

HB 5015 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. Barker

Joint Committee On Ways and Means

Action Date: 06/21/17

Action: Do pass with amendments. (Printed A-Eng.)

House Vote

Yeas: 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

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Reviewed By: John Borden, Legislative Fiscal Office

**Department of Justice
2017-19**

Budget Summary*

	2015-17	2017-19	2017-19	Committee Change from	
	Legislatively Approved Budget ⁽¹⁾		Current Service Level	Committee Recommendation	2015-17 Leg. Approved
				\$ Change	% Change
General Fund	\$ 73,669,147	\$ 85,374,337	\$ 74,296,283	\$ 627,136	0.9%
General Fund Debt Service	\$ 5,200,979	\$ 9,294,608	\$ 9,294,608	\$ 4,093,629	78.7%
Other Funds Limited	\$ 305,049,500	\$ 293,923,290	\$ 305,470,715	\$ 421,215	0.1%
Other Funds Nonlimited	\$ 4,895,992	\$ 5,077,143	\$ -	\$ (4,895,992)	(100.0%)
Federal Funds Limited	\$ 168,304,853	\$ 122,484,387	\$ 149,939,678	\$ (18,365,175)	(10.9%)
Federal Funds Nonlimited	\$ 15,740,252	\$ 16,322,641	\$ -	\$ (15,740,252)	(100.0%)
Total	\$ 572,860,723	\$ 532,476,406	\$ 539,001,284	\$ (33,859,439)	(5.9%)

Position Summary

Authorized Positions	1,329	1,323	1,304	(25)
Full-time Equivalent (FTE) positions	1,300.27	1,303.01	1,292.55	(7.72)

⁽¹⁾ Includes adjustments through December 2016

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Department of Justice (DOJ) receives General Fund for criminal appeals, district attorney assistance, organized crime and criminal intelligence, the Oregon Domestic and Sexual Assault Violence fund, the Address Confidentiality program, the Child Abuse Multidisciplinary Intervention (CAMI) program, protecting civil rights and for state match for federal child support enforcement funds. General Fund is 15.5 percent of the total expenditures in the recommended budget.

DOJ generates the majority of its Other Funds revenue from charges to state agencies for legal services. The 2015-17 legal services rates (also known as the Attorney General rate) rate was \$175 per hour and generated an estimated \$155.1 million. The 2017-19 AG rate for the legislative adopted budget is \$182 and is estimated to generate \$174.8 million. This is a \$19.7 million, or 12 percent, increase. The change to the Legal Services rate in agency budgets will be addressed in separate legislation.

Additional sources of Other Funds include allocations from the Criminal Fine Account (CFA) to support: the Criminal Injuries Compensation Account; the Child Abuse Multidisciplinary Intervention Account; the Child Abuse Medical Assessment program; and regional assessment centers. The 2017-19 CFA allocation is estimated to be approximately \$21.3 million, which would be a current service level budget, if approved by the Legislature under separate legislation. Tobacco Master Settlement Agreement funds are also allocated to the agency. Additional sources

of Other Funds include: registration and filing fees charged to charitable organizations; child support payments for families in the Temporary Assistance for Needy Families (TANF) program; federal performance incentives partially fund the Child Support program; and Other Funds to support the High Intensity Drug Trafficking Area, Investigative Support Center. Other Funds revenues makes up approximately 56.7 percent of the budget. The agency's Other Funds ending balance is estimated to be \$31.9 million, which represents approximately 1.4 months of operating reserves.

Federal Funds support child support enforcement, Medicaid fraud, crime victim programs and criminal justice-related activities. Federal Funds are matching funds passed through to district attorneys for child support work they complete. Federal Funds makes up approximately 27.8 percent of the total budget.

Summary of Public Safety Subcommittee Action

DOJ is responsible for providing general legal counsel and supervision of all civil actions and legal proceedings in which the state is a party to or has an interest in. The department is in charge of all the state's legal business requiring an attorney or legal counsel and is further responsible for a number of programs including child support enforcement, district attorney assistance, crime victims' compensation and assistance, charitable activity enforcement and consumer protection services.

The Subcommittee approved a budget of \$539,001,284 total funds: \$83,590,891 General Fund, \$305,470,715 Other Funds expenditure limitation, \$149,939,678 Federal Funds expenditure limitation and 1,304 positions (1,292.55 FTE). Other Funds Nonlimited and Federal Funds Nonlimited were removed from the agency's budget and replaced with equivalent amounts of Other and Federal Funds Limited. The budget represents a 5.9 percent decrease in total funds from the 2015-17 Legislatively Approved Budget, as of December 2016.

The Subcommittee adopted the following budget notes:

Budget Note

The Department of Justice (DOJ) is to submit a report to the Legislature during the 2018 Session with options for providing more effective and cost-efficient legal and other services to state agencies, including a feasibility study related to alternative service models.

