state government to its citizens, the role of preventive legal advice becomes even more critical.

- Law Reform Responsibilities

The legal arm of state government cannot be simply reactive. The DOJ is ideally placed to function as a communication link between the public, the courts and the Legislature. Litigated cases, legal issues confronting public agencies, and problems addressed in Attorney General Opinions all help to identify areas of legal confusion or statutory inadequacy. Efforts in law reform and law improvement better protect the legal rights and opportunities of Oregon citizens. They also help Oregon State government function with greater simplicity and efficiency.

Governor's Budget

2015-17 Budget Development and Initiatives

Since taking office in 2012, Attorney General Rosenblum's priorities have included advocating for and protecting Oregon's most vulnerable, including especially its families, children, and seniors. She is also committed to assisting district attorneys and local law enforcement in prosecuting complex crimes and has made combating internet and other crimes against children a high priority.

Consistent with these priorities, some of the key funding and legislative requests which the Attorney General and DOJ will pursue in the 2015 legislative session include:

- Continuing operations of the Titan Fusion Center, enhancing support for the Internet Crimes Against Children (ICAC) program, and establishing two resource prosecutors to address domestic and family violence and elder abuse within the Criminal Justice Division -- \$6.4 million General Fund;
- Retaining vital victims' rights programs that would otherwise be reduced or eliminated due to insufficient revenues -- \$4.3 million Criminal Fine Account. The Department of Justice acts as custodian for the Crime Victim's Compensation Account, a mechanism by which crime victims receive emergency compensation for serious injury, counseling, funeral expenses, abuse assessments and other serious and immediate needs. This account, which depends on the inflow of punitive damages awards, is diminishing and will lead to the reduction or elimination of core victim's services in the absence of immediate legislative action.
- Providing legal services on behalf of the Department of Human Services (DHS) in the early stages of a juvenile dependency case has become more critical and interconnected to the ability of DHS to secure permanency and safety for children later in the case. The state must prove the facts that show it is in the best interests of the children to be under the jurisdiction of the juvenile court and in the custody of DHS. In addition, the jurisdictional bases established at this trial dictate the services DHS is able to offer a family, and limit DHS' ability to move the case toward a permanent plan other than return to parent if that is in the best interests of the child. DOJ and DHS have established a workgroup to develop funding options to present to the Governor and Legislature;
- Continuing with implementation of the Child Support System Project. The initial phase of this project was approved by the 2013 legislature and financed through Article XI-Q bonds. Additional financing authority will be needed throughout the 2015-17 biennium to complete this multi-year project. [For more information, refer to Policy Package 201 and the Special Reports Tab for the Project's feasibility study.]

Governor's Budget

- Examining the appropriateness of state legislation for the e-cigarette industry. The Attorney General is concerned about the absence of a sound regulatory structure for this rapidly growing industry. The Attorney General and DOJ are active in a multistate action and have advocated for federal action to examine the flavoring of e-cigarettes, possible concerns with marketing to children, packaging, and the health concerns raised by this new and poorly understood product; and
- Developing partnerships with legislators and other officials to ensure the sufficiency of a system-wide response to the growing threat of domestic sex trafficking by examining our legal framework, level of available resources, and degree of interagency coordination. This includes working in close coordination with the Oregon Health Authority and others to break ground on a shelter for the victims of sex trafficking and to gather all available evidence on best practices to maximize that state investment.
- Conducting a critical review of Oregon's 2007 Consumer Identity Theft Protection Act, which aims to guarantee that all Oregonians subjected to data breach are provided appropriate notice of the fact of the breach? This review is examining both the history of the enforcement of this law and the sufficiency of the enclosed definition of personal information, which emphasizes financial data but excludes medical, biometric and insurance information.
- Examining the appropriateness of state legislation and educational campaigns to promote consumer internet privacy and engaging in a comparative study of legislative frameworks developed on the state level throughout the country to protect personal data which has become a multi-billion dollar business operating predominately in the absence of any regulatory framework.

Major Information Technology Projects/Initiatives

See report in Special Reports

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Justice, Dept of
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-000-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	1,282	1,265.25	486,348,787	64,380,931	-	259,697,319	142,235,349	4,753,390	15,281,798
2013-15 Emergency Boards	3	1.58	9,801,574	1,908,153	-	5,772,297	2,121,124	-	-
2013-15 Leg Approved Budget	1,285	1,266.83	496,150,361	66,289,084	-	265,469,616	144,356,473	4,753,390	15,281,798
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(21)	(10.61)	(37,983,558)	1,225,829	-	(11,842,871)	(27,366,516)	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			4,759,409	4,759,409	-	-	-	-	-
Base Nonlimited Adjustment			601,056	-	-	-	-	142,602	458,454
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	1,264	1,256.22	463,527,268	72,274,322	-	253,626,745	116,989,957	4,895,992	15,740,252
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	349,321	(18,970)	-	379,096	(10,805)	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	895,610	92,163	-	628,078	175,369	-	-
Subtotal	-	-	1,244,931	73,193	-	1,007,174	164,564	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	184,576	168,067	-	16,509	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(5,119,687)	(611,443)	-	(2,019,488)	(2,488,756)	-	-
Subtotal	-	-	(4,935,111)	(443,376)	-	(2,002,979)	(2,488,756)	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	7,448,954	3,541,971	-	3,234,805	672,178	-	-
State Gov't & Services Charges Increase/(Decrease)			4,914,432	515,665	-	2,886,281	1,512,486	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Justice, Dept of
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-000-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	12,363,386	4,057,636	-	6,121,086	2,184,664	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	4	4.26	4,243,371	3,207,828	-	1,035,543	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	1,268	1,260.48	476,443,845	79,169,603	-	259,787,569	116,850,429	4,895,992	15,740,252

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Justice, Dept of
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-000-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	1,268	1,260.48	476,443,845	79,169,603	-	259,787,569	116,850,429	4,895,992	15,740,252
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	(9)	(8.94)	(4,428,842)	1	-	(4,428,843)	-	-	-
Modified 2015-17 Current Service Level	1,259	1,251.54	472,015,003	79,169,604	-	255,358,726	116,850,429	4,895,992	15,740,252
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	5	4.01	2,026,336	-	-	2,026,336	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	5	3.75	794,618	-	-	794,618	-	-	-
133 - Defend MSA Tobacco Revenues	1	1.00	243,783	243,783	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	139,583	-	-	139,583	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	3	2.00	857,238	-	-	474,382	382,856	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	9	8.94	4,289,257	-	-	4,289,257	-	-	-
146 - Continuing Grants - Crime Victims'	1	0.65	2,000,764	-	-	-	2,000,764	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Justice, Dept of
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-000-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	67,901	-	-	-	67,901	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	9	7.39	1,510,274	-	-	1,510,274	-	-	-
201 - Child Support System – Phase II	-	-	47,554,009	2,131,018	-	15,425,000	29,997,991	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	33	27.74	59,483,763	2,374,801	-	24,659,450	32,449,512	-	-
Total 2015-17 Governor's Budget	1,292	1,279.28	531,498,766	81,544,405	-	280,018,176	149,299,941	4,895,992	15,740,252
Percentage Change From 2013-15 Leg Approved Budget	0.54%	0.98%	7.12%	23.01%	-	5.48%	3.42%	3.00%	3.00%
Percentage Change From 2015-17 Current Service Level	1.89%	1.49%	11.56%	3.00%	-	7.79%	27.77%	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Administration
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-010-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	113	111.59	27,293,955	294,000	-	26,999,955	-	-	-
2013-15 Emergency Boards	(2)	(2.00)	887,576	6,000	-	881,576	-	-	-
2013-15 Leg Approved Budget	111	109.59	28,181,531	300,000	-	27,881,531	-	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(1)	(0.59)	135,715	-	-	135,715	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	110	109.00	28,317,246	300,000	-	28,017,246	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	(21,046)	-	-	(21,046)	-	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	52,195	-	-	52,195	-	-	-
Subtotal	-	-	31,149	-	-	31,149	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(311,368)	(300,000)	-	(11,368)	-	-	-
Subtotal	-	-	(311,368)	(300,000)	-	(11,368)	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	(12,096)	-	-	(12,096)	-	-	-
State Gov't & Services Charges Increase/(Decrease)			786,845	-	-	786,845	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Administration
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Governor's Budget
Cross Reference Number: 13700-010-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	774,749	-	-	774,749	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	110	109.00	28,811,776	-	-	28,811,776	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Administration
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-010-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	110	109.00	28,811,776	-	-	28,811,776	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	110	109.00	28,811,776	-	-	28,811,776	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	5	4.01	2,026,336	-	-	2,026,336	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants – Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Administration
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-010-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	5	4.01	2,026,336	-	-	2,026,336	-	-	-
Total 2015-17 Governor's Budget	115	113.01	30,838,112	-	-	30,838,112	-	-	-
Percentage Change From 2013-15 Leg Approved Budget	3.60%	3.12%	9.43%	-100.00%	-	10.60%	-	-	-
Percentage Change From 2015-17 Current Service Level	4.55%	3.68%	7.03%	-	-	7.03%	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Appellate
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-020-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	58	57.37	17,626,920	-	-	17,626,920	-	-	-
2013-15 Emergency Boards	-	-	523,682	-	-	523,682	-	-	-
2013-15 Leg Approved Budget	58	57.37	18,150,602	-	-	18,150,602	-	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(1)	(1.00)	75,658	-	-	75,658	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	57	56.37	18,226,260	-	-	18,226,260	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	39,250	-	-	39,250	-	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	51,045	-	-	51,045	-	-	-
Subtotal	-	-	90,295	-	-	90,295	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	100,147	-	-	100,147	-	-	-
State Gov't & Services Charges Increase/(Decrease)			160,123	-	-	160,123	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Appellate
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	260,270	-	-	260,270	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	4	3.76	892,681	-	-	892,681	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	293,358	293,358	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	61	60.13	19,762,864	293,358	-	19,469,506	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Appellate
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-020-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	61	60.13	19,762,864	293,358	-	19,469,506	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	61	60.13	19,762,864	293,358	-	19,469,506	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants – Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Appellate
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-020-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2015-17 Governor's Budget	61	60.13	19,762,864	293,358	-	19,469,506	-	-	-
Percentage Change From 2013-15 Leg Approved Budget	5.17%	4.81%	8.88%	-	-	7.27%	-	-	-
Percentage Change From 2015-17 Current Service Level	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Civil Enforcement
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-030-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	202	200.11	70,065,092	3,809,509	-	62,542,134	3,242,409	471,040	-
2013-15 Emergency Boards	-	-	2,159,890	21,115	-	1,378,063	760,712	-	-
2013-15 Leg Approved Budget	202	200.11	72,224,982	3,830,624	-	63,920,197	4,003,121	471,040	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(4)	(3.32)	(125,028)	(114,360)	-	546,641	(557,309)	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			14,131	-	-	-	-	14,131	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	198	196.79	72,114,085	3,716,264	-	64,466,838	3,445,812	485,171	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	53,282	(2,223)	-	28,390	27,115	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	187,486	(7,651)	-	181,054	14,083	-	-
Subtotal	-	-	240,768	(9,874)	-	209,444	41,198	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	16,509	-	-	16,509	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(64,668)	(49,104)	-	(15,564)	-	-	-
Subtotal	-	-	(48,159)	(49,104)	-	945	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	1,890,396	102,719	-	1,762,312	25,365	-	-
State Gov't & Services Charges Increase/(Decrease)			733,742	2,827	-	702,716	28,199	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Civil Enforcement
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-030-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	2,624,138	105,546	-	2,465,028	53,564	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	1	1.00	270,224	-	-	270,224	-	-	-
Subtotal: 2015-17 Current Service Level	199	197.79	75,201,056	3,762,832	-	67,412,479	3,540,574	485,171	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Civil Enforcement
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-030-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	199	197.79	75,201,056	3,762,832	-	67,412,479	3,540,574	485,171	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	(139,583)	-	-	(139,583)	-	-	-
Modified 2015-17 Current Service Level	199	197.79	75,061,473	3,762,832	-	67,272,896	3,540,574	485,171	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	5	3.75	794,618	-	-	794,618	-	-	-
133 - Defend MSA Tobacco Revenues	1	1.00	243,783	243,783	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	139,583	-	-	139,583	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants - Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Civil Enforcement
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-030-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	6	4.75	1,177,984	243,783	-	934,201	-	-	-
Total 2015-17 Governor's Budget	205	202.54	76,239,457	4,006,615	-	68,207,097	3,540,574	485,171	-
Percentage Change From 2013-15 Leg Approved Budget	1.49%	1.21%	5.56%	4.59%	-	6.71%	-11.55%	3.00%	-
Percentage Change From 2015-17 Current Service Level	3.02%	2.40%	1.38%	6.48%	-	1.18%	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Criminal Justice
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-040-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	51	49.53	27,148,904	7,978,666	-	9,566,503	9,603,735	-	-
2013-15 Emergency Boards	7	5.12	1,983,791	1,133,411	-	756,912	93,468	-	-
2013-15 Leg Approved Budget	58	54.65	29,132,695	9,112,077	-	10,323,415	9,697,203	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(7)	(3.95)	(303,402)	329,036	-	(486,236)	(146,202)	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	51	50.70	28,829,293	9,441,113	-	9,837,179	9,551,001	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	27,575	(9,469)	-	51,648	(14,604)	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	67,619	50,790	-	16,594	235	-	-
Subtotal	-	-	95,194	41,321	-	68,242	(14,369)	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	168,067	168,067	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(432,429)	(127,339)	-	(196,178)	(108,912)	-	-
Subtotal	-	-	(264,362)	40,728	-	(196,178)	(108,912)	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	1,141,956	731,028	-	153,872	257,056	-	-
State Gov't & Services Charges Increase/(Decrease)			300,479	129,530	-	120,971	49,978	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Criminal Justice
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	1,442,435	860,558	-	274,843	307,034	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	51	50.70	30,102,560	10,383,720	-	9,984,086	9,734,754	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Criminal Justice
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-040-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	51	50.70	30,102,560	10,383,720	-	9,984,086	9,734,754	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	51	50.70	30,102,560	10,383,720	-	9,984,086	9,734,754	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	3	2.00	857,238	-	-	474,382	382,856	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants – Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Criminal Justice
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-040-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	39,164	-	-	-	39,164	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	3	2.00	896,402	-	-	474,382	422,020	-	-
Total 2015-17 Governor's Budget	54	52.70	30,998,962	10,383,720	-	10,458,468	10,156,774	-	-
Percentage Change From 2013-15 Leg Approved Budget	-6.90%	-3.57%	6.41%	13.96%	-	1.31%	4.74%	-	-
Percentage Change From 2015-17 Current Service Level	5.88%	3.94%	2.98%	-	-	4.75%	4.34%	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Crime Victims Program
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-045-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	44	36.90	59,196,494	9,701,838	-	30,415,082	19,079,574	-	-
2013-15 Emergency Boards	(1)	(1.00)	481,981	255,560	-	163,401	63,020	-	-
2013-15 Leg Approved Budget	43	35.90	59,678,475	9,957,398	-	30,578,483	19,142,594	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(8)	(1.84)	88,411	7,049	-	277,332	(195,970)	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	35	34.06	59,766,886	9,964,447	-	30,855,815	18,946,624	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	(37,787)	(2,289)	-	(29,941)	(5,557)	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	19,360	896	-	20,548	(2,084)	-	-
Subtotal	-	-	(18,427)	(1,393)	-	(9,393)	(7,641)	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(4,040,950)	(135,000)	-	(1,526,106)	(2,379,844)	-	-
Subtotal	-	-	(4,040,950)	(135,000)	-	(1,526,106)	(2,379,844)	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	1,519,266	286,378	-	762,455	470,433	-	-
State Gov't & Services Charges Increase/(Decrease)			177,810	22,933	-	111,265	43,612	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Crime Victims Program
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-045-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	1,697,076	309,311	-	873,720	514,045	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	35	34.06	57,404,585	10,137,365	-	30,194,036	17,073,184	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Crime Victims Program
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-045-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	35	34.06	57,404,585	10,137,365	-	30,194,036	17,073,184	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	(9)	(8.94)	(4,289,259)	1	-	(4,289,260)	-	-	-
Modified 2015-17 Current Service Level	26	25.12	53,115,326	10,137,366	-	25,904,776	17,073,184	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	9	8.94	4,289,257	-	-	4,289,257	-	-	-
146 - Continuing Grants – Crime Victims'	1	0.65	2,000,764	-	-	-	2,000,764	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Crime Victims Program
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-045-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
147 - Position Reclassification	-	-	28,737	-	-	-	28,737	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	10	9.59	6,318,758	-	-	4,289,257	2,029,501	-	-
Total 2015-17 Governor's Budget	36	34.71	59,434,084	10,137,366	-	30,194,033	19,102,685	-	-
Percentage Change From 2013-15 Leg Approved Budget	-16.28%	-3.31%	-0.41%	1.81%	-	-1.26%	-0.21%	-	-
Percentage Change From 2015-17 Current Service Level	2.86%	1.91%	3.54%	-	-	-	11.89%	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
General Counsel
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-050-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	142	141.50	44,968,789	-	-	44,968,789	-	-	-
2013-15 Emergency Boards	(1)	(0.54)	1,044,550	-	-	1,044,550	-	-	-
2013-15 Leg Approved Budget	141	140.96	46,013,339	-	-	46,013,339	-	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(2)	(1.96)	697,422	-	-	697,422	-	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			-	-	-	-	-	-	-
Base Nonlimited Adjustment			-	-	-	-	-	-	-
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	139	139.00	46,710,761	-	-	46,710,761	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	200,244	-	-	200,244	-	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	151,421	-	-	151,421	-	-	-
Subtotal	-	-	351,665	-	-	351,665	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	234,957	-	-	234,957	-	-	-
State Gov't & Services Charges Increase/(Decrease)			572,497	-	-	572,497	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 General Counsel
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-050-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	807,454	-	-	807,454	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	(1)	(1.00)	(270,224)	-	-	(270,224)	-	-	-
Subtotal: 2015-17 Current Service Level	138	138.00	47,599,656	-	-	47,599,656	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
General Counsel
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-050-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	138	138.00	47,599,656	-	-	47,599,656	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	138	138.00	47,599,656	-	-	47,599,656	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants - Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
General Counsel
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-050-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2015-17 Governor's Budget	138	138.00	47,599,656	-	-	47,599,656	-	-	-
Percentage Change From 2013-15 Leg Approved Budget	-2.13%	-2.10%	3.45%	-	-	3.45%	-	-	-
Percentage Change From 2015-17 Current Service Level	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Trial
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-060-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	94	93.08	25,767,823	-	-	25,767,823	-	-	-
2013-15 Emergency Boards	-	-	588,421	-	-	588,421	-	-	-
2013-15 Leg Approved Budget	94	93.08	26,356,244	-	-	26,356,244	-	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	4	3.78	1,021,102	-	-	1,021,102	-	-	-
Estimated Cost of Merit Increase	-	-	-	-	-	-	-	-	-
Base Debt Service Adjustment	-	-	-	-	-	-	-	-	-
Base Nonlimited Adjustment	-	-	-	-	-	-	-	-	-
Capital Construction	-	-	-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	98	96.86	27,377,346	-	-	27,377,346	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	114,761	-	-	114,761	-	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	114,978	-	-	114,978	-	-	-
Subtotal	-	-	229,739	-	-	229,739	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	163,172	-	-	163,172	-	-	-
State Gov't & Services Charges Increase/(Decrease)	-	-	(9,651)	-	-	(9,651)	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Trial
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-060-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal	-	-	153,521	-	-	153,521	-	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	0.50	142,862	-	-	142,862	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	98	97.36	27,903,468	-	-	27,903,468	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Trial
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-060-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	98	97.36	27,903,468	-	-	27,903,468	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	98	97.36	27,903,468	-	-	27,903,468	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants – Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Trial
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-060-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	9	7.39	1,510,274	-	-	1,510,274	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	9	7.39	1,510,274	-	-	1,510,274	-	-	-
<hr/>									
Total 2015-17 Governor's Budget	107	104.75	29,413,742	-	-	29,413,742	-	-	-
<hr/>									
Percentage Change From 2013-15 Leg Approved Budget	13.83%	12.54%	11.60%	-	-	11.60%	-	-	-
Percentage Change From 2015-17 Current Service Level	9.18%	7.59%	5.41%	-	-	5.41%	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Defense of Criminal Convictions
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-100-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	-	-	18,176,413	18,176,413	-	-	-	-	-
2013-15 Emergency Boards	-	-	-	-	-	-	-	-	-
2013-15 Leg Approved Budget	-	-	18,176,413	18,176,413	-	-	-	-	-
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	-	-	379,270	379,270	-	-	-	-	-
Estimated Cost of Merit Increase	-	-	-	-	-	-	-	-	-
Base Debt Service Adjustment	-	-	-	-	-	-	-	-	-
Base Nonlimited Adjustment	-	-	-	-	-	-	-	-	-
Capital Construction	-	-	-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	-	-	18,555,683	18,555,683	-	-	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	2,372,274	2,372,274	-	-	-	-	-
Subtotal	-	-	2,372,274	2,372,274	-	-	-	-	-
040 - Mandated Caseload									

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Defense of Criminal Convictions
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-100-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload	-	-	3,207,828	3,207,828	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	(293,358)	(293,358)	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	-	-	23,842,427	23,842,427	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Defense of Criminal Convictions
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-100-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	-	-	23,842,427	23,842,427	-	-	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	-	-	23,842,427	23,842,427	-	-	-	-	-
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants – Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Defense of Criminal Convictions
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-100-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	-	-	-	-	-	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	-	-	-	-	-	-	-
Total 2015-17 Governor's Budget	-	-	23,842,427	23,842,427	-	-	-	-	-
Percentage Change From 2013-15 Leg Approved Budget	-	-	31.17%	31.17%	-	-	-	-	-
Percentage Change From 2015-17 Current Service Level	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Division of Child Support
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-160-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
2013-15 Leg Adopted Budget	578	575.17	196,104,397	24,420,505	-	41,810,113	110,309,631	4,282,350	15,281,798
2013-15 Emergency Boards	-	-	2,131,683	492,067	-	435,692	1,203,924	-	-
2013-15 Leg Approved Budget	578	575.17	198,236,080	24,912,572	-	42,245,805	111,513,555	4,282,350	15,281,798
2015-17 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	(2)	(1.73)	(39,952,706)	624,834	-	(14,110,505)	(26,467,035)	-	-
Estimated Cost of Merit Increase			-	-	-	-	-	-	-
Base Debt Service Adjustment			4,759,409	4,759,409	-	-	-	-	-
Base Nonlimited Adjustment			586,925	-	-	-	-	128,471	458,454
Capital Construction			-	-	-	-	-	-	-
Subtotal 2015-17 Base Budget	576	573.44	163,629,708	30,296,815	-	28,135,300	85,046,520	4,410,821	15,740,252
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Vacancy Factor (Increase)/Decrease	-	-	(26,958)	(4,989)	-	(4,210)	(17,759)	-	-
Non-PICS Personal Service Increase/(Decrease)	-	-	251,506	48,128	-	40,243	163,135	-	-
Subtotal	-	-	224,548	43,139	-	36,033	145,376	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	(270,272)	-	-	(270,272)	-	-	-
Subtotal	-	-	(270,272)	-	-	(270,272)	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	38,882	49,572	-	69,986	(80,676)	-	-
State Gov't & Services Charges Increase/(Decrease)			2,192,587	360,375	-	441,515	1,390,697	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
 Division of Child Support
 2015-17 Biennium

Governor's Budget
 Cross Reference Number: 13700-160-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal	-	-	2,231,469	409,947	-	511,501	1,310,021	-	-
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2015-17 Current Service Level	576	573.44	165,815,453	30,749,901	-	28,412,562	86,501,917	4,410,821	15,740,252

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Division of Child Support
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-160-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
Subtotal: 2015-17 Current Service Level	576	573.44	165,815,453	30,749,901	-	28,412,562	86,501,917	4,410,821	15,740,252
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2015-17 Current Service Level	576	573.44	165,815,453	30,749,901	-	28,412,562	86,501,917	4,410,821	15,740,252
080 - E-Boards									
080 - May 2014 E-Board	-	-	-	-	-	-	-	-	-
081 - September 2014 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
111 - Program Support	-	-	-	-	-	-	-	-	-
121 - Publications	-	-	-	-	-	-	-	-	-
131 - Juvenile Dependency Proceedings	-	-	-	-	-	-	-	-	-
132 - Financial Fraud Enforcement	-	-	-	-	-	-	-	-	-
133 - Defend MSA Tobacco Revenues	-	-	-	-	-	-	-	-	-
134 - Fair Housing Representation	-	-	-	-	-	-	-	-	-
135 - Charities Fee Increase	-	-	-	-	-	-	-	-	-
141 - Fusion Center	-	-	-	-	-	-	-	-	-
142 - Prosecution and Investigation Staff	-	-	-	-	-	-	-	-	-
143 - Continuing Grants - CJ	-	-	-	-	-	-	-	-	-
144 - Rate Restructure	-	-	-	-	-	-	-	-	-
145 - Restore Crime Victims' Services	-	-	-	-	-	-	-	-	-
146 - Continuing Grants - Crime Victims'	-	-	-	-	-	-	-	-	-

Governor's Budget

Summary of 2015-17 Biennium Budget

Justice, Dept of
Division of Child Support
2015-17 Biennium

Governor's Budget
Cross Reference Number: 13700-160-00-00-00000

Description	Positions	Full-Time Equivalent (FTE)	ALL FUNDS	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds
147 - Position Reclassification	-	-	-	-	-	-	-	-	-
151 - Environmental Claims Mediation	-	-	-	-	-	-	-	-	-
161 - Litigation Support	-	-	-	-	-	-	-	-	-
201 - Child Support System – Phase II	-	-	47,554,009	2,131,018	-	15,425,000	29,997,991	-	-
202 - Strategic Staffing Solutions	-	-	-	-	-	-	-	-	-
203 - Interactive Voice Response System	-	-	-	-	-	-	-	-	-
204 - Archival Records Conversion	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	47,554,009	2,131,018	-	15,425,000	29,997,991	-	-
Total 2015-17 Governor's Budget	576	573.44	213,369,462	32,880,919	-	43,837,562	116,499,908	4,410,821	15,740,252
Percentage Change From 2013-15 Leg Approved Budget	-0.35%	-0.30%	7.63%	31.99%	-	3.77%	4.47%	3.00%	3.00%
Percentage Change From 2015-17 Current Service Level	-	-	28.68%	6.93%	-	54.29%	34.68%	-	-

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE																		PROGRAM PRIORITIES		Agency Number:		13700	
2015-17 Biennium																									
Priorities for 2015-17 Biennium																									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22				
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req- Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request					
Dept	Prgm/ Div																								
1	1	AP	LS	Legal Services - Appellate	1,2,3,7	1,5,9	293,358	0	19,469,506	0	0	0	\$ 19,762,864	61	60.13	N	Y	C/FM/S	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. Prisoners 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 Constitution, Article VIII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the appellate 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. The Appellate Division represents the state in any appellate case in which the state is a party. In many cases a party has the legal right to seek appellate review. These cases typically involve a challenge to some action or decision by a state official or employee; they may involve state labor-relations issues, challenges to the constitutionality of a state statute, or claims that the state engaged in wrongful conduct for which the state can be liable under the Oregon Tort Claims Act. Cases that appeal termination of parental rights involving neglected or abused children are another area with a substantial and time-consuming caseload. Other cases include defense of mental-commitment orders, challenges to decisions of the Board of Parole and Post-Prison Supervision, ballot titles, and challenges to orders denying correctional inmates' claims that their conditions of confinement are unconstitutional, interpretation of sentences or right to hearing.	POP #121 DCC/Appellate Publications - to provide resources to produce and maintain publications on Oregon criminal law used by prosecutors 249,182-537,600 OF 1-Position 0.88 FTE				
1	1	TR	LS	Legal Services - Trial	1,2,3,7	1,5,9	0	0	27,903,468	0	0	0	\$ 27,903,468	98	97.36	N	Y	C/FM/S	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. Prisoners 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 Constitution, Article VIII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the trial 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.	POP #161 Litigation Support - To provide necessary resources to address current needs and anticipated growth and to maintain or improve upon the Trial Division's rate of success in defending the State in civil suits. \$1,899,020 \$1,510,274 OF 42.9 Positions / 40.03 7.39 FTE				
																		C/F/S	ORS 180.060; ORS 419A.200-211; 14th Amendment Due Process Clause	Parents who are facing termination of parental rights have a due process right to appeal that decision and have appointed counsel. Absent appearance by the state in such appeals, the likelihood of upholding the termination is reduced. Additionally, many of these actions are challenged as violating constitutional rights such as due process challenges. Some of these are filed under 42 USC § 1983 in federal court. The federal courts place significant requirements for this constitutional litigator which require legal representation for the state.					

