

**SB 5504 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Manning Jr

**Joint Committee On Ways and Means**

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**Action Date:** 06/14/19

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

**Senate Vote**

**Yeas:** 7 - Beyer, Frederick, Johnson, Manning Jr, Roblan, Steiner Hayward, Wagner

**Nays:** 4 - Girod, Hansell, Heard, Thomsen

**Exc:** 1 - Baertschiger Jr

**House Vote**

**Yeas:** 6 - Gomberg, Holvey, McLain, Nosse, Piluso, Rayfield

**Nays:** 3 - McLane, Smith G, Stark

**Prepared By:** April McDonald, Department of Administrative Services

**Reviewed By:** Julie Neburka, Legislative Fiscal Office

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**Department of Corrections**

**2019-21**

## **Budget Summary\***

	2017-19 Legislatively Approved Budget <sup>(1)</sup>	2019-21 Current Service Level	2019-21 Committee Recommendation	Committee Change from 2017-19 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 1,589,836,701	\$ 1,716,836,438	\$ 1,740,109,656	\$ 150,272,955	9.5%
General Fund Capital Improvements	\$ 2,824,471	\$ 2,931,801	\$ 2,931,801	\$ 107,330	3.8%
General Fund Debt Service	\$ 113,974,191	\$ 116,080,590	\$ 116,080,590	\$ 2,106,399	1.8%
Other Funds Limited	\$ 43,508,746	\$ 44,460,244	\$ 42,900,408	\$ (608,338)	(1.4%)
Other Funds Debt Service	\$ 43,042	\$ -	\$ -	\$ (43,042)	(100.0%)
Federal Funds Limited	\$ 5,094,910	\$ 4,533,582	\$ 4,533,582	\$ (561,328)	(11.0%)
Federal Funds Debt Service Nonlimited	\$ 1,038,513	\$ 940,120	\$ 940,120	\$ (98,393)	(9.5%)
<b>Total</b>	<b>\$ 1,756,320,574</b>	<b>\$ 1,885,782,775</b>	<b>\$ 1,907,496,157</b>	<b>\$ 151,175,583</b>	<b>8.6%</b>

## **Position Summary**

Authorized Positions	4,605	4,600	4,731	126
Full-time Equivalent (FTE) positions	4,572.07	4,575.36	4,699.06	126.99

<sup>(1)</sup> Includes adjustments through December 2018

\* Excludes Capital Construction expenditures

## **Summary of Revenue Changes**

The Department of Corrections (DOC) is primarily supported with General Fund. For the 2019-21 biennium, the General Fund appropriation of \$1.9 billion makes up 97.5% of the recommended budget. Other Funds make up 2.2% of the Department's revenues, and Federal Funds account for the remaining 0.3%. Other Funds are primarily comprised of charges for services from inmate work crews, sales of inmate-produced products, site commissions paid by telephone service providers, and bond proceeds for capital projects. Federal Funds are primarily from the State Criminal Alien Assistance Program grant, which partially reimburses the state for the cost of managing undocumented offenders. These funds are used to offset expenditures for medical care.

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

DOC manages and rehabilitates adult felony offenders sentenced by the courts to more than 12 months of incarceration, as well as juveniles sentenced under Measure 11 (1994) who are currently over the age of 18. The mission of the Department is to promote public safety by holding offenders accountable for their actions to reduce the risk of future criminal behavior. DOC is responsible for the overall security, housing, and

daily operations of 14 institutions around the state, as well as providing medical, dental, mental health, and pharmacy services to all adults in custody. DOC directly operates the community corrections system in Linn and Douglas counties, and provides funding for the management and delivery of community corrections programs in the remaining 34 Oregon counties.

The Subcommittee recommended a budget of \$1,907,496,157 total funds comprised of \$1,859,122,047 General Fund, \$42,900,408 Other Funds expenditure limitation, \$4,533,582 Federal Funds expenditure limitation, \$940,120 Federal Funds Nonlimited, and 4,731 positions (4,699.06 FTE). The total budget is a 1.2% increase from the 2019-21 current service level and an 8.6% increase from the 2017-19 Legislatively Approved Budget.