Budget Note

DOJ is to submit a report to the Legislature during the 2018 Session on how the agency bills for legal and other services, and provide a feasibility study related to alternative billings models.

Budget Note

DOJ is to submit a report to the Legislature or Emergency Board if compensation adjustments for DOJ's attorneys exceeds the standard compensation adjustment for management service employees in the Executive Branch of state government. The report is to include the cost differential and proposed funding mechanism of any such increase.

Office of the Attorney General and Administration Division

The Office of the Attorney General is the executive management of the agency and sets direction and policy. The Administration Division provides administrative and financial oversight, support and information technology (IT) services to the operating divisions in the department. The Subcommittee approved a budget of \$36,088,056 Other Funds limitation and 111 positions (108.80 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 101, Rebaselining IT Costs. This package increases Other Funds limitation by \$2,719,913. This one-time only limitation will provide additional information technology resources allowing the agency to meet mandated state and federal data security requirements, which include but are not limited to, the following: federal tax information; personally identifiable information; HIPAA; and, Criminal Justice Information Services.

Package 102, Strengthen Budget Section Staffing. This package increases Other Funds limitation by \$271,830 and adds one permanent, full-time Fiscal Analyst 2 position (0.88 FTE). Additionally, it upwardly reclassifies a Principal Executive Management F to a Principal Executive Manager G, a Fiscal Analyst 1 to a Fiscal Analyst 2 and an Accounting Technician 3 to a Fiscal Analyst 2. All position adjustments have been approved by the Department of Administrative Services (DAS), Chief Human Resource Office (CHRO), as positions working out-of-class. The fiscal unit is experiencing an increase in workload created by various complex litigation cases, the Child Support Enforcement Automated System (CSEAS) project and the need to address additional fiscal monitoring and forecasting agency-wide.

Package 103, Legal Tools Ongoing Support. This package increases Other Funds limitation by \$1,394,640, and allows the agency to complete their legal document management system and roll out, to all internal applicable divisions. The project is expected to be completed by December 31, 2018. Of the total, \$1,194,640 Other Funds limitation is one-time only limitation for application and associated costs. Other Funds limitation of \$200,000 is estimated for ongoing contractual maintenance costs for the last year of the 2017-19 biennium and will thereafter become an ongoing expense of an estimated \$400,000 per biennium.

Package 112, Accounting Technician. This package increases Other Funds limitation by \$147,753 and includes a net increase of one permanent, full-time Accounting Technician 2 position (0.88 FTE). This package will assist the Financial Services Section, to address an increased in workload and provide support in the area of vendor payments and internal control.

Package 801, LFO Analyst Adjustments. This package increases Other Funds limitation by \$200,000 in Services and Supplies, Professional Service. The agency has chosen to contract for external auditing services rather than hire for the Internal Auditor, which has been a long-term vacancy. The limitation approved in this package is expected to cover the contracting costs. The Internal Auditor and associated Services and Supplies are eliminated in Package 812.

Package 812, Vacant Positions Elimination. This package decreases Other Funds limitation by \$248,111 and eliminates one vacant permanent, full-time Internal Auditor position (1.00 FTE) and associated Services and Supplies.

Appellate Division

The Appellate Division represents the state's interests in all cases in federal and state appellate courts. It also prepares and defends ballot titles. The Subcommittee approved a budget of \$21,271,577 total funds: \$317,395 General Fund, \$20,954,182 Other Funds limitation and 57 permanent positions (56.37 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases Other Funds limitation by \$2,005,468 and nine positions (7.59 FTE). DOJ originally forecasted mandated caseload adjustments for the Appellate Division and requested to establish nine permanent full-time positions. An updated forecast in the Spring of 2017 indicated the requested limitation and new position authority was not needed and the division will be able to accommodate the updated forecast caseload using existing resources.

Civil Enforcement Division

The Civil Enforcement Division represents the state in civil cases and enforces certain criminal laws. General responsibilities of this division include: (1) child advocacy representing the Department of Human Services in juvenile dependency and termination of parental rights cases and mental health commitments, (2) prosecuting Medicaid fraud and related crimes as well as providing related education/outreach, (3) prosecuting plaintiff's civil litigation on behalf of any agency with a tort, contract, statutory or other claim to recover money or property, representing agencies in bankruptcy proceedings and collections, and representing the Division of Child Support in collecting child support, establishing paternity and support obligations, (4) educating consumers to better protect themselves against marketplace fraud and abuse, (5) protecting Oregon citizens by investigating civil rights violations, (6) protecting of Tobacco Master Settlement Agreement (MSA) funds, and (7) supervising and regulating the activities of charitable, professional fundraising and other nonprofit organizations and enforcing laws related to charitable trusts, solicitations and gaming. The Subcommittee approved a budget of \$84,563,085 total funds: \$700,777 General Fund, \$79,415,670 Other Funds limitation, \$4,446,638 Federal Funds limitation and 211 positions (209.43 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 131, Enhanced Medicaid Fraud Control. This package increases Other Funds limitation by \$152,344, Federal Funds limitation by \$455,613 and adds three permanent full-time positions (2.64 FTE). The increase in resources will assist the agency's ability to keep pace with the Medicaid growth in Oregon, and assist with the enforcement of federal and state Medicaid rules. The agency will hire two Investigator 3 positions and one Assistant Attorney General (AAG) position. The agency is expecting a Federal Medicaid program match-rate reimbursement of 75 percent for these positions. The investigator positions would be used as a special on-call referral unit. The AAG would be used to meet the increased caseload demand and to address caseload complexity, as seen in the past five years.