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE PROGRAM PRIORITIES (continued)																			
2015-17 Biennium																				Agency Number: 13700	
Priorities for 2015-17 Biennium																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request	
Dept	Prgm/Div																				
			Legal Services - Trial (continued)															C/FMS	ORS 180; Eighth Amendment, 14th Amendment Due Process Clause, 42 USC § 1983	State agencies and state officials who seek to protect the environment are sometimes sued for failing to comply with federal environmental laws or for violating the federal constitutional rights of polluters and others or must use proactive litigation to enforce their state and federal mandates. Many of these cases are filed in federal court. The federal courts place significant requirements for this constitutional litigation which require legal representation for the state.	
																		C/F	ORS 180, 42 USC § 1983	Much of our work involves defending state actors who are alleged to have violated federal constitutional provisions such as the due process or equal protection clause. Some of these claims are brought under 42 USC § 1983 in federal court. Eliminating the state's ability to appear in these cases means that we will lose the ability for state employees to take vigorous actions to carry out state and federal mandates without the fear of costly litigation and an adverse verdict for money damages for which these employees could be held personally responsible.	
1	1	DCC	LS	Legal Services - Defense of Criminal Convictions	1	5	23,842,427	0	0	0	0	0	\$ 23,842,427	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. Prisoners 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 Constitution, Article VII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the appellate 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.	ROP # 124 DCC/Appellate Publications - To provide resources to produce and maintain publications on Oregon criminal law used by prosecutors throughout the state by assigning an Appellate Attorney to lead coordination of materials. \$382,000 GF no staffing impact
1	1	CE	LS	Civil Legal	1,2,3,7	0	0	0	45,923,489	0	0	0	\$ 45,923,489	134	133.24	Y	Y	C/FMS	2 USC § 201 et seq.; 42 USC § 67; 42 USC § 520-679; Regs. 45 CFR § 1356; 25 USC § 1901-1963; 8 USC § 1157; 42 USC § 871; 42 USC § 870 et seq. ORS 293.231, ORS Chapter 25 ORS 419B.875 ORS Chapter 86.725, 86.729, 86.732, 86.736, 86.741, 86.744, 86.748 ORS 180, 180.070, 180.080, 180.610, Eighth Amendment, 14th Amendment Due process Clause, 42 USC § 1983	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. State law (ORS 419B.875) dictates that both "the state" and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates. State agencies and state officials who seek to protect the environment are sometimes sued for failing to comply with federal environmental laws or for violating the federal constitutional rights of polluters and others or must use proactive litigation to enforce their state and federal mandates. Many of these cases are filed in federal court. The federal courts place significant requirements for this constitutional litigation which require legal representation for the state.	Rfg #131 Juvenile Dependency Proceedings-The Child Advocacy Section (CHAS) provide assistance through legal counsel and representation to DHS Child Welfare in providing services to the state's most vulnerable children-The package provides limited additional staff-level positions-allowing CHAS attorneys to move more work to positions that bill at a lower rate, resulting in efficiencies in workload and cost, which in turn improves DHS ability to move children to their permanent living situation more quickly. \$1,430,038 OF 8 Positions / 7.04 FTE

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE																	PROGRAM PRIORITIES (continued)																		
2015-17 Biennium																			Agency Number:																	13700	
Priorities for 2015-17 Biennium																																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22																
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)																		
Dept	Prgm/ Div																																				
1	1	CJ	LS	CJ Legal	1,2,7,8	1,5	0	0	7,686,706	0	0	0	\$ 7,686,706	23	22.70	N	Y	S /FM	ORS 180, 42 USC § 201 et seq.; 42 USC § 57; 42 USC § 820-679; regs. 45 CRF § 1356; 25 USC § 1901-1963; 8 USC § 1157; 42 USC § 671; 42 USC § 670 et seq.	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. State law (ORS 419B.875) dictates that both "the state" and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates.	Pkg #144 - Move all CJ Legal Staff to Special Investigation and Prosecution section - (67,204,275) OF - (23) pos., (22.70) FTE.																
1	1	GC	LS	Legal Services - General Counsel	1,2,4,7	1,9	0	0	47,599,656	0	0	0	\$ 47,599,656	138	138.00	N	Y	C/FM/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.	Pkg #154 - SB 614 (2013) - established among other things, a variety of "unfair environmental claims practices." Section 6(2)(e) of SB 614 (codified at ORS 465.484(2)(e)) requires the Attorney General to establish an environmental claims mediation program that will be available to insurers and insureds to help resolve coverage disputes and other controversies pertaining to claims submitted under general liability insurance policies arising from release of pollutants onto or into land, air, or water. The 2013 legislation did not appropriate money to the Attorney General to fund the personnel and material resources needed to stand up the program. The purpose of this package is to provide the financial resources needed to implement the program. \$100,000 GF - no staffing impact																
1	1	DCS	DCS	Division of Child Support	10,11,12,13	1	24,388,636	0	28,412,562	4,410,821	86,501,917	15,740,252	\$ 159,454,188	576	573.44	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 reference is ORS 419C3597 treating an assignment as in ORS 412.024 (for OYA non-eligible case work)	The SSA and CFR mandate child support program (csp) requirements. If not met, DCS is not recognized as a csp and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the csp and compliance with the citations above.	Pkg # 201 Provides continued funding necessary for the replacement of the state child support system. \$2,131,018 GF / \$15,453,614 \$15,425,000 OF / \$29,997,991 FF LD Staff established Administratively																

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE PROGRAM PRIORITIES (continued)																							
2015-17 Biennium																				Agency Number:		13700			
Priorities for 2015-17 Biennium																									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22				
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request					
Dept	Prgm/Div																								
			Division of Child Support - Continued																		<p>Pkg #202 Through streamlining work, increasing use of technology and reassigning tasks, the Division did its best to mitigate the impact of prior staffing reductions on caseloads and customers. However, necessary administrative functions and important staffing enhancements suffer when FTE must be permanently reassigned to casework. To meet these needs, the Division has identified the need to reclassify current positions and obtain additional permanent and limited duration positions.</p> <p>\$817,043 GF \$13,649 GF \$144,627 FF \$2,442,310 TF 15 Positions / 13.20 FTE</p> <p>Pkg #200 Provides funding necessary for the replacement of the failing Interactive Voice Response (IVR) and Automated Call Distribution system for the Oregon Child Support Program.</p> <p>\$61,680 GF \$100,320 FF \$162,000 TF No Staffing Impact</p> <p>Pkg # 204 The Oregon Child Support Program archival records now stored on microfilm/microfiche are rapidly deteriorating. The Division of Child Support must convert the records to digital images to ensure compliance with OAR 166-020-0010 (Duties of Public Records Custodians), and to retain access to the records through the long life of child support case.</p> <p>\$212,668 GF \$412,632 FF \$626,200 TF No Staffing Impact</p>				
1	1	CJ	DA	Special Investigation and Prosecutions Unit/Racketeering and Public Corruption Unit	1,2,7,8	8	10,383,720	0	0	0	0	0	10,383,720	10	9.86	N	Y	S	ORS 180, 180,070, 180,080, 180,610 42 USC § 201 et seq; 42 USC § 67; 42 USC § 620-679; regs. 45 CRF § 1356; 25 USC § 1901-1963; 8 USC § 1157; 42 USC § 671; 42 USC § 670 et seq.	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. State law (ORS 419B.875) dictates that both "the state" and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates.	<p>Pkg #142 This package is designed to expand the Division's ability to investigate child pornography and cybersex offenses. It also provides for family violence and elder abuse resource coordinators.</p> <p>\$2,684,872 GF; 16 pos., 10.65 FTE</p> <p>Pkg #144 Move all CJ Legal Staff to Special Investigation and Prosecution section.</p> <p>\$1,604,849 GF; 23 pos., 22.70 FTE</p>				

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE													PROGRAM PRIORITIES (continued)																
2015-17 Biennium															Agency Number:													13700			
Priorities for 2015-17 Biennium																															
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22										
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request											
Dept	Prgm/ Div																														
1	1	CE	MF	Medicaid Fraud*	1,2	3	0	0	1,184,689	0	3,540,574	0	\$ 4,725,263	17	16.75	N	Y	FM	2 USC § 1396a(61); 42 CFR Sec 1007.1-21	Federal law REQUIRES any state that receives Medicaid funds, the state MUST 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.											
* Failure to have a Medicaid Fraud Program jeopardizes the entire state Medicaid funding.																															
1	1	CE	NPM	Non-Participating Manufacturer's	1,2	1	0	0	1,335,279	0	0	0	\$ 1,335,279	4	3.40	N	Y	S	ORS 323.800-806, 180.400-455												
** Failure to have a Non-Participating Manufacturer's program jeopardizes the receipt of funds under the Master Settlement Agreement.																															
1	1	CE	MSA	Diligent Defense of MSA	0	0	3,099,000	0	0	0	0	0	\$ 3,099,000	0	0.00	N	Y	-	-		Pkg #133 This package provides the funding for a LD position for the defense of the Tobacco Master Settlement Agreement ("MSA") signed between states and the major tobacco companies. \$243,783 GF 1 Position / 1 FTE										
1	1	CVSD	CVC	Crime Victims Compensation Program	9,14,15	1	0	0	11,197,892	0	1,645,145	0	\$ 12,843,037	21	21.06	N	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	Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070										
2	2	CVSD	CVA	Crime Victims Assistance Program	9,14,15	1	10,031,746	0	18,923,735	0	15,428,039	0	\$ 44,383,520	13	12.00	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	Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070 Pkg #146 To continue a limited duration staff position for the Safer Futures Grant funded through the Federal Office of Adolescent Health. \$2,000,764 FF, 1 pos., 0.65 FTE										

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE PROGRAM PRIORITIES (continued)																						
2015-17 Biennium																			Agency Number:		13700			
Priorities for 2015-17 Biennium																								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request				
Dept	Prgm/ Div																							
2	1	CE	CP&E	Consumer Protection	1,2,3,7	3,9	0	0	13,306,066	485,171	0	0	\$ 13,791,237	24	24.30	Y	Y	S	RS 180.510, 180.520, 846.705		Pkg # 132 This package provides staff to allow the Financial Fraud / Consumer Protection Section to pursue additional cases for the benefit of Oregon consumers. \$794,618 OF 5 Positions / 3.75 FTE			
3	2	CE	CR	Civil Rights	1,2,3,7	1	663,832	0	0	0	0	0	\$ 663,832	2	2.00	N	Y	S	RS 180		Pkg #134 This package provides funding for legal representation of BOLL in Fair Housing Election cases. Currently, no money has been allocated to either BOLL or DOJ for this work. As a result, DOJ has funded the work from its Civil Rights Unit, reducing DOJ's ability to engage in other Civil Rights work. \$800,000 GF No Staffing Impact			
3	3	CE	CA	Charitable Trust and Gaming	1,2,3,6	3	0	0	5,662,956	0	0	0	\$ 5,662,956	18	18.10	Y	Y	S	RS 128.650, 128.802, and 128.821 and ORS 464.250		Pkg# 070 reduces expenditures to match available revenue level (see Pkg narrative for more information) for (\$139,583) OF and Pkg # 135 restores the limitation with a fee increase. The increase is needed in to maintain current staffing levels because program costs are exceeding program revenues. The fee increase would be effective as of January 1, 2016. \$139,583 OF No Staffing Impact			
4	1	CJ	SP	Specially Funded Programs	7,8	7,8	0	0	2,297,380	0	9,734,754	0	\$ 12,032,134	18	18.14	Y	Y	O,S,F,M,C	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.	Pkg #144 This package provides for sustainment of the Oregon-ITAM Fusion Center. \$1,268,000 GF. 4 pos., 4.00 FTE. Pkg #143 Continue 1 limited duration Senior Assistant Attorney General position for the DUJI Resource Prosecutor Program \$474,382 OF, 1 pos., 1.00 FTE and two limited duration Special Agents for the ICAC Task Force. \$382,856 FF. 2 pos., 1.00 FTE Pkg #147 This package reclassified two FF HIDTA positions.			
4	3	CVSD	AC	Address Confidentiality	9,14,15	1	105,619	0	72,409	0	0	0	\$ 178,028	1	1.00	N	Y	-	-		Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070			

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE																	PROGRAM PRIORITIES (continued)						
2015-17 Biennium																	Agency Number:			13700					
Priorities for 2015-17 Biennium																									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22				
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request					
Dept	Prgm/ Div																								
n/a	n/a	ADMIN	ADMIN	Central Administration Costs	5	4	0	0	28,811,776	0	0	0	\$ 28,811,776	110	109.00	Y	Y	S	ORS 180	Administrative services are essential to the operations of all department programs.	POP #111- Staffing and Services : 1) Attorney General Office staffing needs 2) HR - Workforce Planning, Employee Safety and Worker Compensation Coordination 3) Financial Services staffing needs 4) Operations staffing and resource needs. \$7,405,895 OF \$6 5 positions /-13.80 4.01 FTE				
n/a	n/a	DS	DS	Debt Service	n/a	4	6,361,265	0	0	0	0	\$ 6,361,265	0	0.00	N	Y	D			Pkg # 201 Provides continued funding necessary for the replacement of the state child support system. \$ 2,131,018 GF Dbt Svc					
							79,169,603	-	259,787,569	4,895,992	116,850,429	15,740,252	476,443,845	1,268	1,260.48										

Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

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 and 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

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE / CRIMINAL JUSTICE																				
2015-17 Biennium																					Agency Number:	13700
Priorities for 2015-17 Biennium																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL- FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request		
Dept	Prgm/ Div																					
1	1	CJ	LS	CJ Legal	1,2,7,8	1,5						7,686,706						S /FM	ORS 180, 42 USC § 201 et seq.; 42 USC § 67; 42 USC § 620-679; regs. 45 CRF § 1356; 25 USC § 1901-1963; 8 USC § 1157; 42 USC § 671; 42 USC § 670 et seq.	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. State law (ORS 419B.875) dictates that both 'the state' and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates.	Pkg #144 Move all CJ Legal Staff to Special Investigation and Prosecution section - (\$7,704,375) GF, 23 pos, (22.70) FTE.	
1	1	CJ	DA	Special Investigation and Prosecutions Unit/Racketeering and Public Corruption Unit	1,2,7,8	8	10,383,720					\$ 10,383,720	10	9.86	N	Y	S	ORS 180, 180.070, 180.080, 180.610 42 USC § 201 et seq.; 42 USC § 67; 42 USC § 620-679; regs. 45 CRF § 1356; 25 USC § 1901-1963; 8 USC § 1157; 42 USC § 671; 42 USC § 670 et seq.	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. State law (ORS 419B.875) dictates that both 'the state' and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates.	Pkg #142 This package is designed to expand the Division's ability to investigate child pornography and cyberstalking cases. It also provides for family violence and elder abuse resource prosecutors. \$3,684,972 GF, 16 pos, 10.65 FTE Pkg #144 Move all CJ Legal Staff to Special Investigation and Prosecution section - \$1,604,840 GF, 23 pos, 22.70 FTE		
4		CJ	SP	Specially Funded Programs	7,8	7,8	0			2,297,380	0	\$ 9,734,754			Y	Y	FO,S,FM,C	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.	for sustinment of the Oregon TITAN Fusion Center. \$1,208,000 GF, 4 pos, 4.00 FTE Pkg #143 Continue 1 limited duration Senior Assistant Attorney General position for the DUII Resource Prosecutor Program \$474,382 OF, 1 pos, 1.00 FTE and two limited duration Special Agents for the ICAC Task Force. \$382,856 FF, 2 pos, 1.00 FTE Pkg #147 This package reclassified two FF HIDTA positions.		
							10,383,720	-	9,984,086	-	9,734,754	-	\$ 30,102,560	51	50.70							

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE / APPELLATE																		Agency Number:		13700	
2015-17 Biennium		Priorities for 2015-17 Biennium																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request			
Dept.	Prgm/ Div																						
1	1	AP	LS	Legal Services - Appellate	1,2,3,7	1,5,9	293,358					19,469,506							C/FM/S	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. Prisoners 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 Constitution, Article VII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the appellate cases means that more work and costs will be shifted to the state courts, we will loose more appeals and some convictions will be reversed unnecessarily.	POP #121 DCC/Appellate Publications - to provide resources to produce and maintain publications on Oregon criminal law used by prosecutors 249,483 537,600 OF 1-Position 0.88 FTE	
							293,358					19,469,506											

7 Primary Purpose Program/Activity Exists

- | | |
|---------------------------|--------------------------------------|
| 1 Civil Justice | 7 Education and Skill Development |
| 2 Community Developme | 8 Emergency Services |
| 3 Consumer Projection | 9 Environmental Protection |
| 4 Administrative Function | 10 Public Health |
| 5 Criminal Justice | 11 Recreation, Heritage, or Cultural |
| 6 Economic Developmen | 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

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name DEPARTMENT OF JUSTICE / DEFENSE OF CRIMINAL CONVICTIONS																			Agency Number: 13700			
2015-17 Biennium																						
Priorities for 2015-17 Biennium																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO ,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request		
Dept.	Prgm/ Div																					
1	1	DCC	LS	Legal Services - Defense of Criminal Convictions	1	5	23,842,427						\$ 23,842,427	0	0.00	N	Y	C/FM/S	14th Amendment, Due Process Clause; 28 USC Section 2254; ORS 180.060; ORS 138.012; ORS 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. Prisoners 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 Constitution, Article VIII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the appellate cases means that more work and costs will be shifted to the state courts, we will loose more appeals and some convictions will be reversed unnecessarily.	PCR # 124- DCC/Appellate- Publications - To provide resources to produce and maintain publications on Oregon criminal law used by prosecutors throughout the state by assigning an Appellate Attorney to lead coordination of materials. \$382,000 GF no staffing impact	
						23,842,427	-	-	-	-	-	\$ 23,842,427	0	0.00								

7 Primary Purpose Program/Activity Exists

- | | |
|---------------------------|--------------------------------------|
| 1 Civil Justice | 7 Education and Skill Development |
| 2 Community Development | 8 Emergency Services |
| 3 Consumer Projection | 9 Environmental Protection |
| 4 Administrative Function | 10 Public Health |
| 5 Criminal Justice | 11 Recreation, Heritage, or Cultural |
| 6 Economic Development | 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

Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name DEPARTMENT OF JUSTICE / CRIME VICTIMS SERVICES DIVISION																			Agency Number: 13700			
2015-17 Biennium																						
Priorities for 2015-17 Biennium																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request		
Dept	Prgm/Div	2015-17 Biennium																				
1	1	CVSD	CVC	Crime Victims Compensation Program	9,14,15	1	0	11,197,892		1,645,145		\$ 12,843,037	21	21.06	N	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	Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070		
2	2	CVSD	CVA	Crime Victims Assistance Program	9,14,15	1	10,031,746	18,923,735	0	15,428,039		\$ 44,383,520	13	12.00	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	Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070 Pkg #146 To continue a limited duration staff position for the Safer Futures Grant funded through the Federal Office of Adolescent Health. \$2,000,764 FF, 1 pos., 0.65 FTE		
4	3	CVSD	AC	Address Confidentiality	9,14,15	1	105,619	72,409				\$ 178,028	1	1.00	N	Y				Pkg # 145 Restore and continue to deliver on the state's mandate to provide compensation to victims of violent crime, core victims' services programs that deliver and protect victims' constitutional rights and train law enforcement and prosecutors on domestic violence and sexual violence response, sexual assault emergency exams. Reverses reduction Pkg #070		
						10,137,365	-	30,194,036	-	17,073,184	-	\$ 57,404,585	35	34.06								

- 7 Primary Purpose Program/Activity Exists**
- 1 Civil Justice
 - 2 Community Development
 - 3 Consumer Protection
 - 4 Administrative Functions
 - 5 Criminal Justice
 - 6 Economic Development
 - 7 Education and 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

Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE / DIVISION OF CHILD SUPPORT																	Agency Number:		13700	
2015-17 Biennium		Priorities for 2015-17 Biennium																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request		
Dept	Prgm/ Div																					
1	1	DCS	DCS	Division of Child Support	10,11,12,13	1	24,388,636		28,412,562	4,410,821	86,501,917	15,740,252	\$ 159,454,188	576	573.44	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 reference is ORS 419c3597 creating an assignment as in ORS 412.024 (for OYA non-eligible case work)	The SSA and CFR mandate child support program (csp) requirements.If not met, DCS is not recognized as a csp and IV-A (DHS) is penalized. All funds (GF, OF, FF) are used for administration of the csp and compliance with the citations above.	<p>Pkg # 201 Provides continued funding necessary for the replacement of the state child support system. \$2,131,018 GF /-\$45,453,644 \$15,425,000 OF / \$29,997,991 FF LD Staff established Administratively</p> <p>Pkg #202 Through streamlining work, increasing use of technology and reassigning tasks, the Division did its best to mitigate the impact of prior staffing reductions on caseloads and customers. However, necessary administrative functions and important staffing enhancements suffer when FTE must be permanently reassigned to casework. To meet these needs, the Division has identified the need to reclassify current positions and obtain additional permanent and limited duration positions. _____ \$417,043 GF _____ \$13,649 OF _____ \$1,611,627 FF _____ \$2,442,310 TF _____ 15 Positions / 13.20 FTE</p> <p>Pkg #203 Provides funding necessary for the replacement of the failing Interactive Voice Response (IVR) and Automated Call Distribution system for the Oregon Child Support Program. _____ \$51,680 GF _____ \$100,320 FF _____ \$152,000 TF _____ No Staffing Impact</p> <p>Pkg # 204 The Oregon Child Support Program archival records now stored on microfilm/microfiche are rapidly deteriorating. The Division of Child Support must convert the records to digital images to ensure compliance with OAR 166-020-0010 (Duties of Public Records Custodians), and to retain access to the records through the long life of child support case. _____ \$212,568 GF _____ \$412,632 FF _____ \$625,200 TF _____ No Staffing Impact</p>	
							24,388,636		28,412,562	4,410,821	86,501,917	15,740,252	\$ 159,454,188	576	573.44							

- 7 Primary Purpose Program/Activity Exists**
- 1 Civil Justice
 - 2 Community Develo
 - 3 Consumer Project
 - 4 Administrative Fun
 - 5 Criminal Justice
 - 6 Economic Developi
 - 7 Education and 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

Document criteria used to prioritize activities:
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Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE / CIVIL ENFORCEMENT																		Agency Number:		13700	
2015-17 Biennium		Priorities for 2015-17 Biennium																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO,-S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request			
Dept	Prgm/ Div																						
1	1	CE	LS	Civil Legal	1,2,3,7			45,923,489				\$ 45,923,489	134	133.24	Y	Y	CF/MS	42 USC § 201 et seq. 42 USC § 57. 42 USC § 620-679. Reg. 45 CFR § 1356.25 USC § 1901-1953; 8 USC § 1157; 42 USC § 671; 42 USC § 670 et seq. ORS 293.231. ORS Chapter 25. ORS 419B.875 ORS Chapter 86.726, 86.729, 86.732, 86.736, 86.741, 86.744, 86.748 ORS 180, 180.070, 180.080, 180.610, Eighth Amendment, 14th Amendment Due process Clause, 42 USC § 1983	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. State law (ORS 419B.875) dictates that both "the state" and The Department of Human Services are parties to proceedings in Juvenile Court. DOJ represents DHS in complying with state and federal mandates cited above by representing the agency in the following proceedings: Administrative Hearings, Juvenile Court proceedings concerning children placed in the legal and/or physical custody of DHS, Termination of Parental Rights trials and Circuit Court hearings where parties challenge agency action in other than contested case proceedings. DOJ attorneys also advise the agency on policy questions and administrative rules to ensure compliance with state and federal mandates. State agencies and state officials who seek to protect the environment are sometimes sued for failing to comply with federal environmental laws or for violating the federal constitutional rights of polluters and others or must use proactive litigation to enforce their state and federal mandates. Many of these cases are filed in federal court. The federal courts place significant requirements for this constitutional litigation which require legal representation for the state.	Pkg #121 Juvenile Dependency Proceedings-The Child Advocacy Section (CAS) provides assistance through legal counsel and representation to DHS Child Welfare in providing services to the state's most vulnerable children. The package provides limited additional staff-level positions allowing CAS attorneys to move more work to positions that bill at lower rates, resulting in efficiencies in workload and cost, which in turn improve DHS ability to move children to their permanent living situation more quickly. \$4,428,938 OF \$ Positions - 7.04 FTE			
1	1	CE	MF	Medicaid Fraud	1,2	3		1,788,889		3,540,574		\$ 4,725,263	17	16.75	N	Y	FM	42 USC § 1396a(b); 42 CFR Sec 1007.1 - 21	Federal law REQUIRES any state that receives Medicaid funds, the state MUST 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.				
1	1	CE	NPM	Non-Participating Manufacturers*	1,2	1		1,336,279				\$ 1,336,279	4	3.40	N	Y	S	ORS 323.800-806, 180.400-455					
1	1	CE	MSA	Diligent Defense of MSA								\$ 3,099,000	0	0.00	N	Y				Pkg #132 This package provides the funding for a LD position for the defense of the Tobacco Master Settlement Agreement ("MSA") signed between states and the major tobacco companies. \$243,783 GF 1 Position / 1 FTE			
2	1	CE	CP&E	Consumer Protection	1,2,3,7	3,9		13,306,066	485,171			\$ 13,791,237	24	24.30	Y	Y	S	ORS 180.510, 180.520, 846.705		Pkg # 132 This package provides staff to allow the Financial Fraud / Consumer Protection Section to pursue additional cases for the benefit of Oregon consumers. \$794,618 OF 5 Positions / 3.75 FTE			
3	2	CE	CR	Civil Rights	1,2,3,7	1		663,832				\$ 663,832	2	2.00	N	Y	S	ORS 180		Pkg #134 This package provides funding for legal representation of BOLI in Fair Housing Election cases. Currently, no money has been allocated to either BOLI or DOJ for this work. As a result, DOJ has funded the work from the Civil Rights Unit, reducing DOJ's ability to engage in other Civil Rights work. \$900,000 GF No Staffing Impact			
3	3	CE	CA	Charitable Trust and Gaming	1,2,3,6	3		5,662,956				\$ 5,662,956	16	16.10	Y	Y	S	ORS 126.650, 128.602, and 128.821 and ORS 464.250		Pkg 070 reduces expenditures to match available revenue level (see Pkg narrative for more information) for \$139,583 OF and Pkg # 135 restores the limitation with a fee increase. The increase is needed to maintain current staffing levels because program costs are exceeding program revenues. The fee increase would be effective as of January 1, 2016. \$139,583 OF No Staffing Impact			
								3,762,832		67,412,479	485,171	\$ 75,201,056	199	197.79									
												\$	0	0.00									

- | | |
|--|---|
| 7 Primary Purpose Program/Activity Exists
1 Civil Justice
2 Community Development
3 Consumer Protection
4 Administrative Function
5 Criminal Justice
6 Economic Development | 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 |
|--|---|

Document criteria used to prioritize activities:
 The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.
 Legal Services to State Government : Core Mission - Services to Victims - Programs to Protect and Enhance State Resources - Self-Funded Regulatory Programs

Governor's Budget

Agency Name		DEPARTMENT OF JUSTICE / TRIAL																		Agency Number:		13700		
2015-17 Biennium		Priorities for 2015-17 Biennium																						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request				
Dept	Prgm/ Div																							
1	1	TR	LS	Legal Services - Trial	1,2,3,7	1,5,9		27,903,468				\$ 27,903,468	98	97.36	N	Y	C/F/M/S	14th Amendment, Due Process Clause; 28 USC Section 2254; ORS 180.060; ORS 138.012; ORS 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. Prisoners 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 Constitution, Article VII(2) original jurisdiction mandamus. Eliminating the state's ability to appear in the trial cases means that more work and costs will be shifted to the state courts, we will loose more appeals and some convictions will be reversed unnecessarily.	POP #161 Litigation Support - To provide necessary resources to address curent needs and anticipated growth and to maintain or improve upon the Trial Division's rate of success in defending the State in civil suits. \$1,899,020 \$1,510,274 OF 42-9-Positions / 40-09 7.39 FTE				
																	C/F/S	ORS 180.060; ORS 419A.200-211; 14th Amendment Due Process Clause	Parents who are facing termination of parental rights have a due process right to appeal that decision and have appointed counsel. Absent appearance by the state in such appeals, the likelihood of upholding the termination is reduced. Additionally, many of these actions are challenged as violating constitutional rights - such as due process challenges. Some of these are filed under 42 USC § 1983 in federal court. The federal courts place significant requirements for this constitutional litigation which require legal representation for the state.					
																	C/F/M/S	ORS 180; Eighth Amendment, 14th Amendment Due Process Clause, 42 USC § 1983	State agencies and state officials who seek to protect the environment are sometimes sued for failing to comply with federal environmental laws or for violating the federal constitutional rights of polluters and others or must use proactive litigation to enforce their state and federal mandates. Many of these cases are filed in federal court. The federal courts place significant requirements for this constitutional litigation which require legal representation for the state.					
																	C/F	ORS 180, 42 USC § 1983	Much of our work involves defending state actors who are alleged to have violated federal constitutional provisions such as the due process or equal protection clause. Some of these claims are brought under 42 USC § 1983 in federal court. Eliminating the state's ability to appear in these cases means that we will lose the ability for state employees to take vigorous actions to carry out state and federal mandates without the fear of costly litigation and an adverse verdict for money damages for which these employees could be held personally responsible.					
							-	-	27,903,468	-	-	-	\$ 27,903,468	98	97.36									
													\$	-	0	0								

- 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 and 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

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name DEPARTMENT OF JUSTICE / GENERAL COUNSEL																								
2015-17 Biennium																			Agency Number: 13700					
Priorities for 2015-17 Biennium																								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22			
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL- OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL Included in Agency Request				
1	1	GC	LS	Legal Services - General Counsel	1,2,4,7	1,9	0	47,599,656				\$ 47,599,656	138	138.00	N	Y	C/FMS	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.	Pkg #154- SB 814 (2013) established, among other things, a variety of "unfair- environmental-claims practices." Section (2)(e) of SB 814 (codified at ORS- 465-484(2)(e)) requires the Attorney General to establish an environmental- claims mediation program that will be available to insurers and insureds to help resolve coverage disputes and other controversies pertaining to claims submitted under general liability insurance policies arising from release of pollutants onto or into land, air or water. The 2013 legislation did not appropriate money to the Attorney General to fund the personnel and material resources needed to stand- up the program. The purpose of this package is to provide the financial resources needed to implement the program. \$100,000 GF no staffing impact				
								\$ 47,599,656	\$ -	\$ -	\$ -	\$ 47,599,656	138	138.00										
\$ -													0											

- 7 Primary Purpose Program/Activity Exists**
- 1 Civil Justice
 - 2 Community Devel
 - 3 Consumer Project
 - 4 Administrative Fur
 - 5 Criminal Justice
 - 6 Economic Develo
 - 7 Education and 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
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 - S Statutory

Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name DEPARTMENT OF JUSTICE / ADMINISTRATION																					
2015-17 Biennium																		Agency Number: 13700			
Priorities for 2015-17 Biennium																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO ,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request	
Dept	Prgm/ Div																				
n/a	n/a	ADMIN	ADMIN	Central Administration Costs	5	4		28,811,776				\$ 28,811,776	110	109.00	Y	Y	S	ORS 180	Administrative services are essential to the operations of all department programs	POP #111- Staffing and Services : 1) Attorney General Office staffing needs 2) HR -Workforce Planning, Employee Safety and Worker Compensation Coordination 3) Financial Services staffing needs 4) Operations staffing needs 5) Information Services staffing and resource needs. \$7,405,895 OF 46 5 positions / 43.80 4.01 FTE	
								28,811,776				\$ 28,811,776	110	109.00							

7 Primary Purpose Program/Activity Exists

- | | |
|-----------------------|--------------------------------------|
| 1 Civil Justice | 7 Education and Skill Development |
| 2 Community Develop | 8 Emergency Services |
| 3 Consumer Projectio | 9 Environmental Protection |
| 4 Administrative Func | 10 Public Health |
| 5 Criminal Justice | 11 Recreation, Heritage, or Cultural |
| 6 Economic Developn | 12 Social Support |

19 Legal Requirement Code

- C Constitutional
- D Debt Service
- FM Federal Mandatory
- Federal - Optional (once you choose to participate, certain requirements FO exist)
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Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Agency Name																			DEPARTMENT OF JUSTICE / ADMINISTRATION			Agency Number:			13700		
2015-17 Biennium																											
Priorities for 2015-17 Biennium																											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22						
Priority (ranked with highest priority first)	Dept. Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C,D,FM,FO ,S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO only)	Comments on Proposed Changes to CSL included in Agency Request							
Dept	Prgm/ Div																										
n/a	n/a	ADMIN	ADMIN	Central Administration Costs	5			28,811,776				\$ 28,811,776	110	109.00	Y	Y	S	ORS 180	Administrative services are essential to the operations of all department programs	POP #111- Staffing and Services : 1) Attorney General Office staffing needs 2) HR -Workforce Planning, Employee Safety and Worker Compensation Coordination 3) Financial Services staffing needs 4) Operations staffing needs 5) Information Services staffing and resource needs. \$7,405,895 OF 46 5 positions /43.80 4.01 FTE							
								28,811,776				\$ 28,811,776	110	109.00													

7 Primary Purpose Program/Activity Exists

- | | |
|-----------------------|--------------------------------------|
| 1 Civil Justice | 7 Education and Skill Development |
| 2 Community Develop | 8 Emergency Services |
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Document criteria used to prioritize activities:

The Attorney General's prioritization of program units/activities does not necessarily reflect the order in which reductions would be taken; actual reductions in service would depend on variables whose values are unknown, including the magnitude of the shortfall in comparison to the then-existing demand for particular programs or activities.

