

Community Corrections Funding 2019-21

Presentation to Senate & House Judiciary Committees
September 18, 2019

Legislative Fiscal Office

What Happened?

- Community Corrections budget development
- Actual Cost Study – process and outcome
- Other funding for community corrections services
- Legislatively adopted budget 2019-21
- Process for changing the budget after adoption

Community Corrections in Oregon

- SB 1145 (1995) created the community corrections system we have today – “local control”
- Partnership between state and counties to manage felony offenders in the community
 - For felons sentenced to fewer than twelve months of incarceration
 - State provides funding
 - Counties provide supervision, services, and sanctions locally
 - Local public safety coordinating councils develop plans for adult and juvenile offender populations
- Goal is to reduce recidivism, improve public safety, hold offenders accountable

State Provides Funding

- Baseline funding for community corrections: ORS 423.483, in a nutshell
 - Baseline funding is “...the current service level for the expenses of providing management, support services, supervision, and sanctions for offenders”
 - Baseline funding can’t be decreased due to earned discharge from supervision
 - Baseline funding can’t be increased by new programs started with Justice Reinvestment grant funds
- “Current Service Level” has a statutory definition: ORS 423.483 (3)
- If baseline funding is less than current service level, counties can opt out of providing community corrections and return the function to the state

Community Corrections Budget Development

- Budget is based on:
 - The community corrections caseload – number of offenders and their risk levels
 - The time it takes to manage a case, based on risk level
 - The cost of the time it takes to manage a case
- These inputs are used to calculate the *capitated daily rate*, or weighted average rate per case per day
 - Used to allocate funding to counties
- Inputs are based on actuals
 - Number of offenders – from offender population snapshots
 - Time and cost – from time and cost study

Calculate Grant-in-Aid – the big number

To calculate the total biennial amount of Grant-in-Aid at the calculated current service level:

- Determine the monthly forecasted number of offenders in the community, from the forecast prepared by the Office of Economic Analysis
- Multiply the monthly forecast caseload by the number of days in the month by the capitated daily rate
 - Factor in offenders supervised out of state – “CMPO”

Month	Caseload		Days/ Mo		Rate	=	Monthly Cost	CMPO		Days/ Mo		Rate	=	Monthly Cost	Total Monthly Cost
July 2019	30,320	X	31	X	\$12.07	=	\$11,342,122	1,104	X	31	X	\$1.01	=	\$34,415	\$11,376,537

- Use this calculation for each month of the biennium, sum all for biennial total
- Total for 2019-21: \$268.4 million. Total for 2017-19 was \$273.5 million.

Allocate Grant-in-Aid to Counties

- Determine actual county caseloads, based on snapshots in time
- Determine each county's percentage share of the total caseload
- Apply each county's percentage share of the caseload to the total forecast caseload
- Based on caseloads,
 - A county's slice can grow
 - A county's slice can shrink
 - The whole pie can grow
 - The whole pie can shrink



Actual Cost Study

- Used to find out how much time it takes to manage offenders in the community, by risk level
- Used to determine how much it costs to manage offenders in the community
- Required to be completed every six years, ORS 423.486 (1)
- Most recent study completed in 2018
- Three components:
 - Time Study – random case samples (10% of total), all counties, all risk levels
 - Financial Study – 2018 community corrections budgets, all counties
 - Population snapshots – October, November, December 2016

2018 Actual Cost Study – Findings

- More time is being spent on offender supervision overall
 - Much more time is being spent on pre-release (from prison) case management, pre-sentence assessments, and new cases
 - Reflective of evidence-based practices
- More money is being spent on offender supervision overall
 - County General Fund
 - Grants, Justice Reinvestment funds, supervision fees, etc.
- Using budget numbers from the Financial Study and new time estimates from the Time Study, the statewide Grant-in-Aid amount would be \$319.2 million, or \$50.7 million more than the 2019-21 LAB

All state funding for Community Corrections

Additional state resources for managing offenders in the community, 2019-21 LAB:

- Justice Reinvestment Initiative Grant Program: \$41.6 million
- Justice Reinvestment supplemental grant program: \$7.2 million
- Measure 57 supplemental funds: \$11.2 million
- Measure 73 (repeat DUII): \$3.6 million
- Family Sentencing Alternative Pilot Program: \$2.1 million
- Sexually Violent Dangerous Offenders: \$0.2 million
- Criminal Fines Account distribution to counties: \$4.5 million