Package 801, LFO Analyst Adjustments. This package increases Other Funds limitation by \$189,058. The agency requested a technical adjustment to be added to resolve a long-standing filled position, which has position authority but lacks corresponding Other Funds limitation.

Package 802, TMSA/NPM Adjustments. This package decreases General Fund by \$3,226,059, increases Other Funds limitation by \$343,788 and adds two permanent, full-time Compliance Specialist 1 positions (2.00 FTE). The Master Tobacco Settlement Agreement (MSA) allowed participating manufactures' to dispute a portion of the annual MSA state payments. Historically, disputed state payments have been withheld from the annual MSA payments. In the Spring of 2017, Oregon joined over 20 settling states who had previously reached a resolution with the participating manufactures on the disputed portion of the settlement for years 2004 through 2015. Payments have been made to the states for these years. DOJ no longer requires the General Fund for defending the state's enforcement actions to the arbitration panel. However, DOJ does require two additional compliance positions for enforcement activities funded with Other Funds (the MSA settlement proceeds).

Package 804, Expenditure Limitation Adjustments/Reductions. This package converts limitation from Other Funds Nonlimited to Other Funds limited and eliminates excess Other Funds limitation from the agency's budget. Specifically, it eliminates \$800,000 Other Funds limited and converts \$503,122 Other Funds Nonlimited to Other Funds limited. This package eliminates Other Funds Nonlimited from the division's budget. If the division needs additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included in either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Criminal Justice Division

The Criminal Justice Division provides prosecution and investigation assistance to District Attorneys statewide and provides investigation, intelligence and prosecution services relating to public corruption, terrorism, drug and organized crime. The Subcommittee approved a budget of \$29,466,297 total funds: \$13,685,070 General Fund, \$14,483,746 Other Funds limitation, \$1,297,481 Federal Funds limitation and 59 positions (59.00 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 141, Continue Fusion Center. This package increase General Fund by \$884,995 and funds three permanent full-time positions (3.00 FTE). This package supports the Fusion Centers ability to facilitate state information sharing, analysis and training deemed essential to law enforcement and public safety organizations. Oregon's Fusion Center resides within DOJ's, Criminal Justice Division and Criminal Information Services Section, and includes criminal investigatory and prosecutorial elements, as well as limited participation by federal, state, and local entities. The unit was originally funded with federal moneys and has since transitioned to be predominately state funded, with General Fund beginning in 2014.

Package 146, Continue DUII Prosecution. This package increases Other Funds limitation by \$558,883 and adds one permanent, full-time (1.00 FTE) Senior Assistant Attorney General position for the DUII Resource Prosecution Program. The position was filled as a limited duration position for the 2015-17 biennium. Funding for the Senior AAG position comes from the Oregon Department of Transportation (ODOT). The current grant with ODOT expires September 2017; however, ODOT has notified DOJ of the federal funding for this program being renewed. The division has had the DUII Prosecutor since 2006.

Package 147, Internet Crimes Against Children. This package increases Federal Funds limitation by \$755,187 and converts two full-time limited duration Criminal Investigator positions (2.00 FTE) to permanent, full-time status. These positions are dedicated to working with the Internet Crimes Against Children (ICAC) Task Force. These positions work in conjunction with the national network of 61 other coordinated task forces representing over 3,500 federal, state and local law enforcement and prosecutorial agencies. In September 1988, the US Department of Justice created a National ICAC Task Force program to counter the emerging threat of offenders using the Internet or other online technology to sexually exploit children. The Federal Funds revenue comes from the Federal ICAC grant.

Package 148, Urban Area Security Initiative. This package increases Other Funds limitation by \$278,608 and continues one full-time limited duration position (1.00 FTE). The funding for this position comes from the Military Department, Office of Emergency Management (OEM). There are no guarantees for this funding; however, the communication between DOJ and OEM indicates the federal funding OEM receives supports this program.

The position provides services to the five Urban Area Security Initiative (UASI) counties (Multnomah, Clackamas, Washington, Columbia, and Clark). Among other things, the position provides tactical and strategic analytical case support, conducts Critical Infrastructure and Key Resources assessments, conducts terrorism and all-crimes briefings to the Regional Disaster Preparedness Organization and provides on-site analytical support during major events. The limited duration position performing these duties was initially appropriated during the 2016 Session.