Governor's Budget

Reduction Options

REQUIRED REDUCTIONS (ORS 291.216)

The following tables describe the 10 percent reduction options as required by ORS 291.216 (HB 3182, 1999). These options are provided to help decision makers identify possible reduction alternatives. Each program area is shown separately.

2015-17 Modified Current Service Level*	Total Funds	General Fund	General Fund Debt Service	Other Funds	Federal Funds
Department of Justice	\$451,378,759	\$72,808,338	\$6,361,265	\$255,358,727	\$116,850,429
10% Reduction	\$45,137,876	\$7,280,834	\$636,127	\$25,535,872	\$11,685,043

*Excludes non-limited funds.

Governor's Budget

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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Division of Child Support</u></p>	<p>1st 5% Reductions The division will lose 30 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 \$18,523,590 during the 2015-17 biennium. The loss to families who are not on public assistance is \$16,607,640. Families receiving public assistance also lose \$147,270 in assigned collections passed through to them. The recovery loss for other agencies (Department of Human Services – Child Welfare, Oregon Youth Authority, and Oregon Health Authority) is \$566,700. The Program loses \$451,500 in recoveries and the associated federal matching dollars of \$876,441 for a total loss to the Program of \$1,327,941.</p> <p>The total caseload size does not decrease, so the caseload per FTE increases from 353 to 372. Managing the workload becomes more difficult and will cause the production of new orders to drop from 8,528 to 8,082, a reduction of 445 orders, as well as the production of modifications decreasing from 4,725 to 4,479, for a reduction of 246 modifications.</p> <p>Operating payments to the county DA offices will be reduced by \$122,313. These are State General Fund dollars that the Division of Child Support will be unable to distribute to the DA offices for Child Support Program operation expenses. This reduction will amount to another reduction in federal funds of \$237,431. Cumulative loss to the county DA child support programs is \$359,744. These cuts are in addition to any reductions in federal timber revenue that many counties are already experiencing.</p>	<p>5.00% \$1,219,432 GF</p> <p>5.00% \$318,064 GFDS</p> <p>5.00% \$1,420,628 OF</p> <p>5.00% \$4,325,096 FF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Division of Child Support (Cont.)</u></p>	<p>Sustained over time, the cuts can 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>2015-17: 30 Pos/30 FTE 2017-19: 30 Pos/ 30 FTE</p> <p><u>2nd 5% Reductions</u> In addition to the 5% losses, the Division will lose another 30 positions. Although the eliminated positions are spread across classifications to minimize the overall impact to the Child Support Program, staffing cuts of this magnitude would result in the closure of one State child support office.</p> <p>At this level, child support collections are reduced by \$33,509,820 during the 2015-17 biennium. The loss to families who are not on public assistance is \$33,215,280. Families receiving public assistance also lose \$294,540 in assigned collections passed through to them. The recovery loss for other agencies (Department of Human Services – Child Welfare, Oregon Youth Authority, and The Oregon Health Plan) is \$1,133,400. The Program loses an additional \$903,000 in recoveries and the associated federal matching dollars of \$1,752,882 for a total loss to the Program of \$2,655,882</p> <p>The total caseload size does not decrease, so the caseload per FTE increases from 353 to 394. Managing the workload becomes more difficult and will cause the production of new orders to drop from 8,528 to 7,638, a reduction of 890 orders, as well as the production of modifications decreasing from 4,725 to 4,232, for a reduction of 493 modifications.</p>	<p>5% \$1,219,432 GF</p> <p>5% \$318,064 GF DS</p> <p>5% \$1,420,628 OF</p> <p>5% \$4,325,096 FF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Division of Child Support (Cont.)</u></p>	<p>Operating payments to the county DA offices will be reduced by an additional \$244,626. These are State General Fund dollars that the Division of Child Support will be unable to distribute to the DA offices for Child Support Program operation expenses. This reduction will amount to another reduction in federal funds of \$474,862.</p> <p>Cumulative loss to the county DA child support offices is an additional \$719,488. These cuts are in addition to any reductions in federal timber revenue that many counties are already experiencing.</p> <p>Sustained over time, the cuts can 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>2015-17: 30 Pos/30 FTE 2017-19: 30 Pos/ 30 FTE</p> <p>Cumulative FTE (10% total) 2015-17: 60 Pos/ 60 FTE 2017-19: 60 Pos/ 60 FTE</p>		

Governor's Budget

CIVIL ENFORCEMENT 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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Civil Enforcement Division</u></p> <p>Charities and Gaming Fund (Charitable Activities Section)</p>	<p>Reduce Charitable Activities Section Other Funds funding. This would eliminate the Gaming Section. The Charitable Activity 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, see 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>1st 5% reduction, 1 position/1.53 FTE would be eliminated.</p> <p>2015-17: 1 Pos/1.53 FTE 2017-19: 1 Pos/1.53 FTE</p> <p>2nd 5% reduction, an additional 2 positions/1.47 FTE would be eliminated.</p> <p>2015-17: 2 Pos/1.47 FTE 2017-19: 2 Pos/1.47 FTE</p>	<p>5% \$276,169 OF</p> <p>5% \$276,168 OF</p>	
<p>Protection & Education Fund (Financial Fraud/Consumer Protection Section)</p>	<p>Reduce Financial Fraud Consumer Protection Section Other Funds. This reduction would cause a decrease in staffing for the state's consumer protection effort. Oregon consumers would be left under-protected from telemarketers, scam artists, etc.</p>		

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Civil Enforcement Division (Cont.)</u></p> <p>Medicaid Fraud Fund</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>General Fund support of the Medicaid Fraud Unit is shifted to Other Funds, supported by penalty revenue in policy package 305.</p> <p>Reductions in OF/FF would force the following:</p> <ul style="list-style-type: none"> • 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. • Reduction in assistance to state agencies or participation in state committees/task forces on issues related to health care fraud and elder/dependent abuse. • Reduced ability to investigate and prosecute Medicaid Fraud throughout Oregon. <p>1st 5% reduction would eliminate 1.27 FTE.</p> <p>2015-17: 1 Pos/1.27 FTE 2017-19: 1 Pos/1.27 FTE</p> <p>2nd 5% reduction would eliminate an additional 1.59 FTE.</p> <p>2015-17: 1 Pos/1.59 FTE 2017-19: 1 Pos/1.59 FTE</p>	<p>5% \$ 59,235 OF 5% \$177,029 FF</p> <p>5% \$ 59,234 OF 5% \$177,028 FF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Civil Enforcement Division (Cont.)</u></p> <p>Tobacco - NPM Fund / Diligent Defense of the Master Settlement Agreement (MSA)</p>	<p>Reduce Tobacco-NPM Other Funds funding. This would result in reduced staffing (3 person team) in the 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 would eliminate 0.22 FTE.</p> <p>2015-17: 0 Pos/0.22 FTE 2017-19: 0 Pos/0.22 FTE</p> <p>2nd 5% reduction, an additional .22 FTE would be eliminated.</p> <p>2015-17: 0 Pos/0.22 FTE 2017-19: 0 Pos/0.22 FTE</p> <p>Diligent Defense General Fund: Reduce Tobacco Diligent Defense Funding. This would result in a reduced ability to protect the \$80 million per year the State receives under the Tobacco Master Settlement Agreement. This would also reduce the ability to recover state funds the tobacco companies have withheld from the State's annual payments since 2004.</p>	<p>5% \$ 66,764 OF</p> <p>5% \$ 66,764 OF</p> <p>5% \$154,950 GF</p> <p>5% \$154,950 GF</p>	

Governor's Budget

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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Criminal Justice Division</u></p> <p>District Attorney Assistance / Organized Crime Program</p> <p>10% GF</p> <p>10% OF Legal</p>	<p>The first 5% reduction would have a significant negative impact on the Criminal Justice Division by reducing the number of cases the Division could prosecute by approximately 80 cases.</p> <p>2015-17: 1 Pos/1.00 FTE 2017-19: 1 Pos/1.00</p> <p>A second 5% reduction would be devastating. In addition to the impacts above, the Division would significantly reduce or eliminate the number and types of investigations and prosecutions it undertakes. The Division would not investigate or prosecute election law violation cases, criminal tax cases and some public corruption cases. In addition, the Division would no longer assist with background investigations in capital cases.</p> <p>2015-17: 1 Pos/1.50 FTE 2017-19: 1 Pos/1.50</p>	<p>5% \$519,186 GF</p> <p>5% \$384,335 OF Legal</p> <p>5% \$519,186 GF</p> <p>5% \$384,335 OF Legal</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Criminal Justice Division (Cont.)</u></p> <p>Special Programs – 10%</p>	<p>A 5% cut to other funds would effectively leave the Cooperative Disability Investigations Unit without administrative support. This unit is one of the highest achieving units in the country. Without administrative support they will be markedly less efficient.</p> <p>2015-17: 0 Pos/0.75 FTE 2017-19: 0 Pos/0.75</p> <p>In addition to the impact outlined above, a 10% cut would reduce the effectiveness of the Regional Automated Information System (RAIN) by reducing the technical support to the program. RAIN is used by law enforcement agencies to share criminal reporting information.”</p> <p>2015-17: 1 Pos/0.50 FTE 2017-19: 1 Pos/0.50</p> <p>Reductions in Federal Funds limitation would be taken in marijuana eradication funds that are distributed to local law-enforcement agencies. These funds are primarily used to for the investigation and eradication of outdoor marijuana growing operations on public lands. Unless another fiduciary agency is found for these funds, there would not be any statewide marijuana eradication in 2015-2017.</p>	<p>5% \$114,869 OF Non-Legal</p> <p>5% \$114,869 OF Non-Legal</p> <p>5% \$486,738 FF 5% \$486,738 FF</p>	

Governor’s Budget

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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p>Crime Victims Services Division</p> <p>Oregon Domestic and Sexual Violence Services Fund (ODSVS)</p> <p>Address Confidentiality Program (ACP)</p>	<p>5% and 10% cuts to this allocation will reduce state funding that directly supports 59 domestic and sexual violence programs throughout the state. These non-profit services are critical to providing women and children victims of domestic and sexual violence with safe shelter and a path to recovery. Services funded with ODSVS dollars include 24- hour crisis hotlines, safety planning and emergency shelters for women and children in every Oregon county. The current combined funding level (federal and state) for these programs is only half the total funding needed to provide <u>minimal</u> emergency services statewide.</p> <p>ODSVS funding is awarded through a non-competitive process that emphasizes stabilizing programs to ensure support for fundamental core services. Any reduction here will be distributed among all grant recipients. For the 13-15 biennium, the legislature provided the fund with a \$4 million increase. A reduction in the next biennium will destabilize programs just as they are entering a period of rebuilding and expansion. General Fund dollars are also the most flexible funding source for these programs and as such their loss would be particularly devastating. These GF dollars allow organizations to pay for vital infrastructure costs not covered by other funding.</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</p>	<p>5% \$332,901 GF</p> <p>5% \$438,520 GF</p> <p>5% \$105,619 GF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Crime Victims Services Division (Cont.)</u></p> <p>Crime Victims' Law Center</p> <p>Federal funds including Victim of Crime Act (VOCA) Assistance and Violence Against Women Act (VAWA) STOP and Sexual Assault Services Program (SASP) grants</p>	<p>using state and local government records to locate their victims. We have over 1500 participants and process over 2000 pieces of mail each month. In 13-15 biennium ACP budget is <u>\$166,943</u>.</p> <p>The division is appropriated general fund to be passed through to the Crime Victims' Law Center.</p> <p>Impact: The reduction would be taken across all victim services categories, within the portion of funds used for two year competitive grants. The total reduction would result in the loss of grant awards and subsequent positions/ services to approximately 17 programs, 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>	<p>5% \$3,863 GF 5% \$3,863 GF</p> <p>5% \$771,402 FF 5% \$771,402 FF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Crime Victims Services Division (Cont.)</u></p> <p>Child Abuse Multidisciplinary Intervention Program</p>	<p>The Child Abuse Multidisciplinary Intervention Program (CAMI) sole source of dedicated state funding for the assessment, investigation, and prosecution of child abuse cases. The reductions would affect the already underfunded 36 county Multidisciplinary Teams (MDTs) which are charged with directing CAMI funds within their communities, drafting and revising child abuse response protocols and conducting child abuse and child fatality case reviews to evaluate and improve response. Reductions would impede Oregon's ability to maintain its multidisciplinary response model. Effects of cuts would include decreased coordination among law enforcement, child welfare, physicians, forensic interviewers and prosecutors in their response to child abuse cases. This decrease will have a direct negative impact on the quality of services available to child victims of abuse and the ability of law enforcement to effectively prosecute these cases.</p> <p>A reduction in CAMI funds will have a direct impact on child abuse response services, particularly on funds available for the 21 Child Abuse Intervention Centers (CAICs) which provide assessment and investigation services throughout Oregon. Approximately 70% of CAMI funds to MDTs are directed to support the CAICs that serve those counties. Many counties and CAICs struggle to provide services at the current funding level. For example, Columbia County CAIC already observes furloughs on Friday and only conducts interviews one day per week due to lack of funding. Faced with additional funding cuts, the CAIC would likely be forced to further reduce availability of intervention services. In 2011, when CAMI MDT funds were reduced by 11.3%, the majority of the direct impact was on CAICs' ability to provide timely response to children who have</p>	<p>5% \$64,486 GF 5% \$554,962 OF Criminal Crimes Account (CFA)</p> <p>5% \$64,486 GF 5% \$554,962 OF CFA</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Crime Victims Services Division (Cont.)</u></p> <p>Crime Victims' Compensation Program (CVCP)</p>	<p>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> <p>A 5% reduction to DA VAPs would yield 845 fewer victims served and 6475 fewer services provided for the '13-15 biennium. It would also result in a statewide loss of 1.64 FTE. This is significant because six counties currently have only 1.0 FTE VAP staffing (Baker, Columbia, Grant, Harney, Morrow, Wallowa) and 5 counties have less than 1.0 FTE VAP staffing (Curry, Gilliam, Sherman, Union, Wheeler). Any reduction in CFA funding will result in the loss of scarce FTE in these rural and frontier counties, resulting in loss of services and the real possibility that staff would seek alternate employment as most counties are currently unable to backfill any loss in grant funding</p> <p>The impact of these cuts will be directly felt by victims and their service providers. Reductions would be taken across the board and reduce the amount paid on every claim accepted by Crime Victims' Compensation Program (CVCP). Currently, some providers are reluctant to treat victims covered by CVCP because of the low rate of reimbursement. Further reductions would decrease victims' access to medical, counseling, funeral and rehabilitation services and disproportionately affect victims in rural areas.</p> <p>Reductions include those to the Sexual Assault Victim Emergency Response fund and payments for Child Abuse Medical Assessments.</p>	<p>After #070</p> <p>5% \$275,525 OF CFA</p> <p>5% \$ 82,257 FF</p> <p>5% \$275,525 OF CFA</p> <p>5% \$ 82,257 FF</p>	

Governor's Budget

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<p><u>Crime Victims Services Division (Cont.)</u></p> <p>Revenue Section</p>	<p>The 1st 5% reduction of Other Funds (non CFA) would reduce a Revenue Agent authorized in the 2010 legislative session to three quarters time. 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>2015-17: 0 Pos/0.25 FTE 2017-19: 0 Pos/0.25 FTE</p> <p>The 2nd 5% reduction would further reduce the Revenue Agent to half time. Again, 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>2015-17: 0 Pos/0.25 FTE 2017-19: 0 Pos/0.25 FTE</p>	<p>5% \$33,879 OF</p> <p>5% \$33,879 OF</p>	

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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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>General Counsel Division</u></p>	<p>The primary functions of the General Counsel Division include:</p> <ol style="list-style-type: none"> 1. Responding to agency requests for legal advice. 2. Reviewing agency contracts and providing legal advice concerning agency business transactions. 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. 4. Providing training 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. 5. Biennially updating publications for state agencies on Public Meetings and Public Records, Public Contracts, and Administrative Law. <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>Personnel costs account for approximately 82% of the division's current service level budget. Although the division will look first to non-personal 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</p>		

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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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>General Counsel Division (cont.)</u></p>	<p>2nd 5% reduction: 2015-17: 9 Pos/ 9.00FTE 2017-19: 9 Pos/ 9.00 FTE</p> <p>At this level of budget reduction division work increasingly would focus on litigation and on legal advice involving significant public health and safety, 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 significant legal questions are raised by an agency, would be eliminated. This will increase the likelihood that these activities will result in legal problems which might be prevented 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>	<p>5% \$2,379,983 OF Legal</p>	

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DEFENSE OF CRIMINAL CONVICTIONS PROGRAM (DCC)

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Defense of Criminal Convictions</u></p> <p>Reduce Appellate and Trial staff available for work on direct appeals and collateral attacks on convictions.</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. The first is to 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 not taking depositions, nor hiring experts to rebut the expert testimony provided by the petitioner unless absolutely necessary. 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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<p><u>Defense of Criminal Convictions (Cont.)</u></p>	<p>The second option is to 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 approach is, at times, successful, while it produces a fictitious savings for one biennium, it does so only by shifting those costs to a future biennium and so these savings are merely deferred expenditures. Additionally, further delaying the briefing and resolution of cases beyond the current 250 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 if the federal courts determine that the state courts' resolution of appeals is too slow.</p> <p>The third option is to concede the case by failing to file an appearance in a number of cases. If the State does not appear, the petitioner will prevail by entrance of a default judgment against the State resulting in a retrial, or in some cases a release of the once convicted prisoner. This approach will present a significant burden upon the 36 County District Attorneys who then must retry the cases</p> <p>Reductions</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>		

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Defense of Criminal Convictions (Cont.)	<p>Effect of a 5% reduction</p> <p>A reduction at this level will require 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 of representation of the state’s position, and they would not be of as great of 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-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>Because deferral is not a viable option in trial courts, the reduction will result in the State not appearing in 45 cases per biennium that likely will result in the petitioner prevailing in each case.</p> <p>Reductions would also require the division would cut back on the amount of resources we could devote to our capital cases. This reduction would cause the division to defer approximately 1,954 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 be shifted to a future biennium.</p>	<p>5% \$1,192,121 GF</p>	
	<p>Effect of a 2nd 5% reduction</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 of representation of the state’s position, and they would not be of as great of assistance to the courts as the Division’s briefs that are currently filed.</p>	<p>5% \$1,192,121 GF</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Defense of Criminal Convictions (Cont.)</u></p>	<p>Because deferral is not a viable option in trial courts, the reduction will result in the State not appearing in an additional 45 cases per biennium that likely will result in the petitioner prevailing in each case. This reduction would cause the division to defer an additional 1,954 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>		

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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 2013-15 and 2015-17.)	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.</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) (including 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. All 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"> • Reduce significantly the quality and quantity of the work produced; • Increase the work load of the appellate courts—especially the Court of Appeals; • Lengthen the time it takes for appeals to be submitted to the appellate court and decided; and • Increase the likelihood that the state's legal position will not prevail on appeal. <p>Effect of a 1st 5% reduction</p> <p>A reduction of 5% Other Funds would eliminate 3 attorney positions the department had requested to increase our ability to handle our criminal case load. It would also require the division to eliminate 2 support staff positions.</p> <p>In addition, a reduction at this level could require waiving appearance in many 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 this happens, the "cost" is shifted to other</p>	<p>5% \$973,475 OF Legal</p> <p>5% \$ 14,668 GF</p>	

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<p><u>Appellate Division (Cont.)</u></p>	<p>state agencies that have to address the issues on remand.</p> <p>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 of representation of the state’s position, and they would not be of as great of 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 that the Division’s attorneys were not able to perform. We would also likely need to drastically curtail the amount of advice we could provide to other public agencies.</p> <p>A reduction of 5% General Funds would reduce the agency’s ability to work on Ballot Titles by nearly 100 hours.</p> <p>2015-17: 5 Positions / 4.58 FTE 2017-19: 5 Positions / 4.83 FTE</p> <p>Effect of a 2nd 5% reduction</p> <p>A 2nd 5% reduction of Other Funds would require the division to eliminate an additional 3 attorney positions and 2 support staff 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>A reduction of 5% General Funds would reduce the agency’s ability to work on Ballot Titles by another 100 hours.</p> <p>2015-17: 5 Positions / 4.21 FTE 2017-19: 5 Positions / 4.83 FTE</p>	<p>5% \$973,475 OF Legal 5% \$ 14,668 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 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Trial Division</u></p> <p>Reduce Trial staff available to defend the state.</p>	<p>Approximately 76% 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 may increase in number and in cost 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, 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 caseloads will decrease. The division's ability to provide an effective and comprehensive defense in each case would diminish. At a minimum, we would be forced to become less responsive to our agency clients as each remaining attorney juggles a heavier caseload. We would also be compelled to simply start turning away work from our clients. Trial would not have the resources to take on as much plaintiff's 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 a plaintiff's 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 plaintiff's work; the Trial Division would not be able to 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>		

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<p><u>Trial Division (cont.)</u></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>1st 5% Reduction</p> <p>At this level we would be required to cut six positions: three attorneys and three support staff position. In doing so, the division would lose nearly 5,000 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>This extraordinary workload would also cause substantial delays in the handling of cases, because the attorneys would have more cases than can</p>	<p>5% \$1,395,173 OF Legal</p>	

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<p><u>Trial Division (cont.)</u></p>	<p>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>2015-17: 6 Pos/6.00 FTE 2017-19: 6 Pos/6.00 FTE</p> <p>2nd 5% Reduction</p> <p>At this level, the Trial Division would be required to cut an additional six (6) attorney 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 14,000 lost hours of production annually through the remaining attorneys. As a result, state 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</p>	<p>5% \$1,395,173 OF Legal</p>	

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<p><u>Trial Division (cont.)</u></p>	<p>State's—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 15-17 proposed rate of \$192 per hour 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>		

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<u>Trial Division (cont.)</u>	<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 increase risk to public safety.</p> <p>2015-17: 6 Pos/4.51 FTE 2017-19: 6 Pos/4.51 FTE</p>		

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ADMINISTRATIVE SERVICES DIVISION

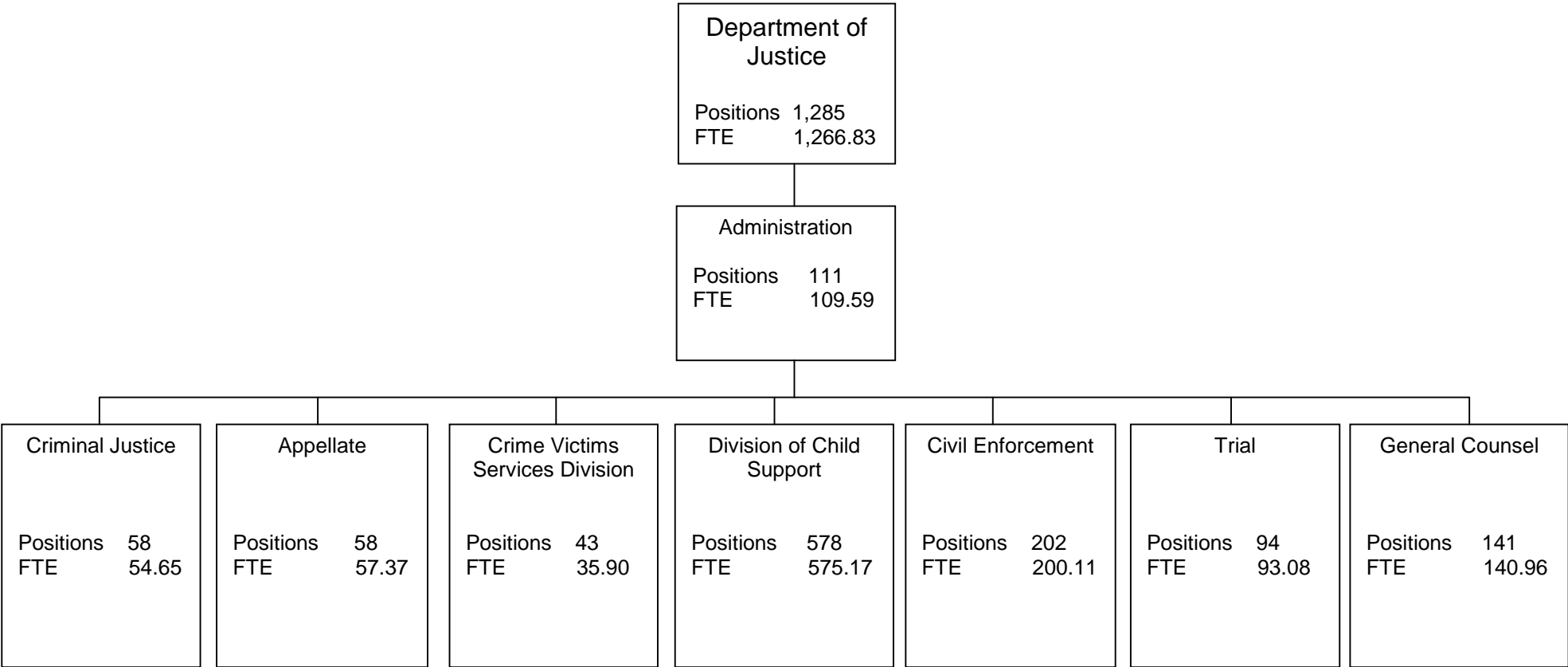
ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
Administrative Services Division Staffing reduction	<p>The Administrative Services Division (ASD) delivers the business services that enable all Department employees to do their jobs. This ranges from issuing invoices to managing federal grants, and from working with landlords on work space to planning the Department's budget (and the payroll/state government service charges portion of the District Attorney's budget). All of this work is enabled by the technology, financial, operational, and employee services that ASD provides throughout DOJ.</p> <p>Effect of a 1st 5% reduction</p> <p>A 5% reduction means the loss of six (6) positions. Reductions at this level consist of positions performing accounting, management, and administrative, budget and strategic business support.</p> <p>The loss of these positions will jeopardize our ability to plan, execute, and report on the Department's program requirements, risking delays in making payments and possibly not being in compliance of fiscal mandates.</p> <p>2015-17: 6 Pos/6.00 FTE 2017-19: 6 Pos/6.00 FTE</p> <p>Effect of a 2nd 5% reduction</p> <p>A 10% reduction means the loss of an additional seven (7) positions. Reductions at this level include positions performing program audit compliance support, technology support, and accounting.</p> <p>In addition to the impacts described in the 5% section, this level of reduction requires that the Department cancel or delay IT projects necessary to efficiently deliver legal services and child support.</p>	<p>5% \$1,440,589 OF Legal</p> <p>5% \$1,440,589 OF Legal</p>	