### **Operations Division**

The Operations Division is responsible for housing Oregon's incarcerated adult felony population and for the security and daily operations of Oregon's 14 prisons. The Division provides a safe, secure environment for more than 14,700 adults in custody and for staff to perform their duties and hold offenders accountable while reducing the risk of recidivism. The functions of this Division include institution operations, security, food service, inmate work programs, and inmate transportation. The Subcommittee recommended a budget of \$908,840,074 General Fund, \$18,179,209 Other Funds expenditure limitation, and 3,381 positions (3,368.18 FTE), which includes the following packages:

Package 112, Hospital Security Watches. This package provides \$7,949,899 General Fund and establishes 40 permanent positions (37.84 FTE) to provide staffing for hospital watches and medical transports at three DOC institutions: the Coffee Creek Correctional Facility in Wilsonville, the Eastern Oregon Correctional Institution in Pendleton, and the Two Rivers Correctional Institution in Umatilla. The new security positions are established to provide relief staff for transporting and supervising adults in custody who are admitted to medical facilities. These services are currently provided by security staff assigned to work overtime. This program is intended to be a pilot project at the three institutions to evaluate the effect of having adequate staff on overtime expenditures related to hospital security watches.

Package 113, Other Funds Position Creation. This package provides \$2,112,964 Other Funds expenditure limitation and establishes 10 permanent correctional officer positions (10.00 FTE) to supervise adults in custody on work crews. These positions are supported by contracts for services.

Package 801, LFO Analyst Adjustments. This package reduces General Fund by \$2,043,195 to bring prison operation expenditures into alignment with the April 2019 prison population forecast.

### **Central Administration**

The Central Administration Division includes the Office of the Director, Office of the Inspector General, Chief Financial Office, Internal Audits, Communications, and Government Efficiencies. It provides overall leadership to the Department, develops strategic plans, and engages in

statewide public safety initiatives. Additionally, the Department budgets all of its State Government Service Charges within Central Administration, which accounts for roughly 47 % of the program's General Fund in the 2019-21 current service level budget.

The Subcommittee recommended a budget of \$105,679,432 General Fund, \$1,616,454 Other Funds expenditure limitation, \$1,039,222 Federal Funds expenditure limitation, and 176 positions (175.09 FTE), which includes the following packages:

Package 109, Central Support Initiatives. This package provides \$434,771 General Fund and establishes two permanent positions (2.00 FTE) to create a central Records Office in the Department of Corrections.

Package 113, Other Funds Position Creation. This package provides \$206,617 Other Funds expenditure limitation and establishes one permanent Accountant 2 position (1.00 FTE) to manage the revenue-generating activities of prison programs, cottage industries, and clubs operating in the Inmate Welfare Fund.

Package 114, Payroll Cost Savings. This package provides \$413,235 General Fund and establishes two permanent positions (2.00 FTE) to address operational and classification inconsistencies within the Payroll Unit. The positions will be located centrally and will analyze insurance issues, benefits coordination, and other cross-functional activities that span multiple DOC institutions.

### **Administrative Services Division**

The Administrative Services Division includes Information Technology Services, Facility Services, Human Resources, and Distribution Services. It provides services fundamental to the day-to-day operations of the Department. Services are provided directly to employees, offenders, volunteers, community corrections, and other partner agencies.

The Subcommittee recommended a budget of \$77,824,687 General Fund, \$9,512,738 Other Funds expenditure limitation, and 252 positions (251.16 FTE), which includes the following packages:

Package 106, IT Systems Sustainability. This package provides \$2,480,000 General Fund to pay for licensing and maintenance fees for the Department's use of its Statistical Analysis System (SAS) software and to replace desktop and laptop personal computers per the Department's five-year lifecycle replacement policy. These foundational tools are central to operations at the Department of Corrections; funding provided in this package is intended to be ongoing and to become a part of the Department's base budget going forward.

Package 110, Capital Renewal & Deferred Maintenance. This package provides \$12,556,301 General Fund and establishes five permanent positions (5.00 FTE) for capital construction, deferred maintenance, and emergency repair projects throughout the prison system. A total of \$11,346,282 is for emergency repair or deferred maintenance projects that are not eligible for bond funding. Specifically, those items include:

- \$500,000 to contract for a facilities master plan, which will provide guidance to the department for planning capital repairs;
- \$3,796,704 for identified repairs to fire suppression systems throughout DOC institutions;
- \$5,268,021 for HVAC repairs in nine DOC institutions, including replacement of the HVAC control system at the Coffee Creek Correctional Facility;
- \$1,102,763 for repairs to building envelopes and roofs; and
- \$678,794 for repairs to plumbing and electrical systems.

The five permanent, ongoing positions will facilitate the projects listed above and also those projects approved in the Capital Construction budget for bond funding. The established positions include a Construction Project Manager 2, an Information Systems Specialist 7, a Facility Operations Specialist 2, a Plumber, and an Electronic Security Technician 2 (5.00 FTE). The package provides \$1,210,019 General Fund for payroll and related costs for these positions. Related to repair projects, the Subcommittee approved the following Budget Note:

**Budget Note:**

The Department of Corrections is directed to notify the Legislative Fiscal Office and the Chief Financial Office in the event of emergency repairs estimated to cost more than \$250,000. This notification is to be made in writing, prior to work being contracted for or undertaken, for each incident.