Package 149, State Homeland Security Grant. This package increases Other Funds limitation by \$288,007 and continues one full-time, limited duration Research Analyst 3 position (1.00 FTE) in the Fusion Center. The position is funded by OEM. There are no guarantees for this funding; however, the communication between DOJ and OEM indicates the federal funding OEM receives will continue to support this program.

Package 803, Traffic Safety Resource Prosecutor. This package increases the Other Funds limitation by \$401,772 and adds one full-time, limited duration (1.00 FTE) Senior Assistant Attorney General, traffic safety resource prosecutor position to the agency's budget. The source of this grant is the US Department of Transportation, National Traffic Safety Administration. The position will focus on drug-related traffic safety education, investigations and prosecutions at the local level. The position will help provide statewide continuity for law enforcement. This position was originally created during the 2016 Session.

Package 804, Expenditure Limitation Adjustments/Reductions. This package eliminates excess Federal Funds limitation by \$2,800,000.

Package 812, Vacant Positions Elimination. This package reduces excess Other Funds limitation by \$222,572 and eliminates one vacant Principal Executive Manager B position (1.00 FTE).

Crime Victims Services

The Crime Victims Services division runs several programs and administers hundreds of grants. The Crime Victims' Services division compensates victims' of violent crime for losses they sustain as a result of the criminal actions of another. The division administers and monitors grants from eight major funds providing partial funding to nearly every non-profit and system based victims program in the state. The division also provides direct advocacy programs and collects restitution and criminal fines and fees on behalf of victims and the state. Programs run by the division include the Victims' Compensation Program, the Sexual Assault Victims' Emergency Medical Response Fund, the Address Confidentiality Program and the Post-Conviction Advocacy Program. The Subcommittee approved a budget of \$76,516,863 total funds: \$7,897,096 General Fund, \$34,154,612 Other Funds limitation, \$34,465,155 Federal Funds limitation and 38 permanent positions (36.19 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090: Analyst Adjustments. This package makes a one-time only shift of \$5,124,920 General Fund to Other Funds limitation. A recent Oregon Supreme Court case affirmed a \$25 million lower court judgment against a major tobacco company for a plaintiff's smoking related death. The state's portion, approximately \$11.0 million, was paid to the state as punitive damages award and deposited into the Criminal Injuries Compensation Account, and is used to fund crime victims' assistance programs. In 2015, the Legislature added \$2 million General Fund to backfill a punitive damages revenue shortfall, as those awards were thought to be unavailable in the future due to Tort Reform and the resulting impact to settlement agreements, on a one-time basis.

Package 191, VOCA Grant Award. This package increases Federal Funds limitation by \$15,478,089 and establishes four permanent, full-time positions (3.63 FTE). The Victims of Crime Act (VOCA) assistance grant funds services for victims of domestic violence and sexual assault programs. The federal funding continues to increase from \$5.4 million in 2013-15, to \$24.0 million in 2015-17, and to an estimated \$41.0 million above current service level in the 2017-19 biennium. The VOCA awards are sub-granted out to non-profit and prosecutor-based victim service providers, as well as child abuse intervention centers. The positions are to assist with the administration of VOCA funds. The position will be a Compliance Specialist to conduct audits, and three Program Analyst 3 positions. The positions will be 100 percent federally funded with no state match required.

This package is a one-time adjustment and provides additional VOCA funding through June 30, 2018. If the agency requires additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Package 192, CVSD Reclassification. This package is self-funded and will not require a limitation increase. It upwardly reclassifies four existing positions, three of which are working out-of-class. The reclassification is based on moving the positions into the higher classification, but at the same initial rate of pay. The Punitive Damages (Other Funds) revenue collection will pay for the reclassifications.

Package 804, Expenditure Limitation Adjustments/Reductions. This package increases Federal Funds limitation by \$1,154,371. At the December 2016 meeting of the Emergency Board, Federal Funds limitation was increased for the Crime Victims' Services Division, by \$1,342,520, to cover expenses related to the Umpqua Community College (UCC) shooting incident. The federal grant was approved at \$1,202,740, of which DOJ has expended \$48,369, as of April 2017. DOJ estimates \$1,154,371 is needed during the 2017-19 biennium. There is no state or local matching funds required for this non-completive grant. The US Department of Justice hired a coordinator to work with the local community to develop a grant for the UCC incident. As Oregon's federally designated administrative agency for federal victim service grants, DOJ will retain a portion of the grant for administrative costs.

General Counsel

The General Counsel Division provides a broad range of legal services to over 100 state agencies, boards and commissions. The Subcommittee approved a budget of \$55,198,520 Other Funds limitation and 147 positions (146.28 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 201, Maintain Legal Service Level to Agencies. This package increases Other Funds limitation by \$1,560,946 and adds six permanent, full-time positions (5.28 FTE). This package is dedicated to address caseload in the business, health and natural resource activity sections where agencies are requesting DOJ services.