Governor's Budget

ACTIVITY OR PROGRAM (which program or activity will not be undertaken)	DESCRIBE REDUCTION (Describe the effects of this reduction. Include positions and FTE in 2013-15 and 2015-17.)	AMOUNT AND FUND TYPE (GF, OF, FF. Identify revenue source for OF and FF)	RANK & JUSTIFICATION
<p><u>Administrative Services Division (Cont.)</u></p>	<p>Reductions in funding for information technology staff or audit compliance staff will endanger DOJ's capacity to comply with state and federal mandates for maintaining and improving security of sensitive and confidential information. Reduction of database administration capacity will also result in a loss in revenue to multiple DOJ programs working to move services (and collections) to the internet for ease of use by clients, businesses, and citizens. Reduction of the accounting position translates to a significant delay in sending invoices for Department legal work and an extreme increase in the likelihood of errors during the billing cycle. These reductions will result in these responsibilities being moved to remaining staff members who are already at capacity.</p> <p>With this level of reductions, ASD will have to discontinue work currently being performed. The Division is running critically thin and cannot take reductions of this magnitude without eliminating work. The difficulty comes in deciding what does not get done as everything being done seems to be critical in nature.</p> <p>In addition, this reduction requires a significant reduction in services and supplies which also cannot be sustained as the services and supplies budget is underfunded currently.</p> <p>2015-17: 7 Pos / 6.50 FTE 2017-19: 7 Pos / 6.50 FTE</p>		

Governor's Budget

2013-15 Legislatively Approved Budget Organization Chart



Governor's Budget

2015-17 Governor's Budget Organization Chart

		Administration				Totals	
2013-15 Legislatively Approved Budget							
	Positions	111				1,285	
	FTE	109.59				1,266.83	
2015-17 CSL							
	Positions*	110				1,268	
	FTE*	109.00				1,260.48	
2015-17 Policy Option Packages							
	Positions	5				24	
	FTE	4.01				18.80	
2015-17 Governor's Budget							
	Positions	115				1,292	
	FTE	113.01				1,279.28	
Change to 2013-15 LAB							
	Positions	4				7	
	FTE	3.42				12.45	

		Criminal Justice	Appellate	Crime Victims' Services Division	Division of Child Support	Civil Enforcement	Trial	General Counsel
2013-15 Leg Approved								
	Positions	58	58	43	578	202	94	141
	FTE	54.65	57.37	35.90	575.17	200.11	93.08	140.96
2015-17 CSL								
	Positions*	51	61	35	576	199	98	138
	FTE*	50.70	60.13	34.06	573.44	197.79	97.36	138.00
Policy Option Packages								
	Positions	3	0	1	0	6	9	0
	FTE	2.00	0.00	0.65	0.00	4.75	7.39	0.00
2015-17 Governor's Budget								
	Positions	54	61	36	576	205	107	138
	FTE	52.70	60.13	34.71	573.44	202.54	104.75	138.00
Change to 2013-15 LAB								
	Positions	-4	3	-7	-2	3	13	-3
	FTE	-1.95	2.76	-1.19	-1.73	2.43	11.67	-2.96

*Includes 2015-17 PICS generated changes phase in's, transfers to other sections, essential package changes from 040 (mandated case load) and re-classes -6.35 FTE / -17 positions Agencywide

Governor's Budget

Justice, Dept of

Agency Number: 13700

Agencywide Program Unit Summary
2015-17 Biennium

Version: Y - 01 - Governor's Budget

Summary Cross Reference Number	Cross Reference Description	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
010-00-00-00000	Administration						
	General Fund	289,500	294,000	300,000	-	-	-
	Other Funds	24,441,625	26,999,955	27,881,531	36,203,526	30,838,112	-
	All Funds	24,731,125	27,293,955	28,181,531	36,203,526	30,838,112	-
020-00-00-00000	Appellate						
	General Fund	-	-	-	307,785	293,358	-
	Other Funds	15,381,040	17,626,920	18,150,602	19,732,723	19,469,506	-
	All Funds	15,381,040	17,626,920	18,150,602	20,040,508	19,762,864	-
030-00-00-00000	Civil Enforcement						
	General Fund	6,099,829	3,809,509	3,830,624	4,807,420	4,006,615	-
	Other Funds	50,479,180	63,013,174	64,391,237	70,445,082	68,692,268	-
	Federal Funds	2,498,135	3,242,409	4,003,121	3,545,632	3,540,574	-
	All Funds	59,077,144	70,065,092	72,224,982	78,798,134	76,239,457	-
040-00-00-00000	Criminal Justice						
	General Fund	7,919,417	7,978,666	9,112,077	17,078,183	10,383,720	-
	Other Funds	11,536,447	9,566,503	10,323,415	2,806,546	10,458,468	-
	Federal Funds	9,149,861	9,603,735	9,697,203	10,123,145	10,156,774	-
	All Funds	28,605,725	27,148,904	29,132,695	30,007,874	30,998,962	-

Governor's Budget

Justice, Dept of

Agency Number: 13700

Agencywide Program Unit Summary
2015-17 Biennium

Version: Y - 01 - Governor's Budget

<i>Summary Cross Reference Number</i>	<i>Cross Reference Description</i>	<i>2011-13 Actuals</i>	<i>2013-15 Leg Adopted Budget</i>	<i>2013-15 Leg Approved Budget</i>	<i>2015-17 Agency Request Budget</i>	<i>2015-17 Governor's Budget</i>	<i>2015-17 Leg Adopted Budget</i>
045-00-00-00000	Crime Victims Program						
	General Fund	5,619,489	9,701,838	9,957,398	10,138,699	10,137,366	-
	Other Funds	26,952,747	30,415,082	30,578,483	30,229,568	30,194,033	-
	Federal Funds	19,620,035	19,079,574	19,142,594	19,076,762	19,102,685	-
	All Funds	52,192,271	59,196,494	59,678,475	59,445,029	59,434,084	-
050-00-00-00000	General Counsel						
	General Fund	-	-	-	100,000	-	-
	Other Funds	39,567,848	44,968,789	46,013,339	47,978,155	47,599,656	-
	All Funds	39,567,848	44,968,789	46,013,339	48,078,155	47,599,656	-
060-00-00-00000	Trial						
	Other Funds	23,948,670	25,767,823	26,356,244	29,878,028	29,413,742	-
100-00-00-00000	Defense of Criminal Convictions						
	General Fund	17,215,514	18,176,413	18,176,413	25,395,403	23,842,427	-
160-00-00-00000	Division of Child Support						
	General Fund	21,841,118	24,420,505	24,912,572	34,030,619	32,880,919	-
	Other Funds	29,736,763	46,092,463	46,528,155	37,600,274	48,248,383	-
	Federal Funds	84,714,292	125,591,429	126,795,353	113,075,389	132,240,160	-
	All Funds	136,292,173	196,104,397	198,236,080	184,706,282	213,369,462	-

Governor's Budget

Justice, Dept of

Agency Number: 13700

Agencywide Program Unit Summary
2015-17 Biennium

Version: Y - 01 - Governor's Budget

<i>Summary Cross Reference Number</i>	<i>Cross Reference Description</i>	<i>2011-13 Actuals</i>	<i>2013-15 Leg Adopted Budget</i>	<i>2013-15 Leg Approved Budget</i>	<i>2015-17 Agency Request Budget</i>	<i>2015-17 Governor's Budget</i>	<i>2015-17 Leg Adopted Budget</i>
TOTAL AGENCY							
	General Fund	58,984,867	64,380,931	66,289,084	91,858,109	81,544,405	-
	Other Funds	222,044,320	264,450,709	270,223,006	274,873,902	284,914,168	-
	Federal Funds	115,982,323	157,517,147	159,638,271	145,820,928	165,040,193	-
	All Funds	397,011,510	486,348,787	496,150,361	512,552,939	531,498,766	-

Governor's Budget

Revenue Forecast Narrative

The Department receives General Fund, Other Funds and Federal Funds. Other Funds are the largest source of revenue to the Department at approximately 54%. The General Fund appropriation represents just 17% of the Department's revenue with Federal Funds representing 29% of the Department's total revenue.

OTHER FUNDS

Below are the major categories of Other Funds revenue:

- 1) charges to state agencies for legal services;
- 2) TANF recoveries through child support payments for child support enforcement;
- 3) miscellaneous civil penalties, restitution, subrogation and fees for training provided by the Department;
- 4) Criminal Fines Account (CFA) funds transferred from the Department of Revenue as allocated by Legislature;
- 5) fees charged to charitable and nonprofit organizations for registration and filing financial reports;
- 6) punitive damages for Crime Victims Compensation;
- 8) Non-Participating Manufacturer funds transferred from the Department of Administrative Services;
- 9) Consumer Protection and Education Revolving Account from antitrust and Unlawful Trade Practices Act cases;
- 10) private grants to the Sexual Assault Victims Emergency Medical Response (SAVE) Fund, and
- 11) Cooperative Disability Investigations Unit funds transferred from the Department of Human Services.

GENERAL FUND

The General Fund received by the Department is devoted to public safety programs and services in the areas of criminal investigation and prosecution; victims of domestic and sexual violence including address confidentiality; child support enforcement; defense of TMSA Civil Rights; and Defense of Criminal Convictions.

Governor's Budget

FEDERAL FUNDS

Three programs within the Department are supported by matching Federal Funds: crime victims' compensation, child support enforcement and Medicaid fraud. The Department also receives direct federal grants for specific projects and activities.

DETAIL OF FEE, LICENSE OR ASSESSMENT REVENUE

A fee increase is anticipated in the Charitable Activities Section of the Civil Enforcement Division to maintain current staffing levels. The section is experiencing increasing workloads as the number of charitable registrants filing annual reports is increasing and most of the increase is among registrants who are at the lower end of the sliding scale fee structure which generates very little revenue.

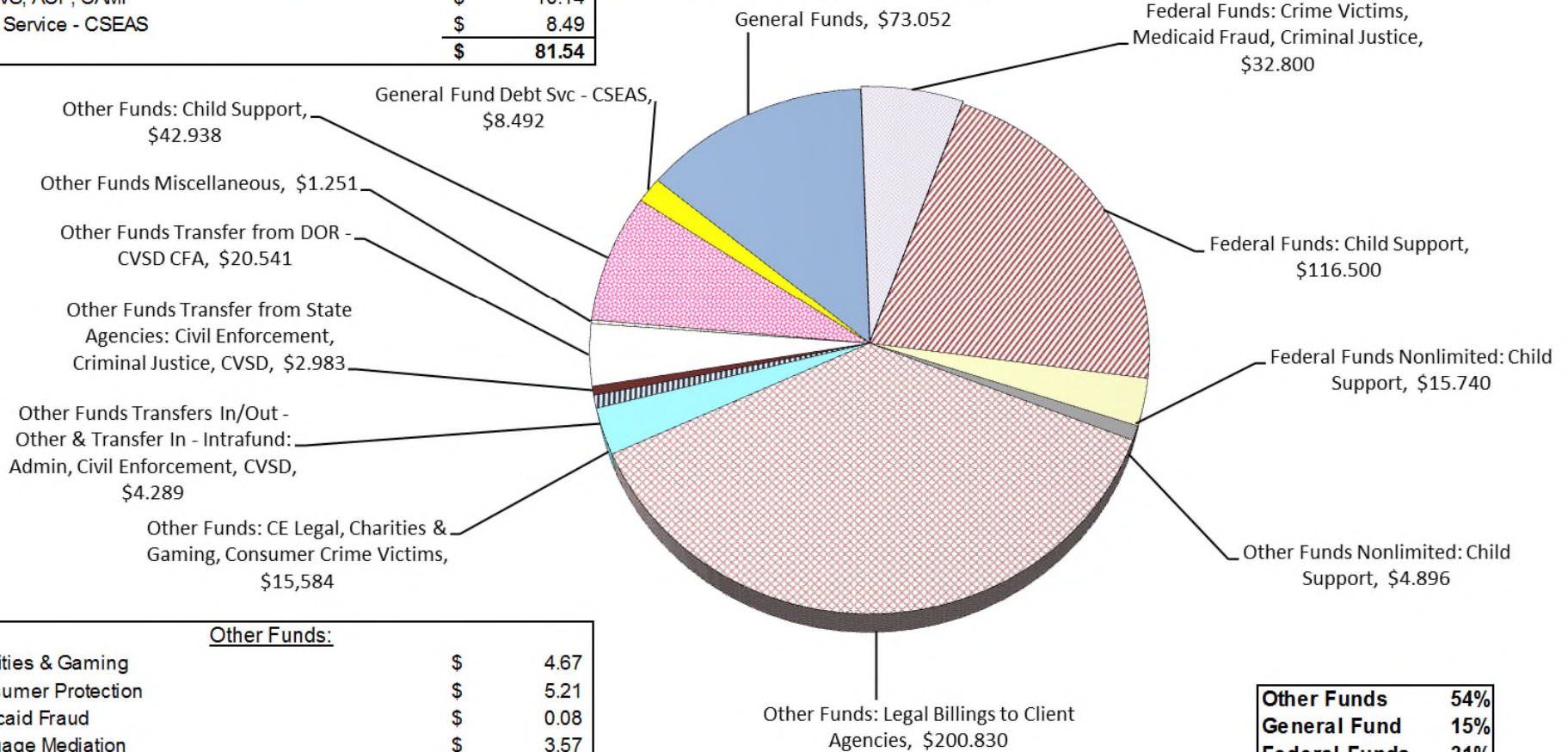
The increase results in approximately an 80% increase in existing fees. Currently the fees are on a sliding scale from \$10 to \$200 and .01% of assets over \$50,000 up to a maximum of \$1,000. The proposed fee will maintain the sliding scale and go to \$20 to \$400 and .01% of assets over \$50,000 up to a maximum of \$2,000.

Prior to 2007, charitable reporting fees were set by statute. In 2007 because of concerns that the statutory fees would be insufficient to maintain the Charitable Activities Section's program, legislation was passed to enable the Department to set and increase charitable reporting fees by rule. The Department subsequently adopted by rule the same sliding scale fees that had been in the statute, but did not increase the reporting fees at that time. We anticipate the need to increase the fees. The sliding scale fees have remained unchanged since 1981. The proposed increase would occur January 1, 2016.

Governor's Budget

<u>General Fund:</u>	
Child Support	\$ 24.39
Defense of Criminal Convictions	\$ 23.84
Ballot Titles	\$ 0.29
Environmental Crimes Mediation	\$ -
Legal, MSA	\$ 4.01
Criminal Investigation and Prosecution	\$ 10.38
ODSVS, ACP, CAMI	\$ 10.14
Debt Service - CSEAS	\$ 8.49
	\$ 81.54

Department of Justice 2015-17 Governor's Budget Total Revenue \$539.90 (\$ in millions)

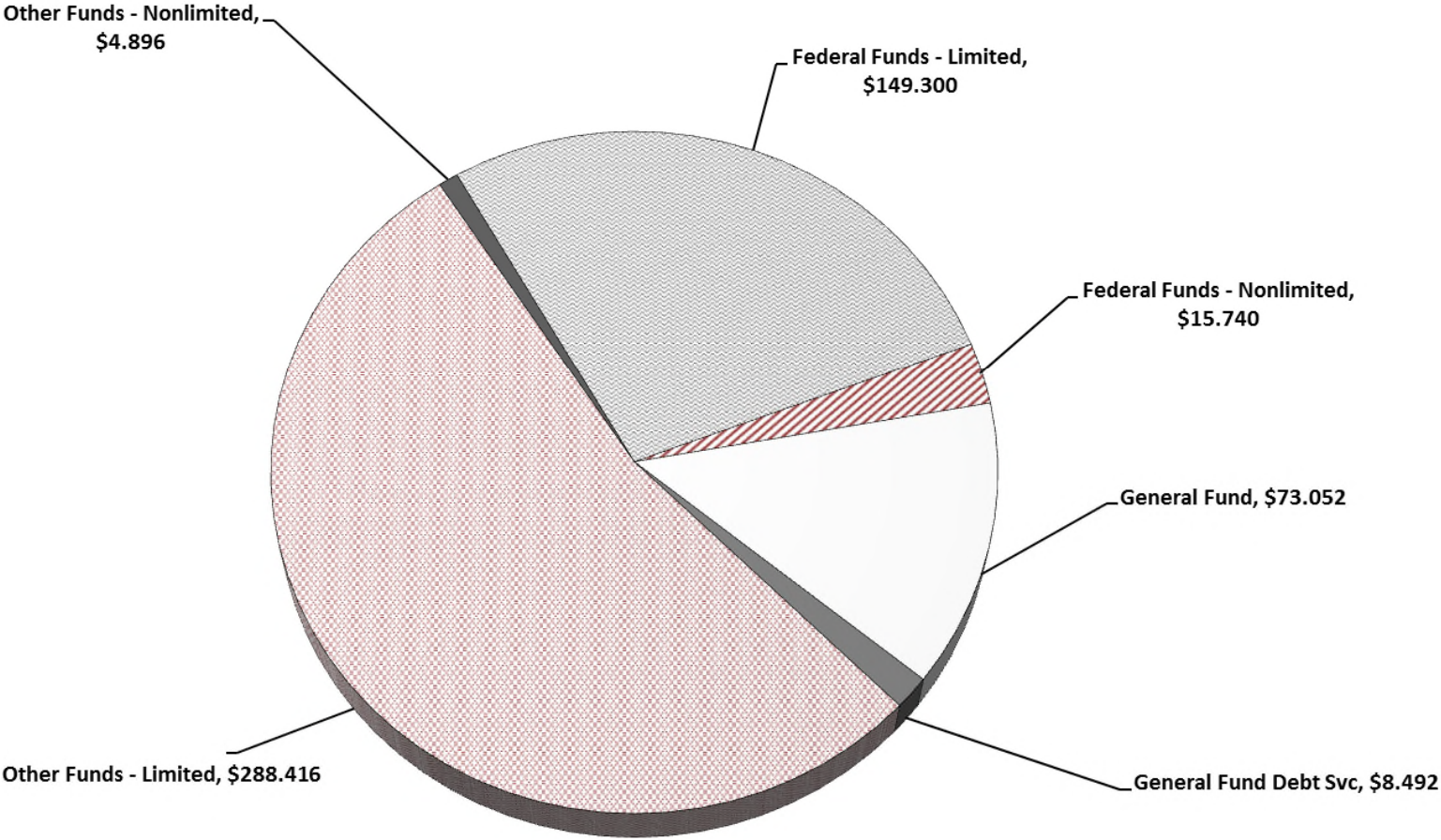


<u>Other Funds:</u>	
Charities & Gaming	\$ 4.67
Consumer Protection	\$ 5.21
Medicaid Fraud	\$ 0.08
Mortgage Mediation	\$ 3.57
Crime Victims	\$ 2.05
	\$ 15.58

Other Funds	54%
General Fund	15%
Federal Funds	31%

Governor's Budget

**Department of Justice
2015-17 Governor's Budget
Total Revenue
\$539.90 (\$ in millions)**



Governor's Budget

DETAIL OF FEE, LICENSE, OR ASSESSMENT REVENUE INCREASE PROPOSED FOR INCREASE / ESTABLISHMENT

Purpose or Type of Fee, License or Assessment	Who Pays	2013-15 Estimated Revenue	2015-17 Agency Request	2015-17 Governor's Budget	2015-17 Legislatively Adopted	Explanation
Charitable Organization Recording Fee	Charitable Organizations	\$3,300,000	\$3,670,964	\$3,670,964		<p>A fee increase is required because program costs are exceeding program revenues. The number of charitable registrants filing annual reports is increasing, but much of the increase is among registrants who are at the lower end of the sliding scale fee structure, which generates relatively little revenue. The section is no longer able to keep pace with inflation and is already cutting back on some types of investigations and outreach to charities concerning compliance. Without the increase the section will have to reduce the staff available to investigate and take action to prevent or remedy the misuse of charitable assets, including the Section's investigative and assistant attorney general resources by about 29% (approximately 1.60 FTE.) The proposed fee structure is consistent with statutory provisions.</p>

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS		2013-15		2015-17		
		Revenue Acct	2011-13 Actual	Legislatively Approved	2013-15 Estimated	Agency Request	Governor's Budget	Legislatively Adopted
Child Support - Other Funds Ltd	3400	0205,0410,0555, 0605,0975	\$ 26,992,356	\$ 39,987,000	\$ 28,547,739	\$ 32,170,171	\$ 42,937,699	\$ -
Child Support - Other Funds Non-Ltd	3200	0410,0975	\$ 3,810,005	\$ 4,282,350	\$ 4,282,350	\$ 4,410,821	\$ 4,410,821	\$ -
Child Support - Other Funds Cap Const	3020	0555	\$ -	\$ 14,410,000	\$ 2,970,739		\$ -	\$ -
Child Support - Federal Funds Ltd	6400	0995	\$ 70,033,269	\$ 111,513,555	\$ 89,832,577	\$ 97,335,137	\$ 116,499,908	\$ -
Child Support - Federal Funds Non-Ltd	6200	0995	\$ 14,681,023	\$ 15,281,798	\$ 15,281,798	\$ 15,740,252	\$ 15,740,252	\$ -
Child Support - Federal Funds Cap Const	6020	0995	\$ -	\$ 27,447,707	\$ 5,766,729		\$ -	\$ -
Legal Billings to Client Agencies - Other Funds Ltd	3400	0410,0415	\$ 142,605,809	\$ 166,832,219	\$ 166,832,219	\$ 190,924,066	\$ 200,830,080	\$ -
Misc. Legal - Other Funds Ltd	3400	0705,0975	\$ 255,825	\$ 3,657,568	\$ 3,657,568	\$ 3,642,568	\$ 3,642,568	\$ -
Misc. Legal - Transfer In/(Out)	3400	1010,1257,2010	\$ (6,995)	\$ -	\$ -	\$ -	\$ -	\$ -
Medicaid Fraud - Other Funds Ltd	3400	0410,0605,0975	\$ 3,024,768	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ -
Medicaid Fraud - Other Funds Ltd -Transfers In -Intrafund	3400	1010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Medicaid Fraud - Federal Funds Ltd	6400	0995	\$ 2,498,135	\$ 4,003,121	\$ 4,003,121	\$ 3,545,632	\$ 3,540,574	\$ -
Charitable Activities (Charities/Gaming) - Other Funds Ltd - Fees	3400	0205,0410,0505, 0705,0975	\$ 5,528,275	\$ 4,005,700	\$ 4,005,700	\$ 4,673,964	\$ 4,673,964	\$ -
Consumer Protection and Education - Other Funds Ltd - Antitrust and Unlawful Trade Practices Act cases	3400	0205,0410,0975	\$ 26,783,918	\$ 10,011,200	\$ 10,011,200	\$ 5,212,000	\$ 5,212,000	\$ -
Consumer Protection and Education - Other Funds Ltd - Transfers Out - Intrafund	3400	2010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Consumer Protection and Education - Other Funds Ltd - Antitrust and Unlawful Trade Practices Act cases	3200	0205,0410,0975	\$ 200,720	\$ 471,040	\$ 471,040	\$ 485,171	\$ 485,171	\$ -
Tobacco Enforcement - Other Funds Ltd	3400	0410,0975	\$ 2,066	\$ -	\$ -	\$ -	\$ -	\$ -
Tobacco Enforcement - Other Funds Ltd - Transfer In - DAS	3400	1107	\$ 1,165,593	\$ 1,263,249	\$ 1,263,249	\$ 1,356,365	\$ 1,356,365	\$ -
Crime Victims - Other Funds Ltd - Civil penalties, restitution, punitive damages, SAVE donations, etc.	3400	0410,0505,0605, 0905,0975	\$ 9,921,896	\$ 2,641,600	\$ 2,641,600	\$ 2,049,205	\$ 2,049,205	\$ -

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE (CONTINUED)

Source	Fund	ORBITS		2013-15	2013-15	2015-17		
		Revenue Acct	2011-13 Actual	Legislatively Approved	Estimated	Agency Request	Governor's Budget	Legislatively Adopted
Crime Victims - Other Funds Non-Ltd	3200	0975	\$ 2,828	\$ -	\$ -	\$ -	\$ -	\$ -
Crime Victims - Other Funds Ltd - Transfer In CFA	3400	1150	\$ 16,290,775	\$ 19,913,740	\$ 19,913,740	\$ 20,541,179	\$ 20,541,179	\$ -
Crime Victims - Other Funds Ltd - Transfers In/Out	3400	1010,1257,2010,2291	\$ (402,515)	\$ (25,329)	\$ (25,329)	\$ 4,263,257	\$ 4,263,257	\$ -
Crime Victims - Other Funds Non-Ltd - Transfers In/Out	3200	1010,1257, 2010	\$ 684,141	\$ -	\$ -	\$ -	\$ -	\$ -
Crime Victims - Federal Funds Ltd - VOCA, VAWA	6400	0995	\$ 19,620,035	\$ 19,142,594	\$ 19,142,594	\$ 19,076,762	\$ 19,102,685	\$ -
Criminal Justice - Other Funds Ltd - WSIN, TTCTF, etc	3400	0210,0410,0705,0975	\$ 1,040,269	\$ 655,438	\$ 655,438	\$ 1,181,819	\$ 1,181,819	\$ -
CJ - Other Funds Non-Ltd - RICO	3200	0975	\$ 419,222	\$ 250,708	\$ -	\$ -	\$ -	\$ -
Criminal Justice - Federal Funds Ltd - HIDTA, etc.	6400	0995	\$ 9,829,192	\$ 9,697,203	\$ 9,697,203	\$ 10,123,145	\$ 10,156,774	\$ -
Criminal Justice - Other Funds Ltd - Transfers In - CDIU/Terrorism/DUI	3400	1100,1248,1257	\$ 2,168,799	\$ 1,451,135	\$ 1,451,135	\$ 1,652,591	\$ 1,652,591	\$ -
Criminal Justice - Other Funds Non-Ltd - Transfers In/(Out) - RICO	3200	2010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Other Funds Ltd*	3400		\$ 235,370,839	\$ 250,468,520	\$ 239,029,259	\$ 267,742,185	\$ 288,415,727	\$ -
Total Other Funds Non-Ltd	3200		\$ 5,116,916	\$ 5,004,098	\$ 4,753,390	\$ 4,895,992	\$ 4,895,992	\$ -
Total Other Funds Cap Const	3020		\$ -	\$ 14,410,000	\$ 2,970,739	\$ -	\$ -	\$ -
Total Fed Funds Cap Const	6020		\$ -	\$ 27,447,707	\$ 5,766,729	\$ -	\$ -	\$ -
Total Federal Funds Ltd	6400		\$ 101,980,631	\$ 144,356,473	\$ 122,675,495	\$ 130,080,676	\$ 149,299,941	\$ -
Total Federal Funds Non-Ltd	6200		\$ 14,681,023	\$ 15,281,798	\$ 15,281,798	\$ 15,740,252	\$ 15,740,252	\$ -

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Justice, Dept of
2015-17 Biennium

Agency Number: 13700

Cross Reference Number: 13700-000-00-00-00000

Source	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
Other Funds						
Business Lic and Fees	5,213,361	5,038,900	5,038,900	5,614,338	5,614,338	-
Non-business Lic. and Fees	-	329,671	329,671	-	-	-
Federal Revenues	4,600,599	-	-	8,800,000	8,800,000	-
Charges for Services	120,932,158	165,002,583	167,159,236	191,285,455	201,191,469	-
Admin and Service Charges	22,086,453	-	-	-	-	-
Fines and Forfeitures	83,637,797	57,280,000	57,280,000	1,184,255	1,184,255	-
General Fund Obligation Bonds	-	14,410,000	14,410,000	4,657,472	15,425,000	-
Interest Income	43,921	29,350	29,350	39,898	39,898	-
Sales Income	53,190	20,000	20,000	20,000	20,000	-
Donations	29,227	41,000	41,000	27,000	27,000	-
Other Revenues	36,029,264	39,757,568	39,757,568	28,300,375	28,300,375	-
Transfer In - Intrafund	4,265,331	3,882,761	3,882,761	1,911,204	1,911,204	-
Transfer In Other	-	-	-	4,289,257	4,289,257	-
Tsfr From Human Svcs, Dept of	1,162,040	1,092,735	1,092,735	1,178,209	1,178,209	-
Tsfr From Administrative Svcs	1,165,593	1,263,249	1,263,249	1,356,365	1,356,365	-
Tsfr From Justice, Dept of	306,371	-	-	-	-	-
Tsfr From Revenue, Dept of	16,290,775	19,913,740	19,913,740	20,541,179	20,541,179	-
Tsfr From Criminal Justice Comm	43,170	-	-	-	-	-
Tsfr From Military Dept, Or	604,005	-	-	-	-	-
Tsfr From Transportation, Dept	359,584	358,400	358,400	474,382	474,382	-
Transfer Out - Intrafund	(4,949,472)	(3,882,761)	(3,882,761)	(1,911,204)	(1,911,204)	-
Transfer to General Fund	(66,477,783)	(61,200,000)	(61,200,000)	-	-	-
Tsfr To Corrections, Dept of	(24,745)	(25,329)	(25,329)	(26,000)	(26,000)	-
Total Other Funds	\$225,370,839	\$243,311,867	\$245,468,520	\$267,742,185	\$288,415,727	-