All of these amounts are budgeted at the current service level

Legislative Process – SB 5504

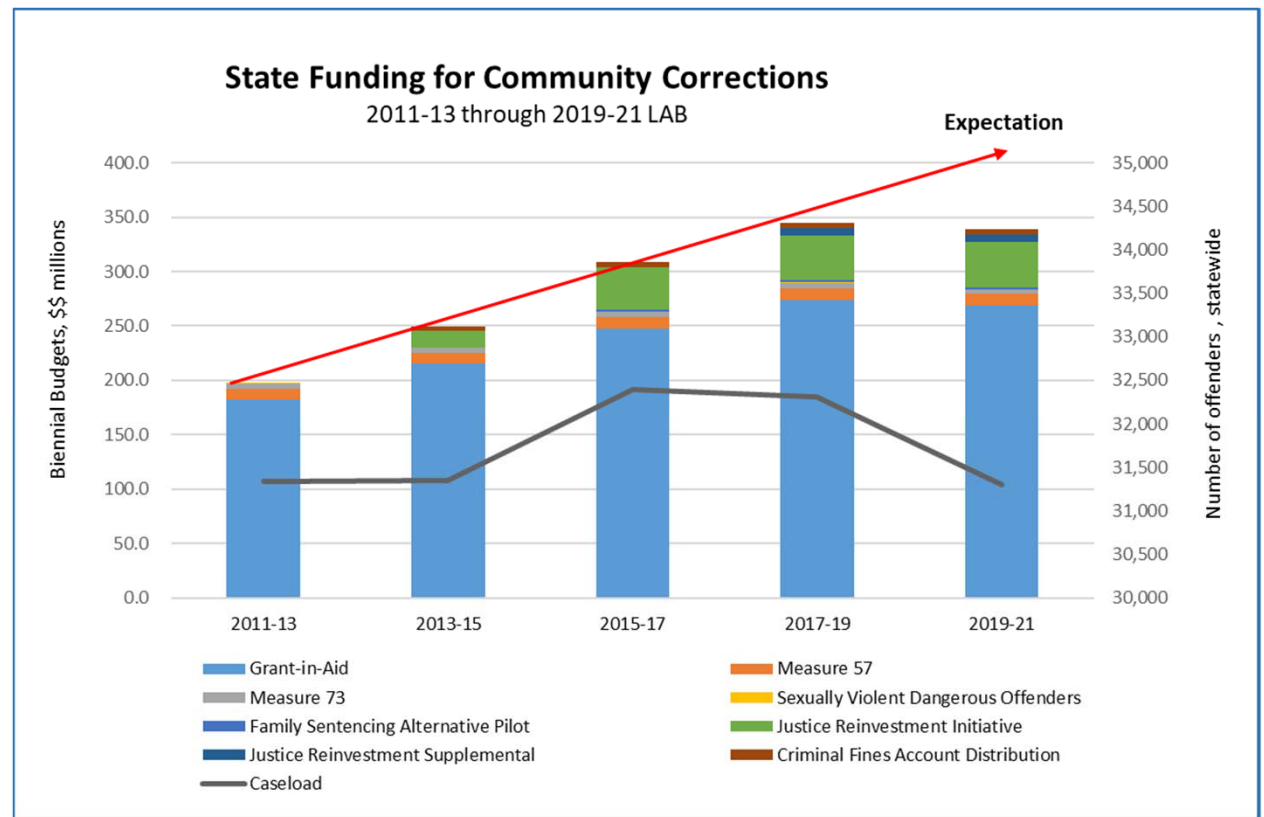
- JWM Co-Chair budget framework released March 7
- DOC agency presentation in JWM Public Safety subcommittee, March 25-28
- SB 5504 budget work session June 12
- SB 5504 full JWM June 14
- Senate and House floors June 29
- Sine Die June 30

Community Corrections Funding History

The total amount of state funding for community corrections programs has grown significantly since the 2011-13 biennium, from \$197.5 million to \$338.9 million in 2019-21. This represents an overall increase of 71.6% through the 2019-21 biennium. Inflation has grown over the same period by 14%.

Justice Reinvestment funding has tripled its initial allocation of \$15 million.

The statewide caseload has fluctuated biennium-over-biennium by 3% over the past ten years.



County support for community corrections

- Counties support the community corrections system with local funding, including:
 - County General Fund - \$66.6 million in 2018. Multnomah County = \$40.6M
 - Supervision and other fees - \$15.6 million in 2018
 - Grants and other funding sources - \$14 million in 2018
- Counties have different cost structures and justice system practices
 - Labor costs
 - Availability of local funding for community corrections
 - Charging practices; availability of services, sanctions, and treatment
 - Budget decisions at the local level

Specific Pain Points for 2019-21

- No new or expanded state programs
- No part of cost study implemented
- Reduction in statewide caseload AND reduction in forecasted caseload – the pie got smaller
- Grant in Aid statutory current service level calculation results in a mismatch with where counties spend the money
- County-specific local budget situations

Budget Timeframes

- Interim Joint Committee on Ways and Means
 - Has no budget authority – can hear reports and approve grant applications
 - Meets September 2019, November 2019, January 2020
- Short legislative session
 - Can make changes to the current biennium's budget
 - Meets February 3rd – March 8th, 2020
- Emergency Board
 - Can make allocations from Emergency Fund - \$75 million
 - Meets quarterly beginning in May 2020 (*dates not established yet*)