Package 202, Legal Work with Statewide Benefit. This package increases Other Funds limitation by \$307,366 and adds one full-time, limited duration (1.00 FTE) Operations and Policy Analyst 3 position. The one-time funding covers the cost of a Client Legal Training Manager to organize the biennial Public Law Conference and to organize and coordinate other client legal trainings as well as provide expenditure limitation for the Public Law Conference.

Trial

The Trial Division represents the state of Oregon and its agencies, departments, boards, commissions, officers, employees and agents, in all state and federal trial courts. The Subcommittee approved a budget of \$32,816,489 Other Funds limitation and 106 permanent, full-time positions (104.87 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases Other Funds limitation by \$786,611, eliminates three of the four requested positions and reduces the FTE request from 3.38 by 2.87. DOJ originally forecasted a mandated caseload adjustment for the Trial Division of \$939,035 General Fund as Other Funds limitation. An updated spring 2017 forecast showed only one new position (0.50 FTE) for \$152,424 Other Funds, is needed by the division to maintain the new forecasted caseload activities. This package is adjusted to eliminate the unneeded expenditure limitation.

Defense of Criminal Convictions

Defense of Criminal Convictions (DCC) is a budgetary unit used to track the cost of defending the state in cases when sentenced offenders challenge their convictions or sentences. Three types of cases are funded from these funds: (1) direct criminal appeals when the offender's challenge is on alleged legal or factual errors of the trial; (2) post-conviction challenges when the offender challenges the effectiveness of their counsel; or (3) federal habeas corpus when the offender challenges violations of their constitutional rights in federal court. This fund is used to finance staff in both the Trial and Appellate divisions, defending the state in DCC cases. The Subcommittee approved a budget of \$23,635,069 General Fund.

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 090, Analyst Adjustments. This package decreases the budget by \$4,986,330 General Fund. DOJ originally forecasted a mandated caseload adjustment of \$5.7 million for the Defense of Criminal Convictions. An updated forecast in the spring of 2017, indicated that the agency is able to accommodate the updated forecasted caseload with less General Fund.

Division of Child Support

The Division of Child Support works to enhance the security and interests of children and promotes positive parental involvement, as outlined in federal and state laws. The division locates absent parents, establishes paternity, enforces and modifies child support obligations, and receives and distributes child support payments. The Subcommittee approved a budget of \$170,150,720 total funds: \$28,060,876 General Fund, \$32,359,440 Other Funds limitation, \$109,730,404 Federal Funds limitation and 575 positions (571.61 FTE).

The Subcommittee approved the following adjustments to the program's current service level budget:

Package 070, Revenue Shortfall. This package decreases the budget by \$4,047,835 total funds; \$5,895 General Fund; \$1,374,260 Other Funds limitation; \$2,667,680 Federal Funds limitation; and eliminates 22 positions (22.00 FTE). This division collects Temporary Assistance for Needy Families (TANF) recoveries and uses this funding to support a portion of their operational costs. This occurs when a child support obligation involves a family receiving TANF. The family assigns support rights to the state to offset expenses. Such recoveries fund the division, as well as the Department of Human Services Child Welfare, Medical Assistance and the Oregon Youth Authority. TANF caseloads are diminishing as the economy is improving, along with federal law changes. The amount of TANF recoveries assignable to the state and collectible as Oregon Child Support Program revenue continues to decline. With caseloads and total collections costs remaining unchanged, there is a shortfall to pay for the division's operating expenses. The agency recalculated the impact of these reductions in May of 2017, which resulted in a reduction to the original revenue shortfall amounts. Policy Package 231 is the companion package for the restoration of the revenue shortfall in this package.

Package 231, Restoration of Revenue Reduction. This package restores \$4,047,835 total funds; \$1,380,155 General Fund; \$2,667,680 Federal Funds limitation; and restores 22 permanent positions (22.00 FTE). This is a one-time restoration.

Package 804, Expenditure Limitation Adjustments/Reductions. This package increases Other Funds limitation by \$4,574,021, eliminates \$4,574,021 Other Funds Nonlimited, increases Federal Funds limitation by \$16,322,641 and eliminates \$16,322,641 Federal Funds Nonlimited. This package converts all Nonlimited expenditures to their corresponding expenditure limitations the program uses to pass-through funds to counties. If the agency needs additional Other Funds limitation during the 2017-19 biennium, there will be an opportunity to make a request during the February Legislative Session or at an Emergency Board Meeting in May, September or December 2018 and have it included in either as part of an early or late session omnibus measure or as part of the agency's primary budget measure.