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

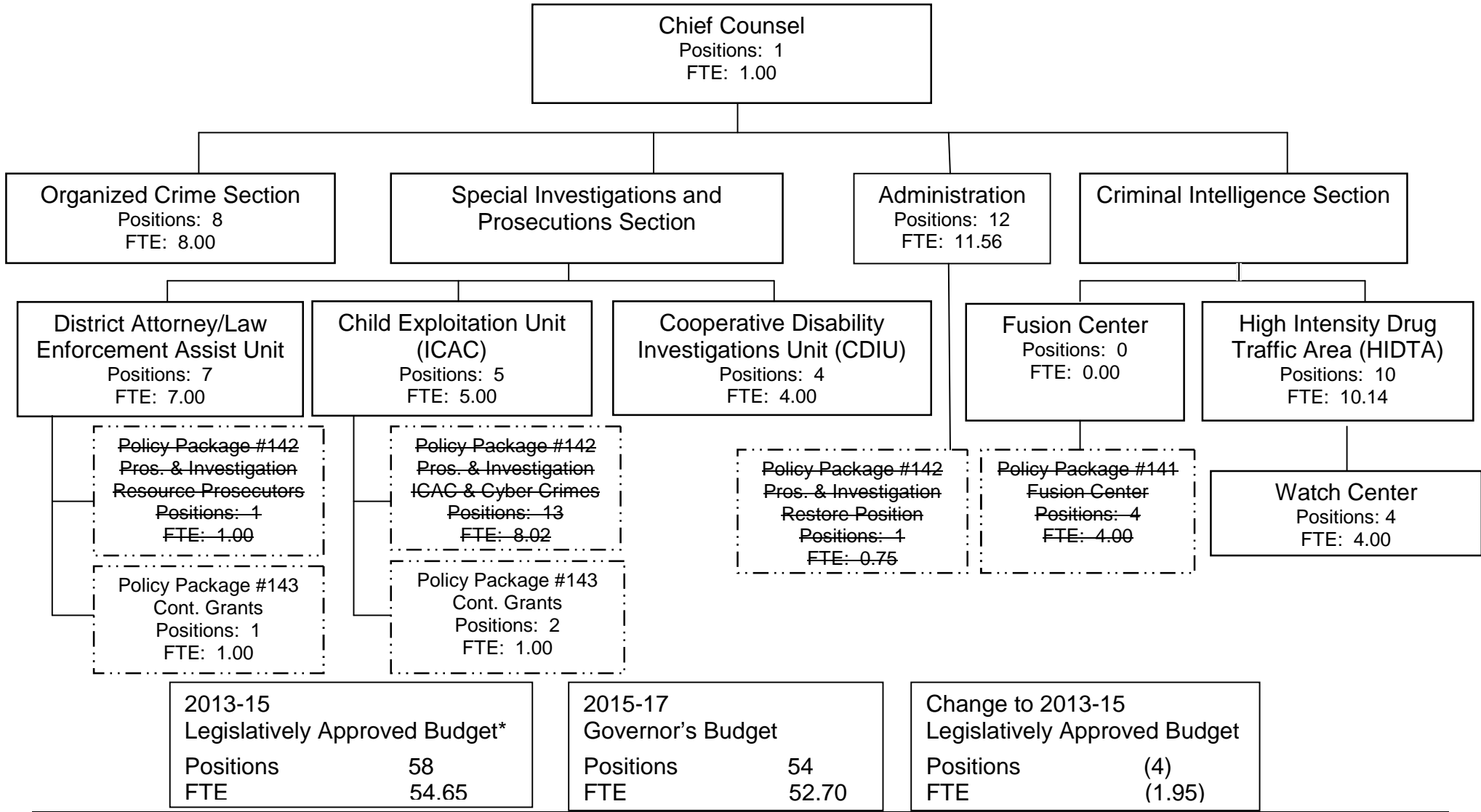
Justice, Dept of
2015-17 Biennium

Agency Number: 13700
Cross Reference Number: 13700-000-00-00-00000

Source	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
Federal Funds						
Federal Funds	101,980,631	142,235,349	144,356,473	130,080,676	149,299,941	-
Total Federal Funds	\$101,980,631	\$142,235,349	\$144,356,473	\$130,080,676	\$149,299,941	-
Nonlimited Other Funds						
Business Lic and Fees	315,628	349,000	349,000	352,250	352,250	-
Federal Revenues	1,749,098	-	-	4,058,571	4,058,571	-
Charges for Services	22	-	-	-	-	-
Fines and Forfeitures	455,129	471,040	471,040	485,171	485,171	-
Other Revenues	1,912,898	4,184,058	4,184,058	-	-	-
Transfer In - Intrafund	1,256,641	-	-	-	-	-
Transfer Out - Intrafund	(572,500)	-	-	-	-	-
Total Nonlimited Other Funds	\$5,116,916	\$5,004,098	\$5,004,098	\$4,895,992	\$4,895,992	-
Nonlimited Federal Funds						
Federal Funds	14,681,023	15,281,798	15,281,798	15,740,252	15,740,252	-
Total Nonlimited Federal Funds	\$14,681,023	\$15,281,798	\$15,281,798	\$15,740,252	\$15,740,252	-

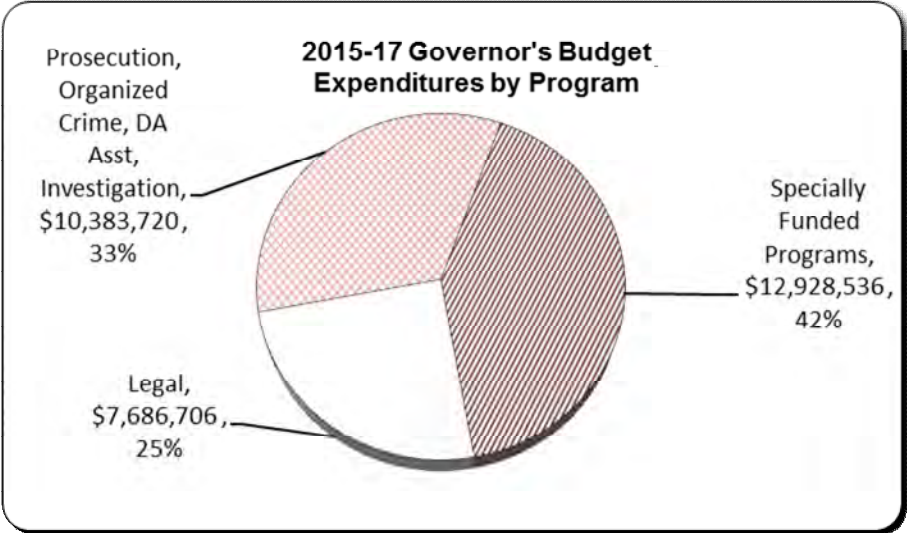
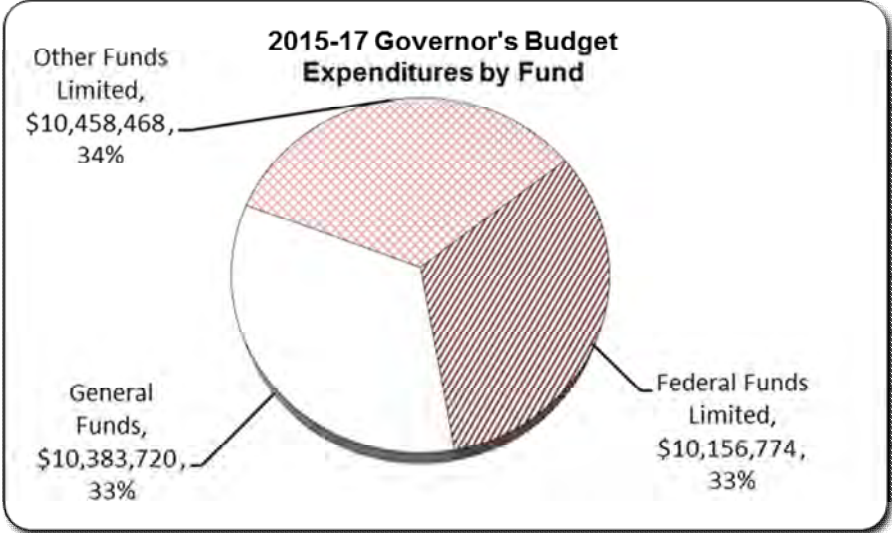
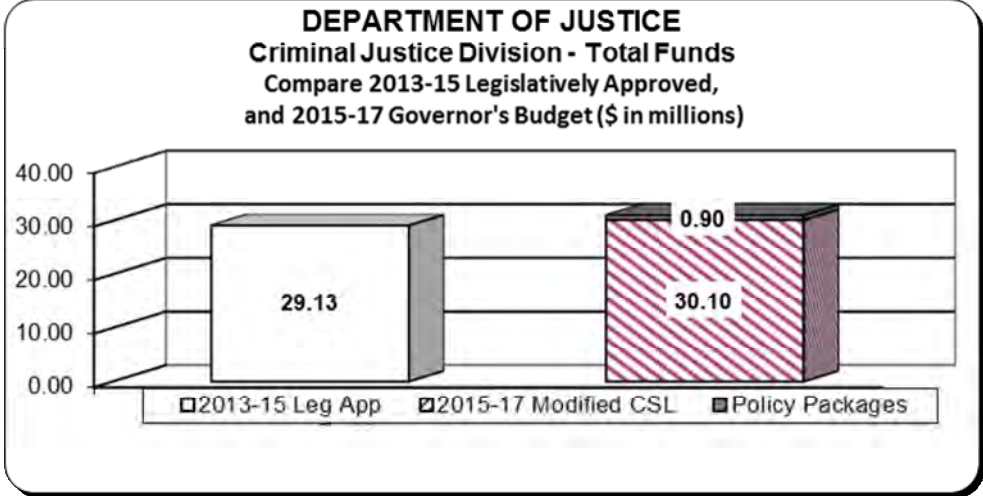
Governor's Budget

Criminal Justice Division



*Before administrative actions: (7) positions, (3.95) FTE

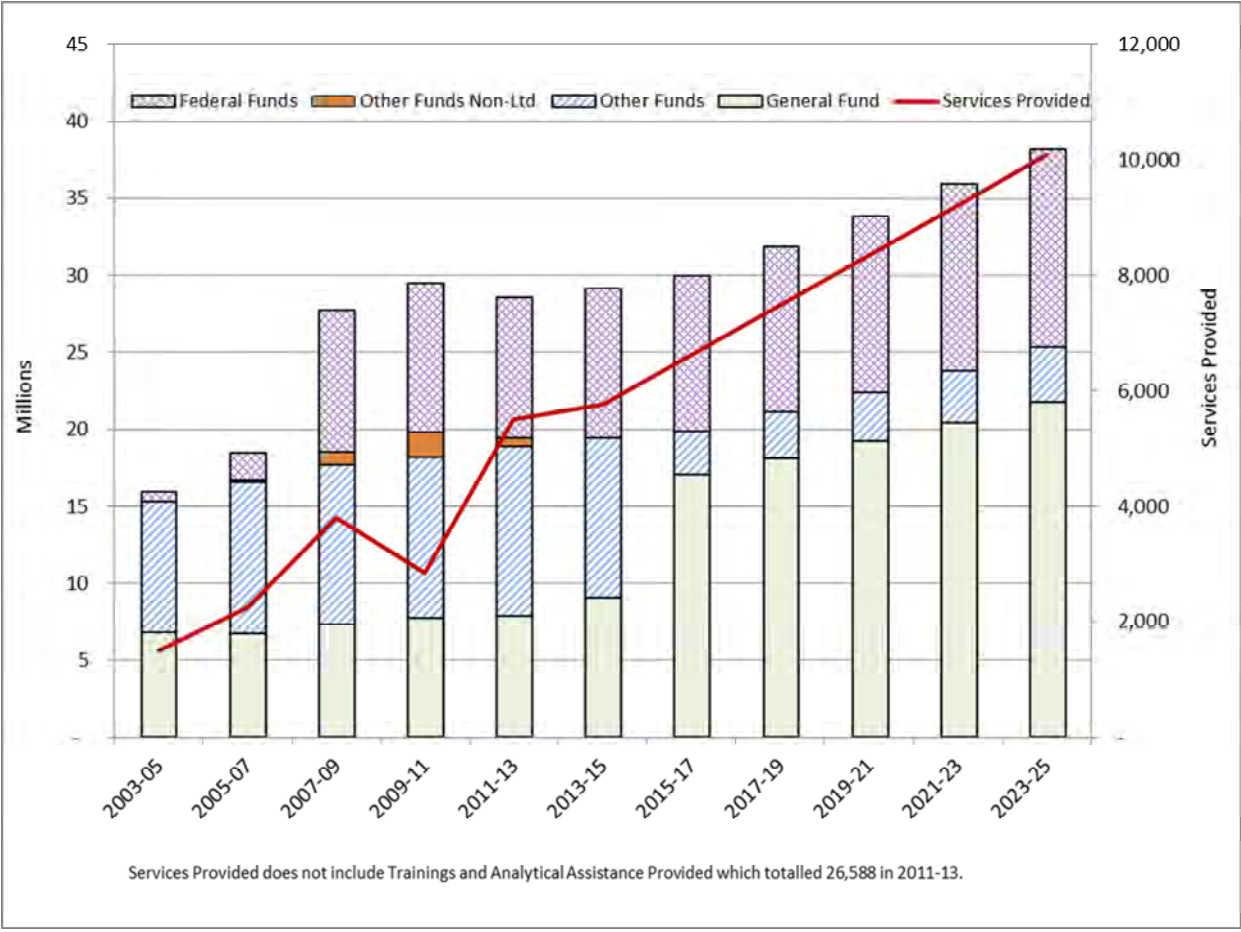
Governor's Budget



Governor's Budget

Executive Summary

Primary Outcome Area: Public Safety
 Secondary Outcome Area: Improving Government
 Program Contact: Darin Tweedt, (503) 378-6347



Services Provided:
 Cyber Tips
 Matters Opened
 Service Assists
 Public records Requests

Governor's Budget

Program Overview

The Criminal Justice Division is the Oregon Department of Justice's primary crime fighting weapon. The Division provides investigative, trial and training support to Oregon's District Attorneys and law enforcement agencies. The Division also acts as a safety net for District Attorneys' Offices in crisis. The Division's prosecutors are often called upon to act as the District Attorney and perform all local prosecution functions in times of need. Finally, the Division leads or participates in several important criminal information sharing and analysis programs.

The Criminal Justice Division conducts specialized criminal investigations and prosecutions and provides highly trained and experienced special agents, prosecutors and analysts to fight crime across Oregon. The Division's performance can be measured by the volume of services provided, which have significantly increased again this biennium (See graph on CJ Page 3).¹ The Division is the only agency in Oregon that has the unique ability to combine the resources of criminal investigators, prosecutors, and analysts in a single agency to comprehensively address crime in our communities. The Division also provides outreach and training to communities, victim service providers, and members of the law enforcement community to help ensure that Oregonians receive the highest level of service from the criminal justice system.

Performance through 2023:

The projection for services provided through 2023 is in excess of 9,000 services provided, excluding training and analytical assistance.

Program Description

Outside of Administration, the Criminal Justice Division is divided into three sections: The Special Investigations and Prosecutions Section, the Organized Crime Section and the Criminal Intelligence Section. Members of these units perform a variety of investigation, prosecution and analytical roles, some of which are detailed below.

Special Investigations and Prosecution Section

The Special Investigations and Prosecution Section is composed of three specialty units: the District Attorney/Law Enforcement Assist Unit, The Child Exploitation Unit and the Cooperative Disability Investigations Unit.

¹ Services provided includes service assists, investigations, prosecution and cybertips. It does not include training hours, students trained or analytical assistance provided.

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•District Attorney/Law Enforcement Assistance Unit: The District Attorney/Law Enforcement Assistance Unit supports law enforcement agencies and District Attorneys by investigating and prosecuting highly complex criminal cases, cases requiring specialty expertise, and cases in which the investigating agency or District Attorney has a conflict. This unit has experts in the investigation and prosecution of homicide, child exploitation, Driving Under the Influence of Intoxicants, and domestic violence. In addition, this unit is primarily responsible for providing important training to law enforcement officers and prosecutors throughout Oregon at low or no cost.

•Child Exploitation Unit: The Child Exploitation Unit focuses on identifying, investigating, prosecuting and preventing crimes relating to the sexual exploitation of children. The Child Exploitation unit is comprised of an anti-human trafficking initiative and the Oregon Internet Crimes Against Children Task Force (ICAC). The human trafficking initiative focuses on the commercial sexual exploitation of children in the under covered areas outside of the Portland metropolitan area. The Portland Metro area already has multiple federal and local task forces working there while without this initiative the rest of the state has virtually nothing. The Internet Crimes Against Children Task Force focuses on investigating, prosecuting and preventing the sexual exploitation of children on the internet. In addition to case work, members of the Child Exploitation Unit conduct statewide trainings for law enforcement officers, prosecutors, schools and parents.

•Cooperative Disability Investigations Unit: This unit investigates suspicious social security disability claims. The unit's mission is to obtain evidence that can resolve questions of fraud before benefits are ever paid. The Cooperative Disability Investigations Unit is consistently one of the highest performing units in the nation as measured by the Social Security Administration in their quarterly statistical review.

Organized Crime Section

The Criminal Justice Division is charged by statute with investigating and prosecuting organized crime and allegations of public officials involved in corruption or malfeasance. ORS 180.610. To that end, the Division has criminal investigators, prosecutors, and analysts who specialize in identifying and combating such crimes.

In addition, the Division has specialized equipment and trained personnel to conduct wiretap investigations against organized crime groups. These investigations are highly effective at disrupting and dismantling criminal organizations.

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Criminal Intelligence Section

The ability to gather and analyze information about criminals and their organizations is invaluable to law enforcement agencies. The Criminal Intelligence Section facilitates the gathering, analysis and sharing of criminal information with local, state and national law enforcement agencies. The Criminal Intelligence Section is composed of the Oregon TITAN Fusion Center, the Oregon HIDTA Investigation Service Center, and the Oregon HIDTA Watch Center.

•Oregon TITAN Fusion Center: The Fusion Center is Oregon's focal point for receiving, analyzing, gathering, and sharing threat-related information in order to better detect, prevent, investigate, and respond to criminal and terrorist activity.

The Fusion Center is composed primarily of staff from the Criminal Justice Division. This staff works in conjunction with federal, state and local law enforcement agencies. The Fusion Center produces threat assessments, officer safety bulletins, general crime bulletins and terrorism related bulletins. In addition, the Fusion Center is a critical component of the state's critical infrastructure review process. The Fusion Center also provides criminal analysts to assist federal, state and local law enforcement agencies with criminal investigations. Finally, the Center provides important training to law enforcement agencies, businesses and first responders about active shooters and the latest terrorist trends, techniques and procedures.

•High Intensity Drug Trafficking Area (HIDTA) Investigation Service Center: The Investigation Service Center is a co-located multi-agency program. Its mission is to promote, facilitate, and coordinate the exchange of criminal intelligence information, and provide analytical support.

•High Intensity Drug Trafficking Area (HIDTA) Watch Center: The Watch Center's primary mission is to enhance officer safety through deconfliction² for the designated HIDTA counties. Watch Center analysts also provide tactical analytical support to law enforcement officers throughout Oregon.

² Deconfliction is a process designed to ensure that multiple agencies are not inadvertently targeting the same event, individual, or organization. Deconfliction occurs when officers of one investigative agency are notified that officers of another agency may be conducting operations in the same area or may be investigating the same suspect. Deconfliction prevents costly duplication of investigative effort and compromise of investigations. Most importantly, deconfliction directly impacts officer safety by reducing the chances two law enforcement agencies, unbeknown to each other, are carrying out undercover law enforcement operations in the same area.

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Program Justification and Link to 10-Year Outcome

The Criminal Justice Division primarily supports the Public Safety Outcome Area by working every day to keep Oregonians safe from criminal activity. The Division's highly experienced and trained criminal investigators, prosecutors and analysts work to prevent and reduce crime in Oregon and ensure the safety of people by, among other things:

- Disrupting and dismantling organized criminal operations.
- Stepping in when other investigative and/or prosecution resources are unavailable.
- Coordinating multi-agency and multi-county investigations and prosecutions.
- Facilitating the exchange of criminal information among law enforcement agencies.
- Addressing specialty crimes, such as child exploitation, mortgage and tax fraud, and environmental crimes.

Of great importance, we improve citizen access to the criminal justice system by addressing the needs of vulnerable populations. Some examples include:

- The Internet Crimes Against Children (ICAC) Task Force, working to protect children.
- Human trafficking: We are increasing our expertise and involvement in the area of human trafficking, especially victims exploited for labor. These victims represent some of the poorest and most at risk among us.
- Domestic violence resource prosecutor, working to protect vulnerable women and families.

The Division's work is not limited to fighting crime after it occurs. We actively engage in measures to prevent crime from happening. For example, our ICAC agents go into local communities and teach children, families, educators, and other community members how to prevent the exploitation of children on the internet. This investment in our communities helps protect our most vulnerable Oregonians. In addition, our special agents, prosecutors and analysts are involved with identifying criminal trends and attacking new problem areas before they have statewide consequences.

The Division also performs work in a second outcome area: Improving Government. We provide training and service to other parts of the government, including district attorneys, law enforcement agencies, and other state agencies. In addition, our investigations of criminal allegations involving public officials and government bodies often results in suggestions for improvements even when no crime occurred.

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Program Performance

Following are examples of the volume and breadth of services provided by the Division in support of Oregon's law enforcement agencies and District Attorneys.

Service assists are cases in which we have been asked by outside agencies and citizens to review and advise in criminal matters. From July 1, 2011 to June 30, 2014 the Division performed 3,961 service assists. During the same period of time the Division prosecuted 724 cases and conducted 904 investigations.

The Criminal Justice Division works with other federal, state and local law enforcement agencies to target major criminal organizations in long term investigations as part of its mandate to fight organized crime. The Organized Crime Section has become expert in using wiretaps and other technical means to conduct these investigations. For example, in 2014, the Division worked with the Jackson County Sheriff's Office, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, Oregon State Police and several Southern Oregon police departments to dismantle a violent Southern Oregon gang with ties to criminal activity in California and Nevada. "Operation Rap it Up" uncovered drug trafficking, murder plots, prostitution, illegal gun sales and illegal gun buying. As of July 9, 2014, thirty-one people had been indicted on state and federal charges on charges including Racketeering, Attempted Murder, Assault, Delivery of Controlled Substances, Promoting Prostitution and federal firearms offenses.

The Internet Crimes Against Children (ICAC) Task Force has reviewed an increasing number of cybertips³ each year, starting with 197 in 2006. From July 1, 2011, to June 30, 2014, ICAC received 3,528 tips. During the same period, ICAC investigated 98 cases.

The Division is also responsible for training officers, prosecutors, advocates, and other members of the criminal justice system. Between July 1, 2011, and June 20, 2014, the Division provided 2,211 hours of training to over 11,200 students. Most of the training was provided at little or no cost.

The Oregon TITAN Fusion Center provided critical support to law enforcement agencies during this time period. Among other things, from July, 2011, to June, 2014, the Fusion Center conducted 1,194 terrorism intakes⁴, created 1,497 intelligence profiles⁵, created 452

³ Cybertips are tips received from the National Center for Missing and Exploited Children (NCMEC) when sexual exploitation of children is suspected on internet sites (such as Facebook, Craigslist, etc.)

⁴ A terrorism intake is a report of suspicious activity. These reports come from a variety of sources and are sent by the Fusion Center to the appropriate law enforcement agency

Governor's Budget

case related charts and graphs, issued 594 intelligence publications, provided 1,394 photographs, created 194 link analysis charts⁶ and conducted 24 threat assessments.⁷ Also, during this time period for the first time ever the Fusion Center began issuing joint bulletins with the Federal Bureau of Investigation.

The Criminal Intelligence Section provides vital case support and deconfliction services to law enforcement agencies across the state and country. From July 1, 2011, to June 15, 2014, the HIDTA Investigation Service Center and the HIDTA Watch Center worked on 292 cases, referred 643 leads to other law enforcement agencies, processed 19,849 requests for criminal intelligence profiles and deconflicted 8,176 events and 692,362 cases.

Enabling Legislation/Program Authorization

The Attorney General is required to conduct prosecutions and investigations, and manage criminal proceedings when so directed by the Governor. ORS 180.070, ORS 180.080. The Attorney General must also “consult with, advise, and direct the district attorneys in all criminal causes and matters relating to state affairs in their respective counties.” ORS 180.060(5). ORS 180.610 gives the Attorney General a special mandate to fight organized crime. This mandate includes every aspect of investigation, prosecution, and intelligence gathering, as well as developing statewide policies to combat organized crime. The Attorney General is also required to investigate and prosecute public corruption, cases involving criminal financial activity, and election law violations. ORS 180.610(5) and (6); ORS 260.345. Homeland Security Presidential Directive 5 and 8, and the National Strategy for Information Sharing of 2007 impose information gathering, sharing, and storage requirements upon our analytical unit.

Funding Streams

The Criminal Justice Division is supported by the General Fund as well as various federal and other grants.

for action.

⁵ Intelligence profiles are backgrounds on subjects requested by a law enforcement officer in connection to a criminal investigation.

⁶ Link analysis is a data-analysis technique used to evaluate connections between organizations, people and transactions. Link analysis is crucial to the success of investigations into organized crime and terror groups.

⁷ Examples of threat assessments conducted during this time are, the United States Olympic Trials, the Hillsboro Air Show, the Pendleton Round-Up, the Major League Soccer All Star game, and the Hood to Coast Relay.

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Significant Proposed Program Changes from 2013-15

In the next biennium, the Criminal Justice Division is seeking continued funding of the Fusion Center, expanded ability to investigate child pornography and cybercrime cases as well as adding family violence and elder abuse resource prosecutors.

In addition, Policy Package 144 proposes to remove the Criminal Justice Division from DOJ's legal fund and replace the resources with General Fund. Currently General Fund resources support the division through the billing structure.

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Criminal Justice

010 - Non-PICS Psnl Svc / Vacancy Factor

Purpose: This package includes the following adjustments: Standard Inflation factor of 3%, adjustment for the 2015-17 vacancy factor and mass transit taxes, and PERS bond assessment (PBA).

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source:

\$41,321	General Fund
\$68,242	Other Funds Limited
(\$14,369)	Federal Funds Limited
\$95,194	Total Funds

021 – Phase Ins

Purpose: This package phases in funding related to the 2014 February Session which funded Legal program enhancements for the Criminal Justice Division. These enhancements included the adding of a Senior Assistant Attorney General and a Criminal Investigator to the District Attorney/Law Enforcement Assist Unit and adding a Senior Assistant Attorney General to the Organized Crime Section.

How Achieved: Biennialized service and supplies expenditures.

2013-15/2015-17 Staffing Impact: None

Revenue Source: \$168,067 General Fund

Governor's Budget

Criminal Justice

022 – Phase-Outs

Purpose: This package phases-out limited duration and one-time funding for the 2013-15 packages that covered: Driving Under the Influence of Intoxicants Prosecutions, Titan Fusion Center and Internet Crimes Against Children.

How Achieved: Eliminated expenditures approved in 2013-15 policy packages 256 and 812.

2015-17/2017-19 Staffing Impact: None

Revenue Source:

(\$127,339)	General Fund
(\$196,178)	Other Funds Limited
(\$108,912)	Federal Funds Limited
(\$432,429)	Total Funds

031 – Standard Inflation and State Government Service Charge

Purpose: Standard inflation of 3% was applied to all services and supply accounts except for rent and state government services charges. The package adjusts the state government service charges assessed by DAS, Secretary of State Audits Division, State Library, Supreme Court Library, Risk Management, and others. Inflation of 3% was applied to uniform rent, 4.4% was applied to non uniform rent and the Attorney General budget was inflated by 19.20%.

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source:

\$861,848	General Fund
\$271,261	Other Funds Limited
\$262,800	Federal Funds Limited
\$1,395,909	Total Funds

Governor's Budget

Criminal Justice

032 – Above Standard Inflation

Purpose: This package adjusts State Government Price list changes not in line with the 3% increase, Professional Services above 3%, and rent due to DAS lease fee increases above 4.4% in the 2015-17 biennium.