Package 113, Other Funds Position Creation. This package provides \$706,025 Other Funds expenditure limitation and establishes three permanent positions (3.00 FTE) to manage the communications systems used by adults in custody. Revenue to support the positions comes from DOC's inmate telephone system provider. The Department contracts with a vendor to provide telephone and other communications services to adults in custody. The new positions will resolve positions that were double-filled to monitor the contract, ensure quality of vendor services, respond to public records requests, implement new technology, and monitor the data generated by the system.

Package 119, Safety & Fire Compliance. DOC does not have the specialized equipment necessary, nor do its employees meet the qualified technician standard, to perform fire alarm and suppression system inspections, testing, and repair. This package adds \$1,625,260 General Fund to pay for a contractor to conduct annual fire alarm and suppression system inspections and testing at all DOC institutions and two administration facilities.

**Community Corrections**

Community Corrections is a function of state government operated in partnership with local, county-operated community corrections agencies. Community Corrections programs include supervision, sanctions, and programs to hold offenders accountable and address the causes of criminal behavior with the aim of reducing the risk of present and future criminal behavior. The Department delivers these services directly in

Linn and Douglas counties and provides grant funding (based on the number of offenders to be managed and their risk levels) to the remaining counties to provide these services at the local level.

The Subcommittee recommended a budget of \$289,280,640 General Fund, \$2,667,196 Other Funds expenditure limitation, and 76 positions (76.00 FTE), which includes the following packages:

Package 104, Linn & Douglas FTE Adjustment. This package establishes three permanent positions (3.00 FTE) to support management of the Community Corrections programs for Linn and Douglas Counties. This includes an Administrative Specialist and a Parole/Probation Officer in the Linn County Parole and Probation Office, as well as an Office Specialist for the Douglas County Parole and Probation Office. This budget-neutral action is funded by reducing the special payments budget for these offices.

Package 801, LFO Analyst Adjustments. This package reduces General Fund by a total of \$2,712,441 and reduces Other Funds expenditure limitation by \$4,585,442 through three adjustments to the Community Corrections program. They include:

- A reduction of \$712,441 General Fund to align expenditures with the April 2019 prison population forecast;
- A reduction of \$2,000,000 General Fund, specific to SB 395 (2011) jail reimbursements to counties – this more closely aligns the budget to actual program expenditures; and
- A reduction of \$4,585,442 Other Funds for payments to counties from the Criminal Fines Account – this was made to meet statewide budget reduction targets.

None of these reductions affect the current service level of Grant-in-Aid funding for county Community Corrections programs.

### **Health Services**

The Health Services Division provides constitutionally mandated medical, dental, mental health and pharmacy services to the entire offender population around the clock and year-round. It is administratively part of the Operations Division, but has a separate budget unit to help track health care expenditures. Prison health care became a legal requirement in 1976, as the result of a Supreme Court decision in *Estelle v. Gamble*, which held that deliberate indifference to a prison inmate's serious illness or injury constitutes cruel and unusual punishment, which is prohibited by the Eighth Amendment to the U.S. Constitution.

The Division provides medical services using a multi-level managed care approach. Within the Division, the behavioral health unit includes services for adults in custody with severe mental illness, the developmentally disabled and those with co-occurring mental/substance abuse disorders. The dental health unit provides preventative and acute care and the pharmacy unit manages pharmaceutical acquisition/distribution

and medical supplies. The Department contracts with a third-party administrator for off-site services in a provider network. Health Services experiences approximately 800,000 medical encounters per year.

The Subcommittee recommended a budget of \$281,624,893 General Fund, \$715,055 Other Funds expenditure limitation, \$3,494,360 Federal Funds expenditure limitation, and 635 positions (618.13 FTE), which includes the following packages:

Package 103, Electronic Health Records. This package provides \$1,500,000 General Fund for the Department's Electronic Health Records (EHR) project. Funding is intended to bring the EHR project through the Office of the State Chief Information Officer (OSCIO) Stage Gate 2; Detailed Project Planning. The EHR will be implemented with existing DOC staff in partnership with OSCIO and vendors. This project has been in some form of planning for over a decade at DOC and has currently completed Stage Gate 1 successfully with no present concerns from OSCIO.