Child Support Enforcement Automated System

The Child Support Enforcement Automated System (CSEAS) program was established during the 2015 Session to segregate this information technology project's funding from the agency's operational costs and from the debt service funding for the project. Funding for the CSEAS project is approved each biennium. Funding for the 2017-19 biennium may be considered as part of Senate Bill 5505 (2017), the bonding bill and House Bill 5006 (2017), the end of session omnibus budget measure. The Subcommittee approved the following adjustments to the program's current service level budget:

Package 070, Revenue Shortfall. This package decreases the budget by \$5,943,134 total funds; \$2,032,524 Other Funds limitation; \$3,910,610 Federal Funds limitation; and eliminates 32 permanent positions (23.31 FTE). Funding to restore this package maybe considered in Senate Bill 5505 (2017), the bonding bill and House Bill 5006 (2017), the end of session omnibus budget measure.

Debt Service and Related Costs

Debt Services and Related Costs was established during the 2015 Session, to segregate debt service funding from the agency's operational costs. The General Fund debt service is related to the CSEAS project, for the Division of Child Support. The Subcommittee approved \$9,294,608 General Fund debt service, for the 2017-19 biennium.

Summary of Performance Measure Action

See attached Legislatively Adopted 2017-19 Key Performance Measures form.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Justice
Michelle Lisper -- 971-283-6360