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source:

(\$1,290)	General Fund
\$3,582	Other Funds Limited
\$44,234	Federal Funds Limited
\$46,526	Total Funds

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	41,321	-	-	-	-	-	41,321
Federal Funds	-	-	-	(14,369)	-	-	(14,369)
Total Revenues	\$41,321	-	-	(\$14,369)	-	-	\$26,952
Personal Services							
Temporary Appointments	-	-	273	-	-	-	273
Overtime Payments	142	-	149	-	-	-	291
Shift Differential	5	-	3	-	-	-	8
All Other Differential	47	-	119	-	-	-	166
Public Employees' Retire Cont	30	-	43	-	-	-	73
Pension Obligation Bond	44,693	-	14,844	235	-	-	59,772
Social Security Taxes	15	-	41	-	-	-	56
Unemployment Assessments	4,141	-	2,197	-	-	-	6,338
Mass Transit Tax	1,717	-	(1,075)	-	-	-	642
Vacancy Savings	(9,469)	-	51,648	(14,604)	-	-	27,575
Total Personal Services	\$41,321	-	\$68,242	(\$14,369)	-	-	\$95,194
Total Expenditures							
Total Expenditures	41,321	-	68,242	(14,369)	-	-	95,194
Total Expenditures	\$41,321	-	\$68,242	(\$14,369)	-	-	\$95,194

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
 Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Name: Criminal Justice
 Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	(68,242)	-	-	-	(68,242)
Total Ending Balance	-	-	(\$68,242)	-	-	-	(\$68,242)

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 021 - Phase-in

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	168,067	-	-	-	-	-	168,067
Total Revenues	\$168,067	-	-	-	-	-	\$168,067
Services & Supplies							
Instate Travel	5,386	-	-	-	-	-	5,386
Employee Training	1,778	-	-	-	-	-	1,778
Office Expenses	720	-	-	-	-	-	720
Telecommunications	776	-	-	-	-	-	776
Data Processing	2,000	-	-	-	-	-	2,000
Publicity and Publications	8	-	-	-	-	-	8
Attorney General	98,039	-	-	-	-	-	98,039
Employee Recruitment and Develop	18	-	-	-	-	-	18
Dues and Subscriptions	203	-	-	-	-	-	203
Facilities Rental and Taxes	4,853	-	-	-	-	-	4,853
Facilities Maintenance	2	-	-	-	-	-	2
Agency Program Related S and S	3,342	-	-	-	-	-	3,342
Intra-agency Charges	52,707	-	-	-	-	-	52,707
Other Services and Supplies	3,361	-	-	-	-	-	3,361
Expendable Prop 250 - 5000	(3,618)	-	-	-	-	-	(3,618)
IT Expendable Property	(1,508)	-	-	-	-	-	(1,508)
Total Services & Supplies	\$168,067	-	-	-	-	-	\$168,067

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 021 - Phase-in

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total Expenditures							
Total Expenditures	168,067	-	-	-	-	-	168,067
Total Expenditures	\$168,067	-	-	-	-	-	\$168,067
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 022 - Phase-out Pgm & One-time Costs

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(127,339)	-	-	-	-	-	(127,339)
Federal Funds	-	-	-	(108,912)	-	-	(108,912)
Total Revenues	(\$127,339)	-	-	(\$108,912)	-	-	(\$236,251)
Personal Services							
Unemployment Assessments	-	-	-	-	-	-	-
Total Personal Services	-	-	-	-	-	-	-
Services & Supplies							
Instate Travel	(6,726)	-	(33,762)	(9,557)	-	-	(50,045)
Out of State Travel	-	-	-	-	-	-	-
Employee Training	(3,308)	-	(4,035)	(4,287)	-	-	(11,630)
Office Expenses	(2,609)	-	(7,871)	(1,734)	-	-	(12,214)
Telecommunications	(1,957)	-	(3,217)	(600)	-	-	(5,774)
Data Processing	(4,124)	-	(6,506)	(4,823)	-	-	(15,453)
Publicity and Publications	(15)	-	(16)	(20)	-	-	(51)
Attorney General	(53,783)	-	-	-	-	-	(53,783)
Employee Recruitment and Develop	(47)	-	(113)	(41)	-	-	(201)
Dues and Subscriptions	(654)	-	(1,825)	(488)	-	-	(2,967)
Facilities Rental and Taxes	(12,189)	-	(26,520)	(11,700)	-	-	(50,409)
Fuels and Utilities	(4)	-	(18)	-	-	-	(22)
Facilities Maintenance	(12)	-	(50)	(5)	-	-	(67)
Agency Program Related S and S	(6,215)	-	(7,563)	(8,058)	-	-	(21,836)
Intra-agency Charges	(31,715)	-	(97,334)	(51,271)	-	-	(180,320)

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of

Pkg: 022 - Phase-out Pgm & One-time Costs

Cross Reference Name: Criminal Justice

Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Other Services and Supplies	(3,981)	-	(1,690)	(5,013)	-	-	(10,684)
Expendable Prop 250 - 5000	-	-	(3,994)	(7,987)	-	-	(11,981)
IT Expendable Property	-	-	(1,664)	(3,328)	-	-	(4,992)
Total Services & Supplies	(\$127,339)	-	(\$196,178)	(\$108,912)	-	-	(\$432,429)
Total Expenditures							
Total Expenditures	(127,339)	-	(196,178)	(108,912)	-	-	(432,429)
Total Expenditures	(\$127,339)	-	(\$196,178)	(\$108,912)	-	-	(\$432,429)
Ending Balance							
Ending Balance	-	-	196,178	-	-	-	196,178
Total Ending Balance	-	-	\$196,178	-	-	-	\$196,178

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 031 - Standard Inflation

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	861,848	-	-	-	-	-	861,848
Federal Funds	-	-	-	262,800	-	-	262,800
Total Revenues	\$861,848	-	-	\$262,800	-	-	\$1,124,648
Services & Supplies							
Instate Travel	3,833	-	6,817	1,279	-	-	11,929
Out of State Travel	80	-	256	120	-	-	456
Employee Training	694	-	1,480	588	-	-	2,762
Office Expenses	967	-	2,210	636	-	-	3,813
Telecommunications	2,423	-	5,465	2,681	-	-	10,569
State Gov. Service Charges	129,530	-	120,971	49,978	-	-	300,479
Data Processing	209	-	660	205	-	-	1,074
Publicity and Publications	4	-	20	28	-	-	52
Professional Services	533	-	1,021	8,764	-	-	10,318
Attorney General	697,765	-	75,251	-	-	-	773,016
Employee Recruitment and Develop	140	-	138	-	-	-	278
Dues and Subscriptions	474	-	515	195	-	-	1,184
Facilities Rental and Taxes	10,404	-	25,567	11,019	-	-	46,990
Facilities Maintenance	14	-	8	5	-	-	27
Agency Program Related S and S	2,106	-	159	1,293	-	-	3,558
Intra-agency Charges	10,951	-	25,359	17,657	-	-	53,967
Other Services and Supplies	1,045	-	2,758	1,817	-	-	5,620
Expendable Prop 250 - 5000	631	-	405	3,515	-	-	4,551

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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 031 - Standard Inflation

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
IT Expendable Property	45	-	2,201	976	-	-	3,222
Total Services & Supplies	\$861,848	-	\$271,261	\$100,756	-	-	\$1,233,865
Capital Outlay							
Automotive and Aircraft	-	-	-	872	-	-	872
Total Capital Outlay	-	-	-	\$872	-	-	\$872
Special Payments							
Dist to Cities	-	-	-	28,467	-	-	28,467
Dist to Counties	-	-	-	131,499	-	-	131,499
Spc Pmt to Police, Dept of State	-	-	-	1,206	-	-	1,206
Total Special Payments	-	-	-	\$161,172	-	-	\$161,172
Total Expenditures							
Total Expenditures	861,848	-	271,261	262,800	-	-	1,395,909
Total Expenditures	\$861,848	-	\$271,261	\$262,800	-	-	\$1,395,909
Ending Balance							
Ending Balance	-	-	(271,261)	-	-	-	(271,261)
Total Ending Balance	-	-	(\$271,261)	-	-	-	(\$271,261)

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 032 - Above Standard Inflation

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	(1,290)	-	-	-	-	-	(1,290)
Federal Funds	-	-	-	44,234	-	-	44,234
Total Revenues	(\$1,290)	-	-	\$44,234	-	-	\$42,944
Services & Supplies							
Employee Training	97	-	462	-	-	-	559
Office Expenses	-	-	(1)	-	-	-	(1)
Telecommunications	(2,500)	-	(500)	(2,500)	-	-	(5,500)
Professional Services	53	-	102	876	-	-	1,031
Employee Recruitment and Develop	57	-	277	-	-	-	334
Facilities Rental and Taxes	377	-	6,064	1,417	-	-	7,858
Other Services and Supplies	626	-	(2,822)	44,441	-	-	42,245
Total Services & Supplies	(\$1,290)	-	\$3,582	\$44,234	-	-	\$46,526
Total Expenditures							
Total Expenditures	(1,290)	-	3,582	44,234	-	-	46,526
Total Expenditures	(\$1,290)	-	\$3,582	\$44,234	-	-	\$46,526
Ending Balance							
Ending Balance	-	-	(3,582)	-	-	-	(3,582)
Total Ending Balance	-	-	(\$3,582)	-	-	-	(\$3,582)

Governor's Budget

Criminal Justice

141 — Fusion Center

~~**Purpose:** This package provides for sustainment of the Oregon TITAN Fusion Center. Prior to the February 2014 Legislative Session, the Fusion Center was funded by a grant from the Oregon Office of Emergency Management (OEM). In February 2014, the Department of Justice requested the Legislative Assembly approve General Fund for the Oregon Department of Justice analysts assigned to the Fusion Center because the Fusion Center could not be sustained under the OEM grant alone. This request was granted with limited duration positions. This package makes these positions permanent.~~

~~The Oregon TITAN Fusion Center is critical to the safety of Oregonians. The information-sharing, analysis, and training provided by the Fusion Center is essential to law enforcement and is not provided by any other agency in Oregon. This package ensures these vital services will continue.~~

~~**How Achieved:** Replaces limited duration Fusion Center positions with permanent positions.~~

~~**2015-17 Staffing Impact:** 4 Positions/4.00 FTE
Research Analyst 3 — 3 position/3.00 FTE
Principal; Executive Manager D — 1 position/1.00 FTE~~

~~**2017-19 Staffing Impact:** Same as above.~~

~~**Quantifying Results:** The Fusion Center is required to meet federal and state standards for fusion centers. Performance is measured by the Department of Homeland Security in an assessment of Critical Operational Capabilities (Receive, Analyze, Disseminate and Gather) which reflect the operational priorities of the National Network of Fusion Centers as well as of Enabling Capacities (Privacy, Civil Rights and Civil Liberties Protections; Sustainment Strategy; Communications and Outreach; and Security). To that end, the Fusion Center maintains a number of databases to record performance which is reported to The Department of Homeland Security and the Oregon Office of Emergency management. The Fusion Center will continue to track performance using these databases.~~

~~**Revenue Source:** (\$1,208,000) General Fund~~

Governor's Budget

Criminal Justice

142—Prosecution and Investigation

Purpose:

~~This package is designed to expand the Division's ability to investigate child pornography and cybercrime cases. It also provides for family violence and elder abuse resource prosecutors.~~

Child pornography:

~~The stakes in child pornography investigations are high—those who trade in child pornography are more likely pedophilic than those who have committed prior sex offenses against children. See Michael C. Seto, *Pedophilia*, Annual Review of Clinical Psychology, 5, 391-407 (2009). As a result, those trading in child pornography are more likely engage in future “hands on” offenses than those with prior sex offenses against children. *Id.*~~

~~Investigations into online child pornography are very time intensive and require specialized training and equipment. This is due to the high stakes and technology involved. The Department of Justice's child pornography investigations are conducted by the Child Exploitation Unit's ICAC Task Force (ICAC). Unfortunately, due to resource limitations, ICAC is not able to fully investigate all of the cyber tips that come to it. From July 1, 2011, to June 30, 2014, ICAC received 3,528 tips. During the same period of time, ICAC investigated 98 cases.~~

~~Package 142 includes three Criminal Investigators and one Assistant Attorney General to increase the number of child pornography cases investigated and prosecuted.~~

Cybercrimes

Information

~~Cybercrime is a rapidly growing threat involving the use of computers to commit crime. Cybercrime often involves fraud, theft, extortion, identity theft, bullying, “sextortion,” stalking, harassment, and other crimes. The scope of cybercrime is largely unknown due to the~~

Governor's Budget

difficulty in identifying offenders in the anonymity of the Internet. However, estimates place the number of victims in the United States in 2013 at 59 million.⁸ The total cost of cybercrime in the United States in the past year has been estimated at \$38 billion.⁹

The pervasiveness of the Internet in modern society presents a security risk that affects the general population, government agencies, private organizations, critical infrastructure, and any person or entity connected to the Internet either through a computer or mobile device.¹⁰

In 2013, the FBI Internet Crime Complaint Center (IC3) received 262,813 complaints from individual consumers. The adjusted dollar loss of these consumer complaints totaled \$781,841,611.¹¹ The dollar loss of consumer complaints from complainants over the age of 50 totaled \$337,693,409.¹² Of particular concern is the fact that while only 15.2% of reports were from complainants over the age of 60, the reported adjusted losses from those complaints totaled \$160,129,686.¹³

In 2008, the United States Department of Justice published a special report on incidents of cybercrime against businesses occurring in 2005. 67% of the 7818 businesses that responded detected at least one cybercrime in 2005.¹⁴ The businesses responding to the survey detected more than 22 million incidents of cybercrime in 2005 with the majority of these incidents involving computer security, *i.e.* spyware, adware, phishing, and spoofing.¹⁵ Interestingly, 85% of businesses did not report cyber-attacks to law enforcement agencies.¹⁶ Half of the businesses that did not report to law enforcement thought there was nothing to be gained by making a report.¹⁷

The monetary loss to these businesses due to cybercrime totaled \$867 million, with cyber theft accounting for more than half of the loss (\$450 million).¹⁸ 91% of the businesses that responded to the survey as affected by cybercrime incurred either monetary loss, system downtime, or both.¹⁹ Approximately 86% of the victimized businesses detected multiple incidents of which half of those detected 10 or

⁸ 2013 Norton Report, NORTON BY SYMANTEC 1 (2013) [hereinafter The Norton Report].

⁹ *Id.* at 1.

¹⁰ See generally *Id.*

¹¹ FBI Internet Crime Complaint Center, 2013 *Internet Crime Report*, FEDERAL BUREAU OF INVESTIGATION 3 (2013) [hereinafter The IC3 Report]. These statistics only calculate losses by the individuals who reported incidents to the IC3.

¹² *Id.* at 6.

¹³ *Id.*

¹⁴ Ramona R. Rantala, *Cybercrime against Businesses, 2005*, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT 1 (September, 2008).

¹⁵ *Id.* at 1.

¹⁶ *Id.* at 7.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 4.

Governor's Budget

~~more incidents.²⁰ According to the report, cybercrime incidents spanned nearly every economic industry in the United States.²¹ Approximately 66% of the incidents involving computer security targeted critical infrastructure businesses like scientific research and development businesses.²²~~

Cybercrime in Oregon

~~According to IC3, in 2013 Oregon ranked 22nd in total dollar losses to cybercrime (\$6,398,079).²³ Unfortunately for Oregon, California ranked first and Washington ranked 9th in total dollar losses. As with many other Oregon crime trends, it is likely cybercrime in Oregon is and will continue to be influenced by cybercrime in California and Washington.~~

~~Despite the threat outlined above, there is no state or local law enforcement agency in Oregon tasked with investigating cybercrime cases. The Criminal Justice Division, with our experience in combatting computer facilitated child pornography and complex organized crime groups, is well situated for a cybercrime unit. Through ICAC we are very familiar with technology based investigations, which of course is what cybercrime investigations involve. Our Organized Crime section has developed tried and true methods for taking apart organized crime groups of all kinds. In addition, CJD generally has good partnerships with federal agencies working these types of cases.~~

~~Package 142 includes a cybercrimes unit composed of two Assistant Attorney Generals, one Senior Assistant Attorney General, four criminal investigators, one criminal financial investigator, one research analyst and one legal secretary.~~

Resource Prosecutors

~~The Criminal Justice Division currently has two resource prosecutors who provide valuable training and advice to law enforcement officers and prosecutors regarding Driving Under the Influence of Intoxicants (DUI) cases and domestic violence cases. The DUI prosecutor is funded by a grant from the Department of Transportation which is addressed in Policy Package 143.~~

~~To date, the domestic violence resource prosecutor has been funded by the Department of Justice's Crime Victim Compensation Division through punitive damages. Due to the decline in punitive damages awards statewide, funding for this position is expected to end in 2016. The domestic violence resource prosecutor is a valuable resource for prosecutors and law enforcement across the state, providing training, legal updates, and advice about domestic violence investigations and prosecutions. This position also provides~~

²⁰ *Id.*

²¹ *See Id.* at 1.

²² *Id.* at 5.

²³ The IC3 Report *supra* at 31.

Governor's Budget

~~advice to various state committees working toward combatting family violence. This package creates a family violence resource prosecutor to ensure the ongoing provision of services aimed at reducing domestic and family violence.~~

~~In addition, this package adds an elder abuse resource prosecutor. Elder abuse is a pervasive problem. It includes financial, physical, and sexual abuse. A centralized resource in the Criminal Justice Division would be invaluable to the law enforcement (and civilian) community.~~

~~**How Achieved:** This package adds one Assistant Attorney General and three criminal investigators to the Child Exploitation Unit to work on child pornography cases. The package also creates a cybercrime unit in the Criminal Justice Division. The cybercrime unit is to be composed of two Assistant Attorney Generals, one Senior Assistant Attorney General, four criminal investigators, one criminal financial investigator, one research analyst and one legal secretary. The package also adds a family violence prosecutor and an elder abuse resource prosecutor.~~

~~**2015-17 Staffing Impact:** 16 Positions/10.63 FTE-
Senior Assistant Attorney General — 3 positions/2.38 FTE
Assistant Attorney General — 3 positions/1.88 FTE
Criminal Investigator — 7 positions 4.64 FTE
Criminal Financial Investigator — 1 position/0.50 FTE
Research Analyst 3 — 1 position/0.50 FTE
Legal Secretary — 1 position/0.75 FTE~~

~~**2017-19 Staffing Impact:** 16 Positions/16.00 FTE-
Senior Assistant Attorney General — 3 positions/3.00 FTE
Assistant Attorney General — 3 positions/3.00 FTE
Criminal Investigator — 7 positions/7.00 FTE
Criminal Financial Investigator — 1 position/1.00 FTE
Research Analyst 3 — 1 position/1.00 FTE
Legal Secretary — 1 position/1.00 FTE~~

~~**Quantifying Results:** The Criminal Justice Division maintains a searchable database to manage cases and track outcomes. This database will be used to track performance throughout the biennium.~~

~~**Revenue Source:** \$3,584,972 General Fund~~

Governor's Budget

Criminal Justice

143 – Continuing Grants

Purpose: Continue 1 limited duration Senior Assistant Attorney General position for the DUII Resource Prosecutor Program and two limited duration Special Agents for the ICAC Task Force.

How Achieved: The DUII Resource Prosecutor Program is funded through a grant from ODOT. The grant expires in September, 2014, but will be renewed by DOJ through ODOT.

The two ICAC Special Agents are federally funded. This POP will allow the limitation authority to expend the Federal Funds to maintain these positions.

2015-17 Staffing Impact: 3 Positions/2.00 FTE
Senior Assistant Attorney General – 1 position/1.00 FTE
Criminal Investigator – 2 positions/1.00 FTE

2017-19 Staffing Impact: None

Quantifying Results: The Criminal Justice Division maintains a searchable database to manage cases and track outcomes. This database will be used to track performance throughout the biennium.

Revenue Source: \$474,382 Other Funds Limited
\$382,856 Federal Funds Limited
\$857,238 Total Funds

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 143 - Continuing Grants - CJ

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
Federal Funds	-	-	-	382,856	-	-	382,856
Tsfr From Transportation, Dept	-	-	474,382	-	-	-	474,382
Total Revenues	-	-	\$474,382	\$382,856	-	-	\$857,238
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	246,648	178,704	-	-	425,352
Empl. Rel. Bd. Assessments	-	-	44	44	-	-	88
Public Employees' Retire Cont	-	-	38,946	28,218	-	-	67,164
Social Security Taxes	-	-	18,869	13,670	-	-	32,539
Worker's Comp. Assess. (WCD)	-	-	69	68	-	-	137
Mass Transit Tax	-	-	1,480	-	-	-	1,480
Flexible Benefits	-	-	30,528	30,528	-	-	61,056
Other OPE	-	-	-	16,778	-	-	16,778
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	-	-	\$336,584	\$268,010	-	-	\$604,594
Services & Supplies							
Instate Travel	-	-	16,948	16,948	-	-	33,896
Employee Training	-	-	4,873	4,873	-	-	9,746
Office Expenses	-	-	2,852	2,852	-	-	5,704
Telecommunications	-	-	696	696	-	-	1,392
Data Processing	-	-	8,881	8,881	-	-	17,762
Employee Recruitment and Develop	-	-	81	81	-	-	162
Dues and Subscriptions	-	-	1,014	1,014	-	-	2,028

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 143 - Continuing Grants - CJ

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Facilities Rental and Taxes	-	-	21,834	21,834	-	-	43,668
Facilities Maintenance	-	-	6	6	-	-	12
Agency Program Related S and S	-	-	8,593	8,593	-	-	17,186
Intra-agency Charges	-	-	62,432	44,499	-	-	106,931
Other Services and Supplies	-	-	3,589	3,589	-	-	7,178
Expendable Prop 250 - 5000	-	-	4,325	-	-	-	4,325
IT Expendable Property	-	-	1,674	980	-	-	2,654
Total Services & Supplies	-	-	\$137,798	\$114,846	-	-	\$252,644
Total Expenditures							
Total Expenditures	-	-	474,382	382,856	-	-	857,238
Total Expenditures	-	-	\$474,382	\$382,856	-	-	\$857,238
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-
Total Positions							
Total Positions	-	-	-	-	-	-	3
Total Positions	-	-	-	-	-	-	3

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
 Pkg: 143 - Continuing Grants - CJ

Cross Reference Name: Criminal Justice
 Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Total FTE							
Total FTE							2.00
Total FTE	-	-	-	-	-	-	2.00

Governor's Budget

08/05/14 REPORT NO.: PPDFFISCAL DEPT. OF ADMIN. SVCS. -- PPDB PICS SYSTEM PAGE 1
 REPORT: PACKAGE FISCAL IMPACT REPORT 2015-17 PROD FILE
 AGENCY:13700 DEPT OF JUSTICE PICS SYSTEM: BUDGET PREPARATION
 SUMMARY XREF:040-00-00 Criminal Justice PACKAGE: 143 - Continuing Grants - CJ

POSITION NUMBER	CLASS COMP	CLASS NAME	POS CNT	FTE	MOS	STEP	RATE	GF SAL/OPE	OF SAL/OPE	FF SAL/OPE	LF SAL/OPE	AF SAL/OPE
5234057	IJ C5234 AA	CRIMINAL INVESTIGATOR	1	.50	12.00	09	7,446.00			89,352 36,264		89,352 36,264
5234058	IJ C5234 AA	CRIMINAL INVESTIGATOR	1	.50	12.00	09	7,446.00			89,352 36,264		89,352 36,264
7505209	AJ U7505 AA	SR ASSISTANT ATTORNEY GENERAL	1	1.00	24.00	06	10,277.00		246,648 88,456			246,648 88,456
TOTAL PICS SALARY									246,648	178,704		425,352
TOTAL PICS OPE									88,456	72,528		160,984
TOTAL PICS PERSONAL SERVICES =			3	2.00	48.00			335,104	251,232			586,336

Governor's Budget

Criminal Justice

144—Rate Structure

~~**Purpose:** Increase transparency in budgeting for the Criminal Justice Division.~~

~~Currently General Fund resources support 10 of Criminal Justice positions through direct appropriation and 23 positions through legal rate billings. As resource adjustments, often reductions, have occurred over time, typically the administrative and investigative staff have remained in DOJ's legal fund, while the attorney staff have shifted to the General Fund. This has created a disparity in the rate structure as attorney billings would typically recoup the cost of the associated administrative support. Shifting primarily to a single funding source is expected to increase transparency in budgeting for the Criminal Justice Division.~~

~~**How Achieved:** Shift all non-grant supported staff to direct General Fund support and eliminate the General Fund AG line item.~~

~~**2015-17 Staffing Impact:** None~~

~~**2017-19 Staffing Impact:** None~~

~~**Quantifying Results:** While there is a direct General Fund increase requested in this policy package, if approved, the legal fund hourly rate is projected to be reduced by 3%.~~

~~Previously the General Fund and Lottery Funds have made up about 40% of the billing sources, so the anticipated reduction in rate is roughly equivalent to \$1.5 million in these funds.~~

Revenue Source:	\$1,604,849	General Fund
	(\$7,704,375)	Other Funds Limited
	\$6,099,526	Total Funds

~~**Although Package 144 was not approved, \$5,147,380 in revenue appears in the Governor's budget.**~~

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 144 - Rate Restructure

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	-	-	-	-	-	-	-
Charges for Services	-	-	5,147,380	-	-	-	5,147,380
Total Revenues	-	-	\$5,147,380	-	-	-	\$5,147,380
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	-	-	-	-	-
Temporary Appointments	-	-	-	-	-	-	-
Overtime Payments	-	-	-	-	-	-	-
Shift Differential	-	-	-	-	-	-	-
All Other Differential	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	-	-	-	-	-	-	-
Public Employees' Retire Cont	-	-	-	-	-	-	-
Pension Obligation Bond	-	-	-	-	-	-	-
Social Security Taxes	-	-	-	-	-	-	-
Unemployment Assessments	-	-	-	-	-	-	-
Worker's Comp. Assess. (WCD)	-	-	-	-	-	-	-
Mass Transit Tax	-	-	-	-	-	-	-
Flexible Benefits	-	-	-	-	-	-	-
Vacancy Savings	-	-	-	-	-	-	-
Total Personal Services	-	-	-	-	-	-	-
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Out of State Travel	-	-	-	-	-	-	-

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 144 - Rate Restructure

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
State Gov. Service Charges	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-
Attorney General	-	-	-	-	-	-	-
Employee Recruitment and Develop	-	-	-	-	-	-	-
Dues and Subscriptions	-	-	-	-	-	-	-
Facilities Rental and Taxes	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-
Agency Program Related S and S	-	-	-	-	-	-	-
Intra-agency Charges	-	-	-	-	-	-	-
Other Services and Supplies	-	-	-	-	-	-	-
Expendable Prop 250 - 5000	-	-	-	-	-	-	-
IT Expendable Property	-	-	-	-	-	-	-
Total Services & Supplies	-	-	-	-	-	-	-
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	-	-	-	-	-	-	-

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
 Pkg: 144 - Rate Restructure

Cross Reference Name: Criminal Justice
 Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	5,147,380	-	-	-	5,147,380
Total Ending Balance	-	-	\$5,147,380	-	-	-	\$5,147,380
Total Positions							
Total Positions							-
Total Positions	-	-	-	-	-	-	-
Total FTE							
Total FTE							-
Total FTE	-	-	-	-	-	-	-

Governor's Budget

Criminal Justice

147 – Position Reclassification

Purpose: This package reclassifies two federally funded positions.

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source: \$39,164 Federal Funds Limited

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 147 - Position Reclassification

Cross Reference Name: Criminal Justice
Cross Reference Number: 13700-040-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
Federal Funds	-	-	-	39,164	-	-	39,164
Total Revenues	-	-	-	\$39,164	-	-	\$39,164
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	-	31,728	-	-	31,728
Public Employees' Retire Cont	-	-	-	5,009	-	-	5,009
Social Security Taxes	-	-	-	2,427	-	-	2,427
Total Personal Services	-	-	-	\$39,164	-	-	\$39,164
Total Expenditures							
Total Expenditures	-	-	-	39,164	-	-	39,164
Total Expenditures	-	-	-	\$39,164	-	-	\$39,164
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS	2011-13 Actual	2013-15	2013-15 Estimated	2015-17		
		Revenue Acct		Legislatively Approved		Agency Request	Governor's Budget	Legislatively Adopted
Legal Billings to Client Agencies - Other Funds Ltd	3400	0410	\$ 7,691,753	\$ 7,169,808	\$ 7,169,808	\$ -	\$ 10,294,760	
Misc. Legal - Other Funds Ltd	3400	0705,0975	\$ 125,737	\$ 15,000	\$ 15,000	\$ -	\$ -	
Misc. Legal - Transfer In/(Out)	3400	1010,1257,2010	\$ -	\$ -	\$ -	\$ -	\$ -	
Criminal Justice - Other Funds Ltd - RAIN, Fusion, RICO, etc	3400	0210,0410,0705,0910,0975	\$ 1,040,269	\$ 655,438	\$ 655,438	\$ 1,181,819	\$ 1,181,819	
CJ - Other Funds Non-Ltd - RICO	3200	0505,0705,0975	\$ 419,222	\$ 250,708	\$ -	\$ -	\$ -	
Criminal Justice - Federal Funds Ltd - HIDTA, etc.	6400	0995	\$ 9,829,192	\$ 9,697,203	\$ 9,697,203	\$ 10,123,145	\$ 10,156,774	
Criminal Justice - Other Funds Non-Ltd - Transfers In/(Out) - RICO	3200	2010	\$ -	\$ -	\$ -	\$ -		
Criminal Justice - Other Funds Ltd - Transfers In/(Out) - CDIU/Terrorism/DUII	3400	1100,1248,1257,1730	\$ 2,168,799	\$ 1,451,135	\$ 1,451,135	\$ 1,652,591	\$ 1,652,591	
Total Other Funds Ltd	3400		\$ 11,026,558	\$ 9,291,381	\$ 9,291,381	\$ 2,834,410	\$ 13,129,170	\$ -
Total Other Funds Non-Ltd	3200		\$ 419,222	\$ 250,708	\$ -	\$ -	\$ -	\$ -
Total Federal Funds Ltd	6400		\$ 9,829,192	\$ 9,697,203	\$ 9,697,203	\$ 10,123,145	\$ 10,156,774	\$ -
Total Federal Funds Non-Ltd	6200		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Governor's Budget

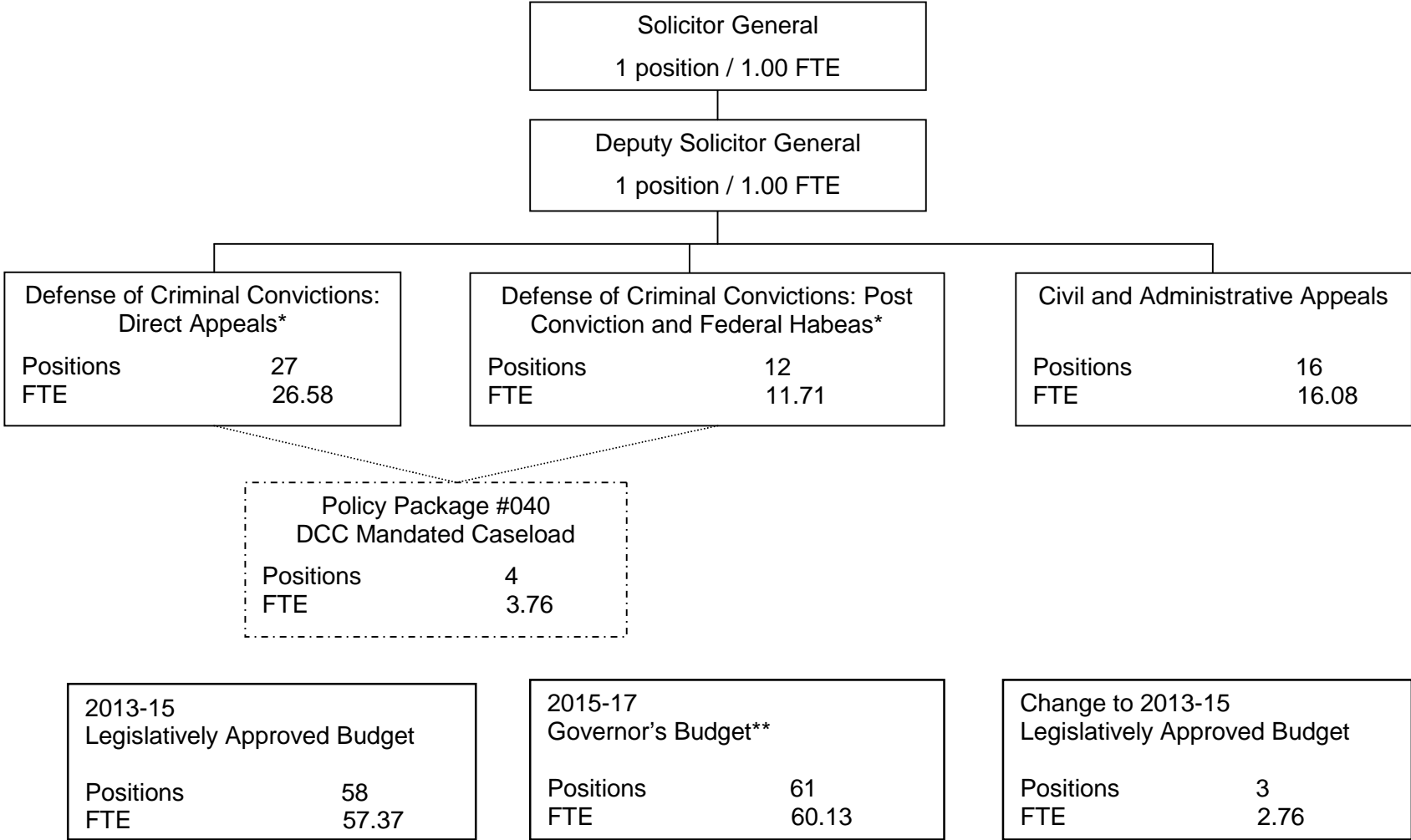
DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Justice, Dept of Agency Number: 13700
 2015-17 Biennium Cross Reference Number: 13700-040-00-00-00000

Source	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
Other Funds						
Non-business Lic. and Fees	-	329,671	329,671	-	-	-
Charges for Services	8,103,032	7,495,575	7,495,575	360,639	10,655,399	-
Fines and Forfeitures	675,640	-	-	-	-	-
Other Revenues	79,087	15,000	15,000	821,180	821,180	-
Tsfr From Human Svcs, Dept of	1,162,040	1,092,735	1,092,735	1,178,209	1,178,209	-
Tsfr From Criminal Justice Comm	43,170	-	-	-	-	-
Tsfr From Military Dept, Or	604,005	-	-	-	-	-
Tsfr From Transportation, Dept	359,584	358,400	358,400	474,382	474,382	-
Total Other Funds	\$11,026,558	\$9,291,381	\$9,291,381	\$2,834,410	\$13,129,170	-
Federal Funds						
Federal Funds	9,829,192	9,603,735	9,697,203	10,123,145	10,156,774	-
Total Federal Funds	\$9,829,192	\$9,603,735	\$9,697,203	\$10,123,145	\$10,156,774	-
Nonlimited Other Funds						
Fines and Forfeitures	416,012	-	-	-	-	-
Other Revenues	3,210	250,708	250,708	-	-	-
Total Nonlimited Other Funds	\$419,222	\$250,708	\$250,708	-	-	-

Governor's Budget

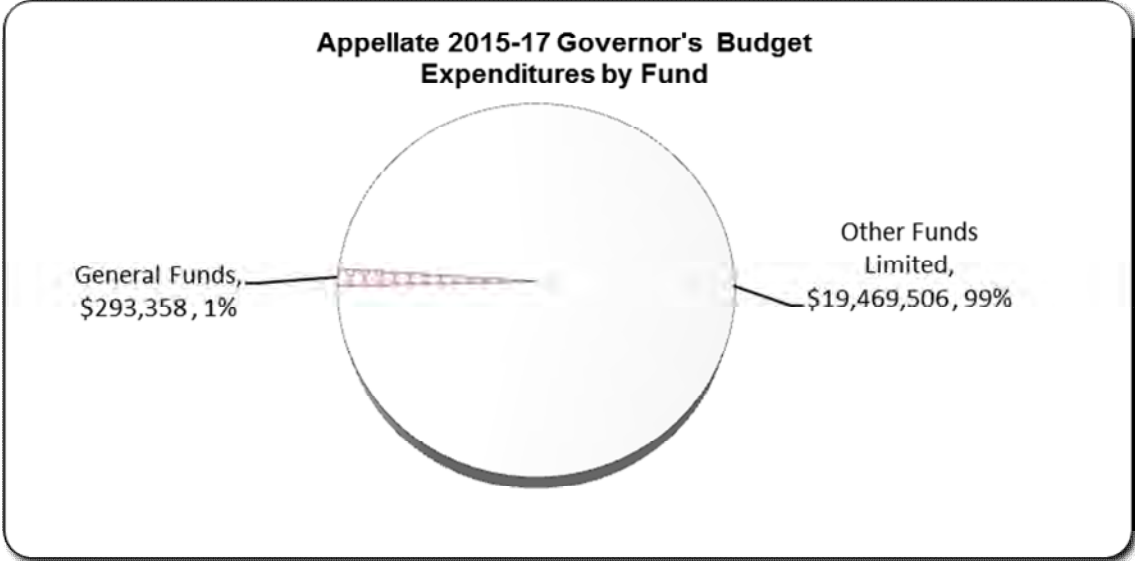
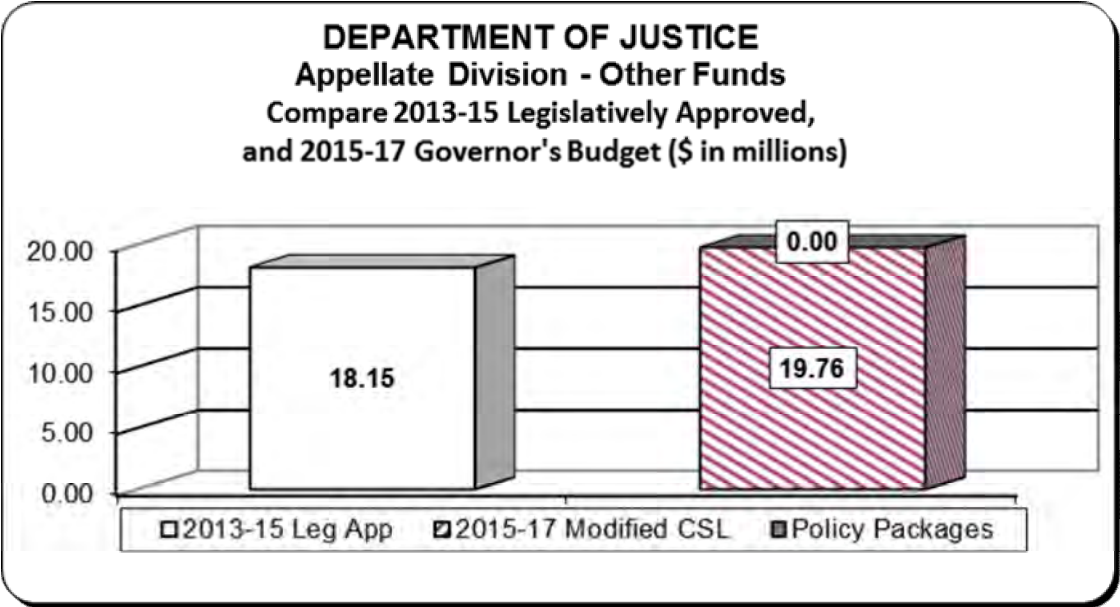
Appellate Division



* Positions and FTE based on an average hours worked in each program as of June 2014.

** Net transfer of 1 position / 1.00 FTE to another division through an administrative summary cross reference changes.

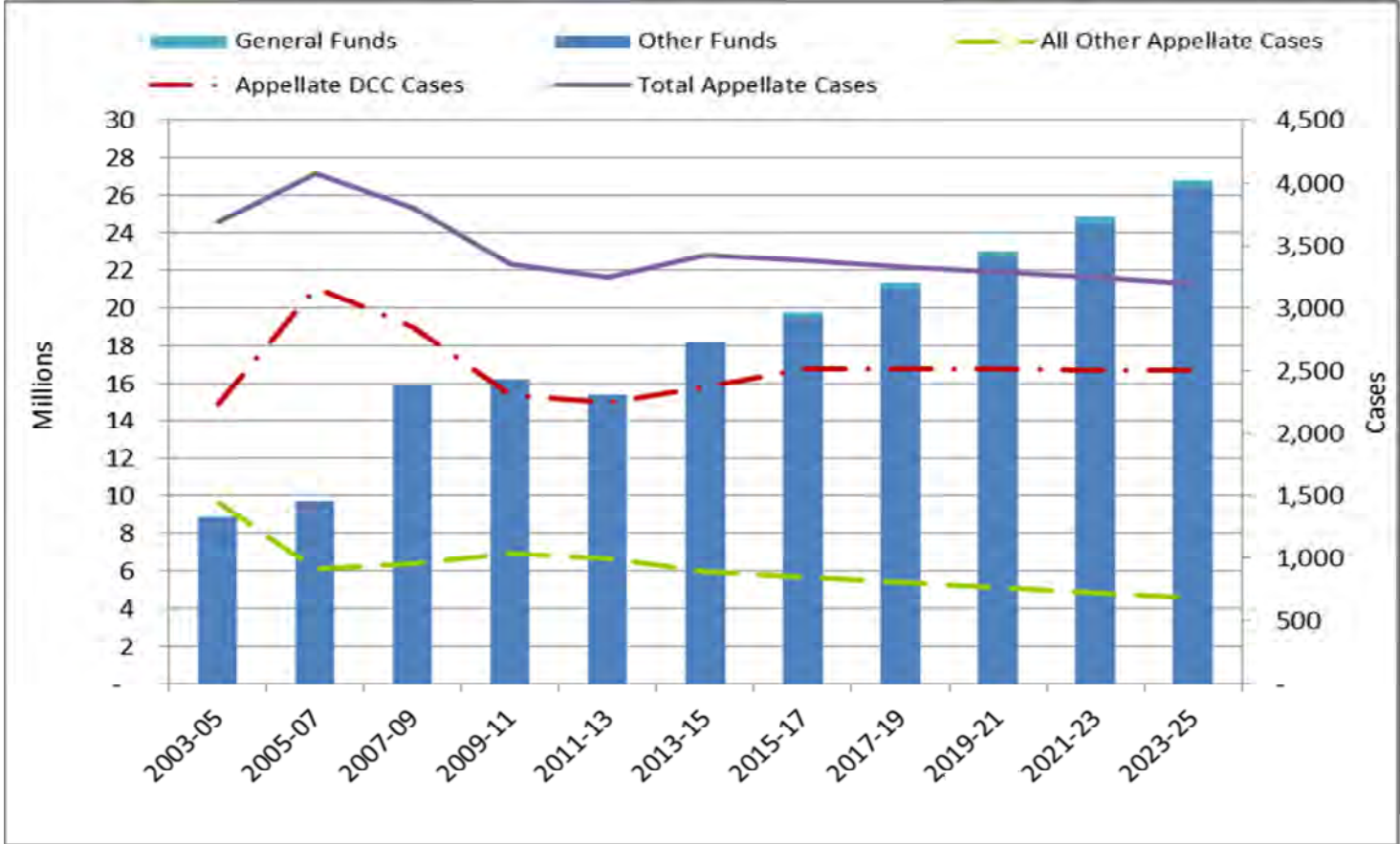
Governor's Budget



Governor's Budget

Executive Summary

Primary Outcome Area: Public Safety
 Secondary Outcome Area: Improving Government
 Program Contact: Anna Joyce, Solicitor General, 503.378.4402



Governor's Budget

Program Overview

The Appellate Division represents the State in all cases that are appealed to State and Federal appellate courts and in which the State is either a party or determines that it has a significant legal interest. In its work in the appellate courts, the Division strives not simply to advocate on the state's behalf in the individual case, but also to take advantage of the opportunity each case presents to influence the court's law-announcing function in ways that serve the state's long-term legal interests. Appellate Division lawyers are a key line of defense in criminal cases as well, as they defend against suits brought by prisoners and convicted criminals challenging their convictions and their sentences.

The forecast for 2015-17 is that the Division will be required to handle more than 3,347 appeals. In particular, as reflected in the chart above, funding at this level would fund 2,519 appeals from criminal convictions, and 855 appeals involving civil, administrative, and other matters. In those cases, the proposed funding would allow the Division to brief criminal cases without undue delay and to provide effective representation for client agencies. Looking beyond the 2015-17 biennium the Division anticipates a modest rise in the total number of appeals that we will need to handle, and increasing costs over that period.

Program Description

After an administrative position transfer to another division, the Appellate division currently includes 40 attorneys, one support-staff manager, two paralegals, and 14 support staff. The Solicitor General is the Division Administrator. The Division's attorneys have developed considerable expertise in appellate advocacy and procedure and in the fields of criminal law, constitutional law, administrative law, and numerous other government-law topics. As a result, other attorneys within the Department frequently request the Division attorneys' assistance in providing legal advice and in discussing strategies for handling cases in lower courts and administrative tribunals. Division attorneys also assist in presenting training for state agencies and in preparing the Department's Administrative Law Manual. Attorneys who concentrate on criminal-law matters provide legal advice on a daily basis to District Attorney's offices throughout the state, provide electronic weekly updates on recent appellate court opinions, publish annual updates on appellate criminal law matters, and present training at District Attorney conferences and continuing education programs. The Division also is responsible for preparing and defending ballot titles for initiative measures and some referenda. The types of appeals and a summary of activity in each type are outlined below.

Governor's Budget

The Appellate Division represents the state in any appellate case in which the state is a party. In many cases a party has the legal right to seek appellate review. For example, every person convicted at trial of a crime has the right to appeal. The typical appeal begins in the Oregon Court of Appeals. A party unhappy with a trial court or agency decision seeks review by this appellate court and files a written brief describing the alleged errors and the relief sought. The state responds in a written brief and the court then may hear a brief oral argument in which the judges can question the parties about the issues. The court then decides the case either by a written opinion or an order affirming without discussion. After the Oregon Court of Appeals issues a decision, any party may ask the Oregon Supreme Court to consider the case, but the Supreme Court usually is not required to review the case. The court selects a few cases that involve significant legal issues on which the court believes an in-depth analysis of the law will benefit the lower courts, attorneys and the public. Some cases, however, the Oregon Supreme Court must review by statute, including the direct appeal in a case involving imposition of the death penalty and review of ballot titles when a title certified by the Attorney General is challenged. Through its written decisions, the Oregon Supreme Court interprets the Oregon Constitution and Oregon statutes. The Court's decisions thus affect the state, local governments and the people across a wide spectrum of issues. If the Court grants review, the parties prepare additional written briefs and the Court hears oral argument. The Court decides the case and, in almost all cases, will issue a written opinion.

Because of the complexity, importance, and extraordinary nature of the cases at the Supreme Court level, special attention and considerable time go into the training and preparation of attorneys, and the review of their written and oral work before the Court, to ensure that work is of the highest quality. In 2013, the Oregon Supreme Court issued written opinions in 84 cases; the Division participated in more than 70% of those cases. Appeals also arise in the federal system, typically in the Ninth Circuit Court of Appeals. Cases in the Ninth Circuit often are more complex than the majority of cases in the state Court of Appeals. The process is similar, with preparation of briefs and oral argument.

A decision from the state or federal appellate courts may be appealed to the United States Supreme Court if it involves a federal statute or the federal Constitution. Review by the United States Supreme Court is discretionary and rarely allowed, but these cases are of the greatest importance because that Court announces law for the entire country. In an average year, the state will respond to four or five petitions for review to the United States Supreme Court. In the past seven years, the Department represented the state in nine cases in which the Court has granted discretionary review and heard argument—an unusually large number of cases for a state the size of Oregon. The state won all nine of the cases that have been argued and decided, reflecting exemplary work by the Department's attorneys.

Governor's Budget

The state also appears in some cases in which the state is not a party but the case involves a challenge to a state statute or other significant policy issue. The state reviews amicus curiae (“friend of the court”) briefs for submission to the United States Supreme Court and other appellate courts to determine whether the state will join the brief; on a few occasions, the state will prepare an amicus curiae brief on issues of significant concern to the state.

Approximately two-thirds of the Division’s cases involve appeals from criminal convictions. There are three types of challenges to criminal convictions or sentences:

- direct appeal, in which the convicted offender challenges the judgment of conviction obtained by a prosecutor;
- state post-conviction challenges, collateral challenges beginning in the state trial court, in which the offender is allowed a second challenge to his or her conviction based on claims that could not have been raised in the direct appeal; and
- federal habeas corpus challenges, in which offenders can raise in federal district court and the Ninth Circuit Court of Appeals all claims of violations of federal constitutional rights that previously were raised on direct appeal or in state post-conviction proceedings.

The Trial Division represents the state in trial court post-conviction proceedings, as well as district court federal habeas corpus cases. The Appellate Division represents the state in direct appeals and state post-conviction challenges in the Oregon Court of Appeals and the Oregon Supreme Court, as well as in federal habeas corpus proceedings in the Ninth Circuit.

The remaining one-third of the Division’s cases typically involve a challenge to some action or decision by a state official or employee; they may involve state labor-relations issues, challenges to the constitutionality of a state statute, or claims that the state engaged in wrongful conduct for which the state can be liable under the Oregon Tort Claims Act. Cases that appeal termination of parental rights involving neglected or abused children are another area with a substantial and time-consuming caseload. Other cases include defense of mental-commitment orders, challenges to decisions of the Board of Parole and Post-Prison Supervision, ballot titles, and challenges to orders denying correctional inmates’ claims that their conditions of confinement are unconstitutional, interpretation of sentences or right to hearing (e.g., state “habeas corpus”).

Another significant role that the Division plays is advising other divisions in the department and client agencies. Because it is critical, for example, that an agency’s general counsel attorney understand the implications of appellate court decisions, the Division’s attorneys analyze these decisions and provide information to other attorneys in the department and client agencies about how these changes in the law will affect them.

Governor's Budget

In 95% of the cases handled by the Division, the state is responding to the appeal of another party. The costs of the program are therefore largely outside of the Division's control. For the past few years, the total number of appeals has remained fairly constant, averaging approximately 4,000 cases per biennium in the Oregon Court of Appeals and the Ninth Circuit Court of Appeals. In 2013, the Appellate Division filed over 2,000 briefs and substantive motions.

Program Justification and Link to 10-Year Outcome

The Appellate Division is categorized within the Safety outcome area and directly supports one outcome goal: Improving citizen access to justice and the ability to exercise their rights. It does this by ensuring competent and timely representation for the state on appeal. The Appellate Division also supports a secondary outcome goal of improving government by being trustworthy and responsive. The Division's attorneys' roles are not to simply advocate for a position but rather to determine whether the agency has a defensible legal position. If not, the Division's attorneys can work with agencies, for instance, to withdraw an order and amend the legal error. The courts then determine the legally correct position, and typically explain those outcomes in public written opinions.

Briefs that are filed with the court are available to the public, the oral arguments are open to the public, and the legal opinions that come out on a weekly basis are equally as available to the public. In short, the Division is one part of a legal system that is itself designed to be transparent and responsive.

Program Performance

With respect to the Division's work defending criminal convictions, the Division's performance can be measured by the amount of time it takes for the state to file its briefs in appeals. Due to budget cuts in past biennia, the average length of time that it took both the defendant and the state to file a brief was approximately 350 days for each side's brief. Reducing that time was critical: if cases take too long to resolve on appeal, cases are more difficult to prosecute again if the courts overturn a conviction. And in cases where resolution takes too long, there is a greater risk that federal courts will intervene in state-court operations. The Division has worked closely with the state courts and the Office of Public Defense Services to bring down that amount of delay. The current goal is that briefs be filed within 210 days. In 2011, the program was able to achieve that in 76% of cases. In 2012, the program achieved that goal in 85% of cases. In 2013, the program achieved that goal in 92.5% of cases.

Governor's Budget

Unlike the criminal caseload, civil and administrative appeals are briefed on a tighter schedule, usually within 49 days. For that reason, the amount of time that the Division takes to brief civil and administrative cases is not an informative measure of performance. Instead, performance can be gauged by looking at annual client-survey results. The surveys ask client agencies, among other things, whether the Division's attorneys (1) provided advice that reflected an understanding of the agency's needs, (2) provided clear, concise, and understandable advice, and (3) provided options to solve legal problems. The 2013 survey results reflected that among client agencies who expressed an opinion, 98% strongly agreed or agreed that the Division satisfied these criteria.

Enabling Legislation/Program Authorization

Under ORS 138.040, anyone convicted of a crime under Oregon law may appeal their convictions in the Court of Appeals as a matter of right. The legislature has designated the Attorney General to represent the state on appeal in all criminal cases. ORS 180.060(1). Under ORS 138.650, a petitioner in a post-conviction case may appeal an adverse decision as a matter of right. The legislature has also designated the Attorney General to represent the state in those cases, as well as in habeas corpus proceedings. ORS 138.570; ORS 180.060(4).

A party unsatisfied with a trial court judgment in a civil case may appeal that judgment as a matter of right under ORS 19.205, and the Division would represent the state on appeal. ORS 180.060(4). Administrative appeals arise under the Oregon Administrative Procedures Act. That law provides anyone adversely affected by a state agency order the right to judicial review of that order. ORS 183.482; ORS 183.484. The Division represents the agency that issued the order in judicial review proceedings in the Court of Appeals.

Funding Streams

The program is funded by charging client agencies for services rendered. In the case of criminal conviction appeals, the General Fund is billed (see DCC program).

Significant Proposed Program Changes from 2013-15

~~The division has requested an additional position and resources for a designated Appellate attorney to lead the production of all written materials and coordinate dissemination of these materials to prosecutors and other law enforcement personnel (see policy package 424).~~ The division has requested additional positions to meet the anticipated growth in Defense of Criminal Convictions cases for 2015-17 (see DCC program). Additionally, the Division has also requested to move Ballot Title General Funds from the Defense of Criminal Convictions program to the Appellate Division to reflect where the work is actually done (see essential package 060).

Governor's Budget

Appellate

010 – Non-PICS Psnl Svc / Vacancy Factor

Purpose: This package includes the following adjustments: Standard Inflation factor of 3%, adjustment for the 2015-17 vacancy factor and mass transit taxes, and PERS bond assessment (PBA).

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source: \$90,295 Other Funds Limited

031 – Standard Inflation and State Government Service Charge

Purpose: Standard inflation of 3% was applied to all services and supply accounts except for rent and state government services charges. The package adjusts the state government service charges assessed by DAS, Secretary of State Audits Division, State Library, Supreme Court Library, Risk Management, and others. Inflation of 4.4% was applied to non-uniform rent.

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source: \$256,327 Other Funds Limited

Governor's Budget

Appellate

032 – Above Standard Inflation

Purpose: This package adjusts State Government Price list changes not in line with the 3% increase, Professional Services above 3%, and rent due to DAS lease fee increases above 4.4% in the 2015-17 biennium.

How Achieved: Accounts were adjusted using the DAS published instructions.

2015-17/2017-19 Staffing Impact: None

Revenue Source: \$3,943 Other Funds Limited

Governor's Budget

Appellate

040 – Mandated Caseload (See Pkg 040 in Defense of Criminal Convictions and Trial Division)

Purpose: To provide necessary resources to meet the anticipated growth in DCC cases for 2015-17.

How Achieved: Components of the DCC program are located in the Appellate and Trial Divisions because the same case may move progressively through different parts of the judicial system – including state and federal trial courts as well as state and federal appellate courts – before finally being concluded. Because the DCC program straddles administrative divisions with the Department, the narratives and other materials set out here for each of those Divisions simply refer the reader back to the DCC portion of the Agency Request Budget.

2015-17 Staffing Impact: 4 positions / 3.76 FTE

Assistant Attorney General – 0 positions / 0.50 FTE

Assistant Attorney General – 0 positions / 0.13 FTE

Assistant Attorney General – 3 positions / 2.25 FTE

Paralegal – 1 position / 0.88 FTE

2017-19 Staffing Impact: 4 positions / 4.63 FTE

Assistant Attorney General – 0 positions / 0.50 FTE

Assistant Attorney General – 0 positions / 0.13 FTE

Assistant Attorney General – 3 positions / 3.00 FTE

Paralegal – 1 position / 1.00 FTE

Governor's Budget

Appellate

040 – Mandated Caseload (See Pkg 040 in Defense of Criminal Convictions and Trial Division) continued

Quantifying Results: Results will be realized both in terms of efficiency and the quality of our representation. The best way to quantify efficiency gains will be through monitoring the number of briefs we are able to file, the extent to which we are able to keep pace with the DCC caseload without developing a backlog of cases, and the time it takes from the time we open a case until the time we file a brief. Specifically, we monitor as part of our key performance measures the percentage of cases that we are able to file a brief within 210 days from when the case enters the appellate division. That KPM has most recently been measured approximately 92.5% and our goal is to consistently achieve over 90%. Qualitative gains are difficult to measure, but the requested funds will allow us to spend slightly more hours per brief, which improves the quality of the analysis and increases the chances of the state prevailing on appeal. We do measure the percentage of cases in which the state's position is upheld, but this is not particularly accurate gauge as many factors (changes in controlling precedent, e.g.) are beyond our control.

Revenue Source: \$892,681 Other Funds Limited

060 – Technical Adjustments

Purpose: To improve transparency in the budget, move Ballot Title General Funds from the Defense of Criminal Convictions program (DCC) to the Appellate Division. Work associated with Ballot Title's is not consistent with the DCC program.

How Achieved: Corresponding 060 packages moving the Ballot Title funds out of DCC and into Appellate.

2013-15/2015-17 Staffing Impact: None

Quantifying Results: Increased transparency by moving the budget into the correct administering program.