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2015-17 Legislatively Approved Budget at Dec 2016 *	\$ 78,870,126	\$ -	\$ 305,049,500	\$ 4,895,992	\$ 168,304,853	\$ 15,740,252	\$ 572,860,723	1,329	1,300.27
2017-19 Current Service Level (CSL)*	\$ 94,668,945	\$ -	\$ 293,923,290	\$ 5,077,143	\$ 122,484,387	\$ 16,322,641	\$ 532,476,406	1,323	1,303.01
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 010 - Administration									
Package 101: Rebaselining IT Costs									
Services and Supplies	\$ -	\$ -	\$ 2,719,913	\$ -	\$ -	\$ -	\$ 2,719,913		
Package 102: Strengthen Budget Section Staffing									
Personal Services	\$ -	\$ -	\$ 258,143	\$ -	\$ -	\$ -	\$ 258,143	1	0.88
Services and Supplies	\$ -	\$ -	\$ 13,687	\$ -	\$ -	\$ -	\$ 13,687		
Package 103: Legal Tools Ongoing Support									
Services and Supplies	\$ -	\$ -	\$ 1,394,640	\$ -	\$ -	\$ -	\$ 1,394,640		
Package 112: Accounting Technician									
Personal Services	\$ -	\$ -	\$ 104,194	\$ -	\$ -	\$ -	\$ 104,194	1	0.88
Services and Supplies	\$ -	\$ -	\$ 43,559	\$ -	\$ -	\$ -	\$ 43,559		
Package 801: LFO Analyst Adjustments									
Services and Supplies	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000		
Package 812: Vacant Position Elimination									
Personal Services	\$ -	\$ -	\$ (218,111)	\$ -	\$ -	\$ -	\$ (218,111)	(1)	(1.00)
Services and Supplies	\$ -	\$ -	\$ (30,000)	\$ -	\$ -	\$ -	\$ (30,000)		
SCR 020 - Appellate									
Package 090: Analyst Adjustments									
Personal Services	\$ -	\$ -	\$ (1,527,832)	\$ -	\$ -	\$ -	\$ (1,527,832)	(9)	(7.59)
Services and Supplies	\$ -	\$ -	\$ (477,636)	\$ -	\$ -	\$ -	\$ (477,636)		
SCR 030 - Civil Enforcement									
Package 131: Enhanced Medicaid Fraud Control									
Personal Services	\$ -	\$ -	\$ 119,230	\$ -	\$ 356,272	\$ -	\$ 475,502	3	2.64
Services and Supplies	\$ -	\$ -	\$ 33,114	\$ -	\$ 99,341	\$ -	\$ 132,455		
Package 801: LFO Analyst Adjustments									
Personal Services	\$ -	\$ -	\$ 189,058	\$ -	\$ -	\$ -	\$ 189,058	0	0.00
Package 802: TMSA/NPM Adjustments									
Personal Services	\$ -	\$ -	\$ 270,774	\$ -	\$ -	\$ -	\$ 270,774	2	2.00
Services and Supplies	\$ (3,226,059)	\$ -	\$ 73,014	\$ -	\$ -	\$ -	\$ (3,153,045)		
Package 804: Expenditure Limitation Adjustments/Reductions									
Services and Supplies	\$ -	\$ -	\$ (800,000)	\$ -	\$ -	\$ -	\$ (800,000)		
Special Payments	\$ -	\$ -	\$ 503,122	\$ (503,122)	\$ -	\$ -	\$ -		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
SCR 040 - Criminal Justice									
Package 141: Continue Fusion Center									
Personal Services	\$ 630,865	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 630,865	3	3.00
Services and Supplies	\$ 254,130	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 254,130		
Package 146: Continue DUUI Prosecution									
Personal Services	\$ -	\$ -	\$ 439,112	\$ -	\$ -	\$ -	\$ 439,112	1	1.00
Services and Supplies	\$ -	\$ -	\$ 119,771	\$ -	\$ -	\$ -	\$ 119,771		
Package 147: Internet Crimes Against Children									
Personal Services	\$ -	\$ -	\$ -	\$ -	\$ 593,562	\$ -	\$ 593,562	2	2.00
Services and Supplies	\$ -	\$ -	\$ -	\$ -	\$ 161,625	\$ -	\$ 161,625		
Package 148: Urban Area Security Initiative									
Personal Services	\$ -	\$ -	\$ 195,940	\$ -	\$ -	\$ -	\$ 195,940	1	1.00
Services and Supplies	\$ -	\$ -	\$ 82,668	\$ -	\$ -	\$ -	\$ 82,668		
Package 149: State Homeland Security Grant									
Personal Services	\$ -	\$ -	\$ 203,966	\$ -	\$ -	\$ -	\$ 203,966	1	1.00
Services and Supplies	\$ -	\$ -	\$ 84,041	\$ -	\$ -	\$ -	\$ 84,041		
Package 803: Traffic Safety Resource Prosecutor									
Personal Services	\$ -	\$ -	\$ 296,727	\$ -	\$ -	\$ -	\$ 296,727	1	1.00
Services and Supplies	\$ -	\$ -	\$ 105,045	\$ -	\$ -	\$ -	\$ 105,045		
Package 804: Expenditure Limitation Adjustments/Reductions									
Services and Supplies	\$ -	\$ -	\$ -	\$ -	\$ (523,587)	\$ -	\$ (523,587)		0.00
Capital Outlay					\$ (31,038)	\$ -	\$ (31,038)		
Special Payments					\$ (2,245,375)	\$ -	\$ (2,245,375)		
Package 812: Vacant Position Elimination									
Personal Services	\$ -	\$ -	\$ (192,572)	\$ -	\$ -	\$ -	\$ (192,572)	(1)	(1.00)
Services and Supplies	\$ -	\$ -	\$ (30,000)	\$ -	\$ -	\$ -	\$ (30,000)		
SCR 045 - Crime Victims' Services									
Package 090: Revenue Shortfall									
Special Payments (Dist. to Non-Gov't Units)	\$ (5,124,920)	\$ -	\$ 5,124,920	\$ -	\$ -	\$ -	\$ -		
Package 191: VOCA Grant Award									
Personal Services	\$ -	\$ -	\$ -	\$ -	\$ 705,325	\$ -	\$ 705,325	4	3.63
Services and Supplies	\$ -	\$ -	\$ -	\$ -	\$ 335,117	\$ -	\$ 335,117		
Special Payments (Dist. to Cities)	\$ -	\$ -	\$ -	\$ -	\$ 349,380	\$ -	\$ 349,380		
Special Payments (Dist. to Counties)	\$ -	\$ -	\$ -	\$ -	\$ 3,955,702	\$ -	\$ 3,955,702		
Special Payments (Dist. to Non-Gov't Units)	\$ -	\$ -	\$ -	\$ -	\$ 10,132,565	\$ -	\$ 10,132,565		
Package 804: Expenditure Limitation Adjustments/Reductions									
Special Payments (Dist. to Counties)	\$ -	\$ -	\$ -	\$ -	\$ 1,154,371	\$ -	\$ 1,154,371		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
SCR 050 - General Counsel										
Package 201: Maintain Legal Service Level to Agencies										
Personal Services	\$ -	\$ -	\$ -	\$ 1,207,662	\$ -	\$ -	\$ -	1,207,662	6	5.28
Services and Supplies	\$ -	\$ -	\$ -	\$ 353,284	\$ -	\$ -	\$ -	353,284		
Package 202: Legal Work with Statewide Benefit										
Personal Services	\$ -	\$ -	\$ -	\$ 189,059	\$ -	\$ -	\$ -	189,059	1	1.00
Services and Supplies	\$ -	\$ -	\$ -	\$ 118,307	\$ -	\$ -	\$ -	118,307		
SCR 060 - Trial										
Package 090: Analyst Adjustments										
Personal Services	\$ -	\$ -	\$ -	\$ (606,360)	\$ -	\$ -	\$ -	(606,360)	(3)	(2.87)
Services and Supplies	\$ -	\$ -	\$ -	\$ (180,251)	\$ -	\$ -	\$ -	(180,251)		
SCR 100 - Defense of Criminal Convictions										
Package 090: Analyst Adjustments										
Services and Supplies	\$ (4,986,330)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(4,986,330)		
SCR 160 - Division of Child Support										
Package 70: Revenue Shortfall										
Personal Services	\$ (5,895)	\$ -	\$ (1,075,123)	\$ -	\$ (2,098,447)	\$ -	\$ (3,179,465)	(22)	(22.00)	
Services and Supplies	\$ -	\$ -	\$ (299,137)	\$ -	\$ (569,233)	\$ -	\$ (868,370)			
Package 231: Restoration of Revenue Reductions										
Personal Services	\$ 1,081,018	\$ -	\$ -	\$ -	\$ 2,098,447	\$ -	\$ 3,179,465	22	22.00	
Services and Supplies	\$ 299,137	\$ -	\$ -	\$ -	\$ 569,233	\$ -	\$ 868,370			
Package 804: Expenditure Limitation Adjustments/Reductions										
Special Payments	\$ -	\$ -	\$ -	\$ 4,574,021	\$ (4,574,021)	\$ 16,322,641	\$ (16,322,641)	-		
SCR 161 - CSEAS										
Package 070: Revenue Shortfall										
Personal Services	\$ -	\$ -	\$ (1,779,566)	\$ -	\$ (3,440,747)	\$ -	\$ (5,220,313)	(32)	(23.31)	
Services and Supplies	\$ -	\$ -	\$ (252,958)	\$ -	\$ (469,863)	\$ -	\$ (722,821)			
TOTAL ADJUSTMENTS	\$ (11,078,054)	\$ -	\$ -	\$ 11,547,425	\$ (5,077,143)	\$ 27,455,291	\$ (16,322,641)	6,524,878	(19)	(10.46)
SUBCOMMITTEE RECOMMENDATION *	\$ 83,590,891	\$ -	\$ -	\$ 305,470,715	\$ -	\$ 149,939,678	\$ -	539,001,284	1,304	1,292.55
% Change from 2015-17 Leg Approved Budget	6.0%	0.0%	0.1%	(100.0%)	(10.9%)	(100.0%)	(5.9%)	(1.9%)	(0.6%)	
% Change from 2017-19 Current Service Level	(11.7%)	0.0%	3.9%	(100.0%)	22.4%	(100.0%)	1.2%	(1.4%)	(0.8%)	