Revenue Source: \$293,358 General Funds

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Personal Services							
Temporary Appointments	-	-	4,512	-	-	-	4,512
Overtime Payments	-	-	212	-	-	-	212
Shift Differential	-	-	3	-	-	-	3
All Other Differential	-	-	213	-	-	-	213
Public Employees' Retire Cont	-	-	67	-	-	-	67
Pension Obligation Bond	-	-	41,662	-	-	-	41,662
Social Security Taxes	-	-	377	-	-	-	377
Unemployment Assessments	-	-	1,084	-	-	-	1,084
Mass Transit Tax	-	-	2,915	-	-	-	2,915
Vacancy Savings	-	-	39,250	-	-	-	39,250
Total Personal Services	-	-	\$90,295	-	-	-	\$90,295
Total Expenditures							
Total Expenditures	-	-	90,295	-	-	-	90,295
Total Expenditures	-	-	\$90,295	-	-	-	\$90,295
Ending Balance							
Ending Balance	-	-	(90,295)	-	-	-	(90,295)
Total Ending Balance	-	-	(\$90,295)	-	-	-	(\$90,295)

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 031 - Standard Inflation

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Instate Travel	-	-	324	-	-	-	324
Out of State Travel	-	-	261	-	-	-	261
Employee Training	-	-	539	-	-	-	539
Office Expenses	-	-	7,041	-	-	-	7,041
Telecommunications	-	-	77	-	-	-	77
State Gov. Service Charges	-	-	160,123	-	-	-	160,123
Data Processing	-	-	127	-	-	-	127
Publicity and Publications	-	-	44	-	-	-	44
Professional Services	-	-	1,624	-	-	-	1,624
Employee Recruitment and Develop	-	-	73	-	-	-	73
Dues and Subscriptions	-	-	1,459	-	-	-	1,459
Facilities Rental and Taxes	-	-	36,398	-	-	-	36,398
Facilities Maintenance	-	-	2	-	-	-	2
Agency Program Related S and S	-	-	636	-	-	-	636
Intra-agency Charges	-	-	44,408	-	-	-	44,408
Other Services and Supplies	-	-	1,558	-	-	-	1,558
Expendable Prop 250 - 5000	-	-	275	-	-	-	275
IT Expendable Property	-	-	1,358	-	-	-	1,358
Total Services & Supplies	-	-	\$256,327	-	-	-	\$256,327
Total Expenditures							
Total Expenditures	-	-	256,327	-	-	-	256,327
Total Expenditures	-	-	\$256,327	-	-	-	\$256,327

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 031 - Standard Inflation

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	(256,327)	-	-	-	(256,327)
Total Ending Balance	-	-	(\$256,327)	-	-	-	(\$256,327)

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 032 - Above Standard Inflation

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Employee Training	-	-	639	-	-	-	639
Professional Services	-	-	162	-	-	-	162
Employee Recruitment and Develop	-	-	383	-	-	-	383
Other Services and Supplies	-	-	2,759	-	-	-	2,759
Total Services & Supplies	-	-	\$3,943	-	-	-	\$3,943
Total Expenditures							
Total Expenditures	-	-	3,943	-	-	-	3,943
Total Expenditures	-	-	\$3,943	-	-	-	\$3,943
Ending Balance							
Ending Balance	-	-	(3,943)	-	-	-	(3,943)
Total Ending Balance	-	-	(\$3,943)	-	-	-	(\$3,943)

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 040 - Mandated Caseload

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	512,063	-	-	-	512,063
Empl. Rel. Bd. Assessments	-	-	166	-	-	-	166
Public Employees' Retire Cont	-	-	80,854	-	-	-	80,854
Social Security Taxes	-	-	39,174	-	-	-	39,174
Worker's Comp. Assess. (WCD)	-	-	256	-	-	-	256
Mass Transit Tax	-	-	3,072	-	-	-	3,072
Flexible Benefits	-	-	114,633	-	-	-	114,633
Total Personal Services	-	-	\$750,218	-	-	-	\$750,218
Services & Supplies							
Instate Travel	-	-	5,600	-	-	-	5,600
Employee Training	-	-	1,214	-	-	-	1,214
Office Expenses	-	-	13,030	-	-	-	13,030
Telecommunications	-	-	2,253	-	-	-	2,253
Data Processing	-	-	6,452	-	-	-	6,452
Publicity and Publications	-	-	12	-	-	-	12
Employee Recruitment and Develop	-	-	43	-	-	-	43
Dues and Subscriptions	-	-	3,067	-	-	-	3,067
Fuels and Utilities	-	-	4	-	-	-	4
Facilities Maintenance	-	-	43	-	-	-	43
Agency Program Related S and S	-	-	1,698	-	-	-	1,698
Intra-agency Charges	-	-	82,266	-	-	-	82,266
Other Services and Supplies	-	-	2,785	-	-	-	2,785
Expendable Prop 250 - 5000	-	-	17,300	-	-	-	17,300

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 040 - Mandated Caseload

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
IT Expendable Property	-	-	6,696	-	-	-	6,696
Total Services & Supplies	-	-	\$142,463	-	-	-	\$142,463
Total Expenditures							
Total Expenditures	-	-	892,681	-	-	-	892,681
Total Expenditures	-	-	\$892,681	-	-	-	\$892,681
Ending Balance							
Ending Balance	-	-	(892,681)	-	-	-	(892,681)
Total Ending Balance	-	-	(\$892,681)	-	-	-	(\$892,681)
Total Positions							
Total Positions							4
Total Positions	-	-	-	-	-	-	4
Total FTE							
Total FTE							3.76
Total FTE	-	-	-	-	-	-	3.76

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
 Pkg: 060 - Technical Adjustments

Cross Reference Name: Appellate
 Cross Reference Number: 13700-020-00-00-00000

Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
General Fund Appropriation	293,358	-	-	-	-	-	293,358
Total Revenues	\$293,358	-	-	-	-	-	\$293,358
Services & Supplies							
Attorney General	293,358	-	-	-	-	-	293,358
Total Services & Supplies	\$293,358	-	-	-	-	-	\$293,358
Total Expenditures							
Total Expenditures	293,358	-	-	-	-	-	293,358
Total Expenditures	\$293,358	-	-	-	-	-	\$293,358
Ending Balance							
Ending Balance	-	-	-	-	-	-	-
Total Ending Balance	-	-	-	-	-	-	-

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01/14/15 REPORT NO.: PPDFFISCAL DEPT. OF ADMIN. SVCS. -- PPDB PICS SYSTEM PAGE 2
 REPORT: PACKAGE FISCAL IMPACT REPORT 2015-17 PROD FILE
 AGENCY:13700 DEPT OF JUSTICE PICS SYSTEM: BUDGET PREPARATION
 SUMMARY XREF:020-00-00 Appellate PACKAGE: 040 - Mandated Caseload

POSITION NUMBER	CLASS	COMP	CLASS NAME	POS CNT	FTE	MOS	STEP	RATE	GF SAL/OPE	OF SAL/OPE	FF SAL/OPE	LF SAL/OPE	AF SAL/OPE
1524070	OA	C1524	AA PARALEGAL	1	.88	21.00	02	3,450.00		72,450 43,794			72,450 43,794
7504085	AJ	U7504	AA ASSISTANT ATTORNEY GENERAL		.50	12.00	07	7,668.00		92,016 36,888			92,016 36,888
7504088	AJ	U7504	AA ASSISTANT ATTORNEY GENERAL		.13	3.12	04	6,663.00		20,789 8,856			20,789 8,856
7504102	AJ	U7504	AA ASSISTANT ATTORNEY GENERAL	1	.75	18.00	02	6,052.00		108,936 48,515			108,936 48,515
7504103	AJ	U7504	AA ASSISTANT ATTORNEY GENERAL	1	.75	18.00	02	6,052.00		108,936 48,515			108,936 48,515
7504104	AJ	U7504	AA ASSISTANT ATTORNEY GENERAL	1	.75	18.00	02	6,052.00		108,936 48,515			108,936 48,515
TOTAL PICS SALARY										512,063			512,063
TOTAL PICS OPE										235,083			235,083
TOTAL PICS PERSONAL SERVICES =				4	3.76	90.12				747,146			747,146

Governor's Budget

Appellate

121—DCC Publications

Purpose: ~~To provide resources to produce and maintain publications on Oregon criminal law used by prosecutors throughout the state, including regular legal bulletins summarizing latest Oregon appellate court cases; the Search and Seizure Manual, comprehensive guide to state search and seizure law; and the Oregon Criminal Reporter, a comprehensive guide to all other areas of state criminal law.~~

How Achieved: ~~A designated appellate attorney will lead the production of all written materials and will coordinate dissemination of these materials to prosecutors and other law enforcement personnel.~~

2015-17 Staffing Impact: ~~1 position / 0.88 FTE
Assistant Attorney General—1 position / 0.88 FTE~~

2017-19 Staffing Impact: ~~1 position / 1.00 FTE
Assistant Attorney General—1 position / 1.00 FTE~~

Quantifying Results: ~~By designating an attorney to develop and maintain these publications we will be able to regularly update these materials. We can quantify results by measuring the frequency and consistency with which we are able to produce, update, and release these publications. The search and seizure manual and Oregon Criminal reporter are comprehensive and voluminous publications that we will aim to release annually. Legal bulletins will be consistently be released and disseminated on a weekly basis.~~

Revenue Source: ~~\$219,183 Other Funds Limited~~

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 121 - Publications

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Revenues							
Charges for Services	-	-	537,600	-	-	-	537,600
Total Revenues	-	-	\$537,600	-	-	-	\$537,600
Personal Services							
Class/Unclass Sal. and Per Diem	-	-	-	-	-	-	-
Empl. Rel. Bd. Assessments	-	-	-	-	-	-	-
Public Employees' Retire Cont	-	-	-	-	-	-	-
Social Security Taxes	-	-	-	-	-	-	-
Worker's Comp. Assess. (WCD)	-	-	-	-	-	-	-
Mass Transit Tax	-	-	-	-	-	-	-
Flexible Benefits	-	-	-	-	-	-	-
Total Personal Services	-	-	-	-	-	-	-
Services & Supplies							
Instate Travel	-	-	-	-	-	-	-
Employee Training	-	-	-	-	-	-	-
Office Expenses	-	-	-	-	-	-	-
Telecommunications	-	-	-	-	-	-	-
Data Processing	-	-	-	-	-	-	-
Publicity and Publications	-	-	-	-	-	-	-
Employee Recruitment and Develop	-	-	-	-	-	-	-
Dues and Subscriptions	-	-	-	-	-	-	-
Fuels and Utilities	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-

Governor's Budget

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Justice, Dept of
Pkg: 121 - Publications

Cross Reference Name: Appellate
Cross Reference Number: 13700-020-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Agency Program Related S and S	-	-	-	-	-	-	-
Intra-agency Charges	-	-	-	-	-	-	-
Other Services and Supplies	-	-	-	-	-	-	-
Expendable Prop 250 - 5000	-	-	-	-	-	-	-
IT Expendable Property	-	-	-	-	-	-	-
Total Services & Supplies	-	-	-	-	-	-	-
Total Expenditures							
Total Expenditures	-	-	-	-	-	-	-
Total Expenditures	-	-	-	-	-	-	-
Ending Balance							
Ending Balance	-	-	537,600	-	-	-	537,600
Total Ending Balance	-	-	\$537,600	-	-	-	\$537,600
Total Positions							
Total Positions	-	-	-	-	-	-	-
Total Positions	-	-	-	-	-	-	-
Total FTE							
Total FTE	-	-	-	-	-	-	-
Total FTE	-	-	-	-	-	-	-

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS	2011-13 Actual	2013-15 Legislatively Approved	2013-15 Estimated	2015-17		
		Revenue Acct				Agency Request	Governor's Budget	Legislatively Adopted
Legal Billings to Client Agencies - Other Funds Ltd	3400	0410	\$ 15,362,772	\$ 17,915,160	\$ 17,915,160	\$ 19,707,723	\$ 19,707,723	
Misc. Legal - Other Funds Ltd	3400	0705,0975	\$ 18,268	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	
Misc. Legal Transfers In/(Out) - Other Funds Ltd	3400	1010,2010	\$ -	\$ -	\$ -	\$ -		
Total Other Funds Ltd	3400		\$ 15,381,040	\$ 17,940,160	\$ 17,940,160	\$ 19,732,723	\$ 19,732,723	\$ -
Total Other Funds Non-Ltd	3200		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal Funds Ltd	6400		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal Funds Non-Ltd	6200		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Governor's Budget

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

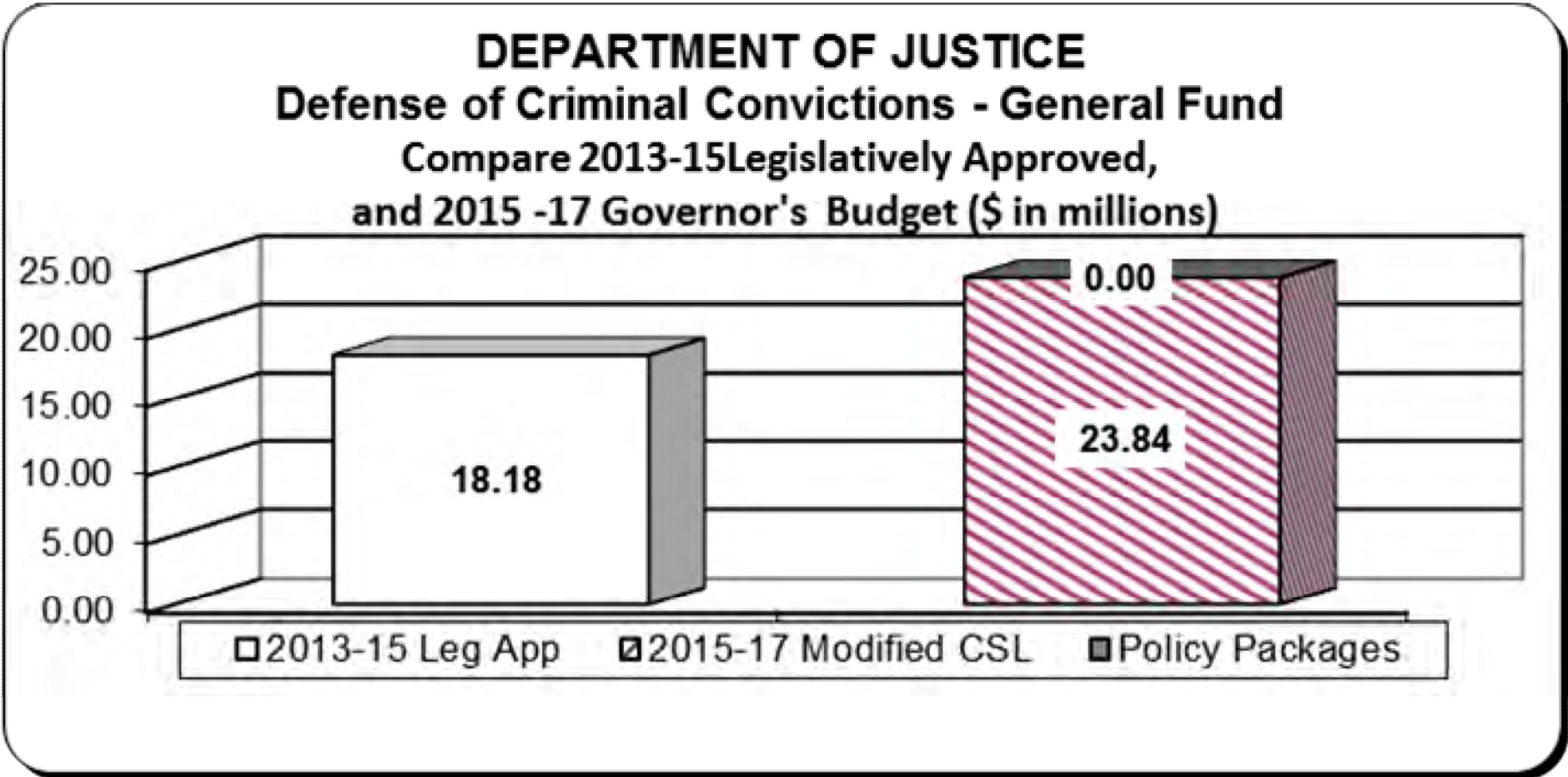
Justice, Dept of
2015-17 Biennium

Agency Number: 13700

Cross Reference Number: 13700-020-00-00-00000

<i>Source</i>	2011-13 Actuals	2013-15 Leg Adopted Budget	2013-15 Leg Approved Budget	2015-17 Agency Request Budget	2015-17 Governor's Budget	2015-17 Leg Adopted Budget
Other Funds						
Charges for Services	15,362,772	17,391,478	17,915,160	19,707,723	19,707,723	-
Fines and Forfeitures	767	-	-	-	-	-
Sales Income	3,915	-	-	-	-	-
Other Revenues	13,586	25,000	25,000	25,000	25,000	-
Total Other Funds	\$15,381,040	\$17,416,478	\$17,940,160	\$19,732,723	\$19,732,723	-

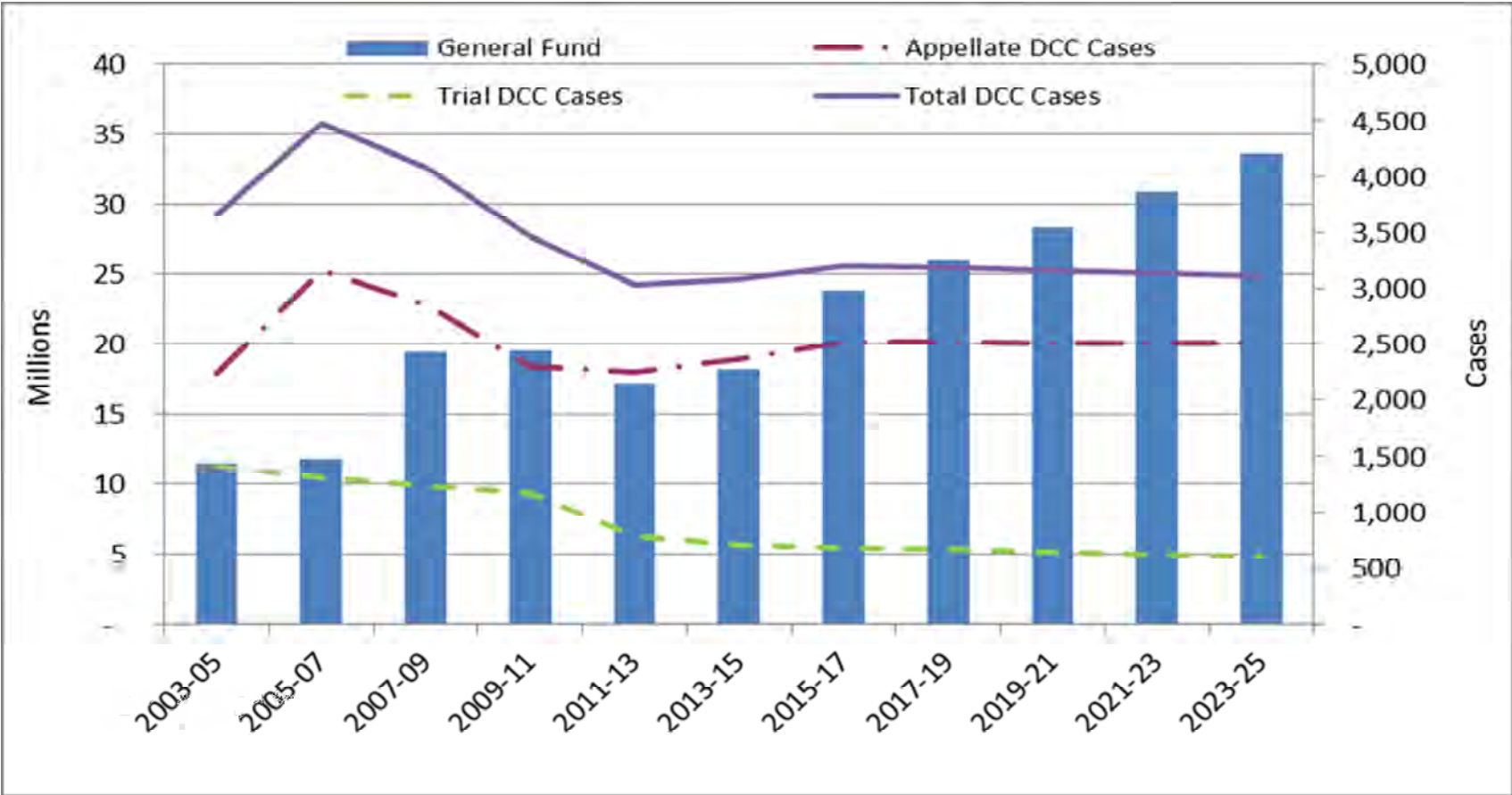
Defense of Criminal Convictions



Governor's Budget

Executive Summary

Primary Outcome Area: Public Safety
 Secondary Outcome Area: Improving Government
 Program Contact: Steve Lippold, Chief Trial Counsel, 503.947.4700
 Anna Joyce, Solicitor General, 503.378.4402



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Program Overview

The Defense of Criminal Convictions Program (DCC) covers work performed in the Appellate and Trial Divisions. The purpose of the program is to preserve convictions and sentences obtained by the state's prosecutors, as well as to appeal from adverse trial court decisions that place criminal prosecutions in jeopardy. Oregon centralizes criminal post-conviction and appellate work in the Department of Justice. The goal of this centralization is to achieve top quality legal work and consistency in the legal positions the state takes in cases statewide and in a way that most efficiently utilizes limited resources. The program is categorized with the Safety outcome area and supports the outcome goal of improving citizen access to justice and the ability to exercise their rights. It does this by ensuring competent and timely representation for the state to defend criminal convictions. The program also works closely with the courts and the public defenders to ensure that cases are resolved as quickly as possible and in the fairest manner possible. The program's work is also critical to public safety—by providing defense of criminal convictions, the program helps ensure that the justice system has its intended deterrent and punitive effect.

Program Description

There are three types of challenges to criminal convictions or sentences: (1) direct appeal, in which the convicted offender challenges the judgment of conviction based on alleged legal or factual errors that appear in the record of the criminal trial or pre-trial proceedings; (2) state post-conviction challenges, collateral challenges beginning in the state trial court, in which the offender is allowed a second challenge to his or her conviction based on claims that could not have been raised in the direct appeal; and (3) federal habeas corpus challenges, in which offenders can raise in federal district court and the Ninth Circuit Court of Appeals all claims of violations of federal constitutional rights that previously were raised on direct appeal or in state post-conviction proceedings.

The Trial Division represents the state in trial court post-conviction proceedings, as well as district court federal habeas corpus cases. The Appellate Division represents the state in direct appeals and state post-conviction challenges in the Oregon Court of Appeals and the Oregon Supreme Court, as well as in federal habeas corpus proceedings in the Ninth Circuit.

A typical appeal begins in the Oregon Court of Appeals. A party unhappy with his or her conviction or sentence seeks review by this appellate court and files a written brief describing the alleged errors and the relief sought. The state responds in a written brief and the court then may hear a brief oral argument in which the judges can question the parties about the issues. The court then decides the case either by a written opinion or an order affirming without discussion.

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A typical case handled by the Trial Division may involve an inmate's petition for post-conviction relief filed in State court. These are collateral challenges to criminal convictions, filed after the defendant has exhausted any direct appeal. Petitions typically include claims that a criminal defense was ineffective or that a guilty plea was invalid. Division lawyers review the trial transcripts, pleadings and briefs; research legal questions; take depositions and secure testimony by affidavit; and present the state's case in post-conviction trials.

The DCC caseload is a mandatory caseload. Regardless of the number of cases or appeals filed, or the complexity with which they are litigated, these cases are driven primarily by the decisions of individuals convicted of crimes to contest those convictions. The Division therefore has no control over the number of cases or appeals that are filed by other parties, which accounts for over 95% of the Division's workload. In a much smaller number of appeals, the Solicitor General may approve the state's appeal of a lower-court decision. Those cases typically involve a challenge to the dismissal of criminal charges or the exclusion of evidence critical to the successful prosecution of the case. In a given biennium, the state will appeal approximately 50 such cases.

Another significant component of DCC's work is the analysis of major court decisions. Because it is critical that the state's prosecutors understand the implications of appellate court decisions for criminal law to avoid committing legal error in their cases, DCC attorneys analyze these decisions and provide informational material to District Attorneys, their deputies, and law-enforcement officers about how these changes in the law will effect law enforcement and trial court prosecutions. DCC attorneys also routinely answer questions from the state's prosecutors about charging decisions, pre-trial matters, and issues that come up mid-trial. The Appellate Division's DCC attorneys and staff also maintain a series of publications to help prosecutors and law enforcement stay up to date on Oregon criminal law, including:

- weekly legal bulletins summarizing each Oregon appellate court case from the previous week;
- a Search and Seizure Manual, a several-hundred page, comprehensive guide to Oregon search and seizure law; and
- an Oregon Criminal Reporter (OCR), a detailed comprehensive guide to all other areas of Oregon criminal law.

Prosecutors use the resources to advise and train law-enforcement officers, review warrants, prepare for motions hearings, and decide whether to commence a prosecution. This advice and information also helps prosecutors negotiate pleas or secure convictions and makes convictions and sentences less susceptible to reversal on appeal.

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Capital cases

DCC also handles appeals from death sentences. Of all the criminal cases, death penalty cases are the most complex and require the most resources. Unlike other criminal cases reviewed first in the Court of Appeals and only occasionally in the Oregon Supreme Court, direct appeals from convictions where the death penalty is imposed are first considered by the Supreme Court. Appeals in death penalty cases raise more numerous and more complex legal issues. A single direct review appeal in a death penalty case may take 700 hours of attorney time to defend the conviction. Death penalty cases also are unlike other cases in that defendants often have little incentive to accelerate consideration of challenges to their sentence. If the conviction is overturned, defendants are generally not released; instead they are entitled to a new trial. If the conviction is upheld, the sentence is another step closer to being carried out. Consequently, delay is often an effective strategy for a death penalty defendant.

In addition, after a capital case is upheld on direct review; the defendant may pursue collateral challenges through state post-conviction and federal habeas. Because of the specialized nature of death-penalty work and the goal of more efficiently handling these cases by assigning attorneys already familiar with the extensive records, Appellate Division attorneys team up with Trial Division attorneys to handle the trial proceedings in those collateral challenges as well as any resulting appeals. At the federal-court level, the Federal Public Defenders are devoting significant resources to attacking the constitutionality of Oregon's death penalty laws, in part because the federal courts have not considered the validity of Oregon's laws since they were re-enacted in 1984. DCC attorneys are therefore confronted with many novel legal arguments that require additional time and resources to address.

Program Justification and Link to 10-Year Outcome

The DCC program supports one outcome goal: Improving citizen access to justice and the ability to exercise their rights. It does this by ensuring competent and timely representation for the state to defend criminal convictions. The program also works closely with the courts and the public defenders to ensure that cases are resolved as quickly as possible and in the fairest manner possible. The program's work is also critical to public safety—by providing defense of criminal convictions, the program helps ensure that the justice system has its intended deterrent and punitive effect.

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Program Performance

The DCC program's performance can be measured by the amount of time it takes for the state to file its briefs in appeals. Due to budget cuts in past biennia, the average length of time that it took both the defendant and the state to file a brief was around 350 days for each side's brief. Reducing that time was critical: if cases take too long to resolve on appeal, cases are more difficult to prosecute again if the courts overturn a conviction. And in cases where resolution takes too long, there is a greater risk that federal courts will intervene in state-court operations. The DCC program has worked closely with the state courts and the Office of Public Defense Services to bring down that amount of delay. The current goal is that briefs be filed within 210 days. In 2011, the program was able to achieve that in 76% of cases. In 2012, the program achieved that goal in 85% of cases. In 2013, the program achieved that goal in 92.5% of cases.

Enabling Legislation/Program Authorization

Under ORS 138.040, anyone convicted by a trial court may appeal their convictions in the Court of Appeals as a matter of right. The legislature has designated the Attorney General to represent the state on appeal in all criminal cases in the Court of Appeals and in the Supreme Court. ORS 180.060(1). Under ORS 138.650, a petitioner in a post-conviction case may appeal an adverse decision to the Court of Appeals as a matter of right. The legislature has also designated the Attorney General to represent the state in all post-conviction cases filed by anyone who is serving a prison sentence. ORS 138.570. In addition, the Attorney General represents the state in habeas corpus proceedings pursuant to ORS 180.060(4).

Funding Streams

The DCC program is funded entirely with General Fund.

Significant Proposed Program Changes from 2015-17

Both the Appellate and Trial Divisions have requested additional positions and resources to meet the anticipated growth in DCC cases for 2015-17 (see policy package 040).

Governor's Budget

Defense of Criminal Convictions

031 – Standard Inflation and State Government Service Charge

Purpose: Standard inflation of 3% was applied to all services and supply accounts except for rent and state government services charges. The package adjusts the state government service charges assessed by DAS, Secretary of State Audits Division, State Library, Supreme Court Library, Risk Management, and others. Inflation of 4.4% was applied to non-uniform rent and the Attorney General budget was inflated by 19.20%.

How Achieved: Accounts were adjusted using the DAS published instructions.

2013-15/2015-17 Staffing Impact: None

Revenue Source: \$2,372,179 General Fund

032 – Above Standard Inflation

Purpose: This package adjusts State Government Price list changes not in line with the 3% increase, Professional Services above 3%, and rent due to DAS lease fee increases above 4.4% in the 2015-17 biennium.

How Achieved: Accounts were adjusted using the DAS published instructions.

2013-15/2015-17 Staffing Impact: None

Revenue Source: \$95 General Fund

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Defense of Criminal Convictions

040 DCC - Mandated Caseload for Defense of Criminal Convictions (DCC)

Purpose: To provide necessary resources to meet the anticipated growth in DCC cases for 2015-17.

Generally, the DCC program defends criminal convictions obtained by District Attorneys in the trial courts. DCC attorneys defend three categories of challenges to state court criminal convictions: (1) direct appeals to the state appellate courts; (2) post-conviction challenges in the state trial and appellate courts; and (3) federal habeas challenges in the federal trial and appellate courts. The Department has projected an estimated 3,077 non-capital cases in 2013-15. As it is, this forecast estimates extending 567 new cases into the 2015-17 biennium.

Capital cases exacerbate the problem. As of April 1, 2014, the Department currently has 18 capital cases on post-conviction review pending in the state trial courts. Six of those cases have been pending in the trial courts for more than five years. Even more pressing, the Department now has 4-6 capital cases moving into federal habeas litigation for the first time since the death penalty was reinstated in Oregon. These federal habeas cases are the first ones challenging the state capital system; consequently, the federal public defender and the federal courts will exhaustively review all aspects of Oregon's legal system as it relates to the capital cases. The Department knows from the experience of other states, especially those under the jurisdiction of the Ninth Circuit Court of Appeals, that the examination of Oregon's system will be thorough and demanding, requiring significant commitment of time and resources to defend the legislative choices in this area. And the federal courts are unlikely to tolerate the length of delay DCC has utilized in the state courts to stretch DCC's available resources.