*Excludes Capital Construction Expenditures

Legislatively Approved 2017 - 2019 Key Performance Measures

Published: 6/17/2017 10:45:04 AM

Agency: Justice, Department of

Mission Statement:

The mission of the Oregon Department of Justice is to provide outstanding legal and child support services to Oregonians and their government. We are dedicated to: Fighting crime and protecting crime victims; improving child welfare; protecting the environment; fighting for Oregon consumers, workers, investors, and taxpayers; promoting a positive business climate; providing great legal services to Oregon's state government; and defending the rights of all Oregonians.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2018	Target 2019
1. Percentage of legal cases in which the state's position is upheld		Approved	96%	95%	98%
2. Percentage of appropriate litigation resolved through settlement		Approved	68%	70%	70%
3. Amount of monies recovered for the state divided by the cost of recovery		Approved	\$36.40	\$28.00	\$28.00
4. Average working days from receipt of contracting document to first substantive response to agency.		Approved	5.50	5	5
5. Percentage of legal billings receivables collected within 30 days		Approved	85%	90%	90%
6. Percentage of timely and complete charities' reports submitted relative to total charities registered		Approved	65%	70%	70%
7. Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" on overall, timeliness, accuracy, helpfulness, expertise, availability of information	Availability of Information	Approved	95%	98%	98%
	Accuracy		97%	99%	99%
	Overall		95%	98%	98%
	Helpfulness		97%	99%	99%
	Expertise		99%	99%	99%
	Timeliness		95%	98%	98%
8. Percentage of Criminal Justice Division cases resolved successfully		Approved	99%	100%	100%
9. Percentage of crime victims' compensation orders issued within 90 days of claim receipt		Approved	95%	98%	98%
10. Percentage of support collected by the Child Support Program that is distributed to families		Approved	92%	95%	95%
11. Percentage of current child support collected relative to total child support owed		Approved	63%	65%	65%
12. Percentage of Child Support Program cases paying towards arrears relative to total Program cases with arrears due		Approved	61%	65%	65%
13. Percentage of Child Support Program cases with support orders relative to total Program cases		Approved	87%	90%	90%
14. Percentage of adult victims leaving domestic violence shelters with a safety plan after a stay of five days or more		Approved	92%	95%	95%
15. Percentage of sexual assault exams conducted by specially trained Sexual Assault Nurse Examiners (SANE)		Approved	69%	75%	75%
16. Percentage of Defense of Criminal Convictions (DCC) cases briefed within 210 days.		Approved	93%	95%	95%

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets with direction that the agency will work with the Legislative Fiscal Office to conduct a comprehensive review of existing Key Performance Measures, data, and targets and report back to the Legislature in 2019.

SubCommittee Action:

The Subcommittee adopted the Legislative Fiscal Office recommendations.