The business case plans for a software as a service (SaaS) solution including hardware upgrades, as well as quality assurance services. EHR will help staff to deliver health services effectively, efficiently, and safely, and will relieve the Department from the physical transport of files and additional paper file archiving.

Package 121, Healthcare Staffing Conversion. This package establishes 54 permanent medical and behavioral health positions (51.36 FTE) in the Health Services program. Funding for the positions is created by reducing budgets for contract services and medical services and supplies, for no net change to the Health Services budget in 2019-21. The positions will provide counseling and medical services to adults in custody that were formerly provided through contracts with community medical and behavioral health care providers.

Package 122, Certified Medication Aides. This package provides \$1,069,388 General Fund and establishes 10 permanent positions (7.50 FTE) for a pilot program using Certified Medication Aides (CMAs) rather than Registered Nurses (RNs) to administer medications to adults in custody at the Coffee Creek Correctional Facility. Currently, the agency uses RNs to administer medications to adults in custody at every institution, multiple times per day. This effort could be accomplished with less expense by using CMAs for the task. The Department has identified the amount of overtime expense incurred by nurses administering medications; the pilot is expected to demonstrate a lower cost for the Department.

### **Offender Management and Rehabilitation**

The Offender Management and Rehabilitation program manages the Department's mission to reduce the risk of future criminal conduct. The Division provides a continuum of evidence-based interventions as well as other services, opportunities, and tools to help adults in custody successfully transition from prison to the community. This Division is tasked with guiding and targeting corrections interventions and enhancing linkages to community-based networks of support. Program units include Intake, Offender Information and Sentence Computation, Office of Population Management, Programs and Services, Education and Training, Religious and Victim Services, Correctional Case Management, Policy

and Business Services and Re-Entry/Release Services. The Subcommittee recommended a budget of \$76,859,930 General Fund, \$10,209,756 Other Funds expenditure limitation, and 211 positions (210.50 FTE), which includes the following package:

Package 121, Healthcare Staffing Conversion. This package establishes one permanent position (1.00 FTE) in the Health Promotion program. Funding for the position is created by reducing the budget for contract services, for no net change to the Health Promotion program budget in 2019-21.

### **Debt Service**

Debt Service is the obligation to repay the principal and interest on funds borrowed through the sale of Certificates of Participation (COPs) and bonds. Proceeds generated by the sales of COPs and bonds are used to construct and improve correctional facilities. Repayment periods range from six to twenty-six years, depending on the nature and value of the project. Bond proceeds are also used for the purchase of property, design costs, siting costs, major improvements or upgrades of existing facilities and the staff costs associated with the construction and improvement of facilities. The Subcommittee recommended a budget of \$116,080,590 General Fund and \$940,120 Federal Funds Nonlimited.

### **Capital Improvements**

Capital Improvements include maintenance, repair, replacement, or adaptation of a facility. The project must significantly increase the asset's value, extend the life or make it adaptable for a different use. Additionally, the completed project must be less than \$1.0 million and be capitalizable in accordance with OAM 15.60.10, otherwise expenditures are categorized as capital construction. The department is responsible for maintaining roughly 325 owned buildings and over 5.4 million square feet of space. This Program allows the agency to perform the most critical and immediate protection activities on its real property assets with an estimated current replacement value of \$2.5 billion. The Subcommittee recommended a budget of \$2,931,801 General Fund.

### **Summary of Maximum Supervisory Ratio**

The Subcommittee reviewed the agency's proposed Maximum Supervisory Ratio of 1:10.

### **Summary of Performance Measure Action**

See attached "Legislatively Approved 2019-2021 Key Performance Measures."



## DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Corrections  
April McDonald -- 503-877-8125

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2017-19 Legislatively Approved Budget at Dec 2018 *	\$ 1,706,635,363	\$ -	\$ 43,551,788	\$ -	\$ 5,094,910	\$ 1,038,513	\$ 1,756,320,574	4,605	4,572.07
2019-21 Current Service Level (CSL)*	\$ 1,835,848,829	\$ -	\$ 44,460,244	\$ -	\$ 4,533,582	\$ 940,120	\$ 1,885,782,775	4,600	4,575.36
<b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>									
<b>SCR 003 - Operations Division</b>									
Package 112: Hospital Security Watches									
Personal Services	\$ 7,373,418	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,373,418	40	37.84
Services and Supplies	\$ 576,481	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 576,481		
Package 113: Other Funds Position Creation									
Personal Services	\$ -	\$ -	\$ 1,968,184	\$ -	\$ -	\$ -	\$ 1,968,184	10	10.00
Services and Supplies	\$ -	\$ -	\$ 144,780	\$ -	\$ -	\$ -	\$ 144,780		
Package 801: LFO Analyst Adjustments									
Services and Supplies	\$ (2,043,195)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,043,195)		
<b>SCR 004 - Central Administration</b>									
Package 109: Central Support Initiatives									
Personal Services	\$ 393,713	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 393,713	2	2.00
Services and Supplies	\$ 41,058	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41,058		
Package 113: Other Funds Position Creation									
Personal Services	\$ -	\$ -	\$ 186,088	\$ -	\$ -	\$ -	\$ 186,088	1	1.00
Services and Supplies	\$ -	\$ -	\$ 20,529	\$ -	\$ -	\$ -	\$ 20,529		
Package 114: Payroll Cost Savings									
Personal Services	\$ 372,177	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 372,177	2	2.00
Services and Supplies	\$ 41,058	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41,058		
<b>SCR 006 - Administrative Services Division</b>									
Package 106: IT Systems Sustainability									
Services and Supplies	\$ 2,480,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,480,000		
Package 110: Capital Renewal & Deferred Maint.									
Personal Services	\$ 1,065,666	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,065,666	5	5.00
Services and Supplies	\$ 11,490,635	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,490,635		
Package 113: Other Funds Position Creation									
Personal Services	\$ -	\$ -	\$ 644,438	\$ -	\$ -	\$ -	\$ 644,438	3	3.00
Services and Supplies	\$ -	\$ -	\$ 61,587	\$ -	\$ -	\$ -	\$ 61,587		
Package 119: Safety & Fire Compliance									
Services and Supplies	\$ 1,625,260	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,625,260		
<b>SCR 009 - Community Corrections</b>									
Package 104: Linn & Douglas County FTE Adjustment									
Personal Services	\$ 522,354	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 522,354	3	3.00
Services and Supplies	\$ 61,587	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 61,587		
Special Payments to Counties	\$ (583,941)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (583,941)		

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
Package 801: LFO Analyst Adjustments										
Special Payments	\$ (2,712,441)	\$ -	\$ (4,585,442)	\$ -	\$ -	\$ -	\$ (7,297,883)			
<b>SCR 010 - Health Services</b>										
Package 103: Electronic Health Records										
Services and Supplies	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000			
Package 121: Healthcare Staffing Conversion										
Personal Services	\$ 12,752,147	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,752,147	54	51.36	
Services and Supplies	\$ (12,752,147)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (12,752,147)			
Package 122: Certified Medication Aides										
Personal Services	\$ 1,069,388	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,069,388	10	7.50	
<b>SCR 011 - Offender Management &amp; Rehabilitation</b>										
Package 121: Healthcare Staffing Conversion										
Personal Services	\$ 219,063	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 219,063	1	1.00	
Services and Supplies	\$ (219,063)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (219,063)			
<b>TOTAL ADJUSTMENTS</b>	<b>\$ 23,273,218</b>	<b>\$ -</b>	<b>\$ (1,559,836)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 21,713,382</b>	<b>131</b>	<b>123.70</b>	
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 1,859,122,047</b>	<b>\$ -</b>	<b>\$ 42,900,408</b>	<b>\$ -</b>	<b>\$ 4,533,582</b>	<b>\$ 940,120</b>	<b>\$ 1,907,496,157</b>	<b>4,731</b>	<b>4,699.06</b>	
% Change from 2017-19 Leg Approved Budget	8.9%	0.0%	-1.5%	0.0%	-11.0%	-9.5%	8.6%	2.7%	2.8%	
% Change from 2019-21 Current Service Level	1.3%	0.0%	-3.5%	0.0%	0.0%	0.0%	1.2%	2.8%	2.7%	

# Legislatively Approved 2019 - 2021 Key Performance Measures

Published: 6/13/2019 11:24:51 AM

Agency: Corrections, Department of

**Mission Statement:**

The mission of the Oregon Department of Corrections is to promote public safety by holding offenders accountable for their actions and reducing the risk of future criminal behavior.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
1. Measure 17 compliance - Percentage of Adults in Custody (AIC) in compliance with 40-hour work/education requirements of the constitution (M17)		Approved	69%	80%	80%
2. Successful Completion of Treatment, Education, and/or Cognitive Programming - Percentage of moderate/high-risk released Adults in Custody (AIC) with an identified education, cognitive, or treatment need who successfully completed at least one of the identified need programs before release.		Approved	79.70%	80%	80%
3. Recidivism - Percent of offenders: 1. Arrested for a new crime within 3 years of release from a DOC facility to parole/post-prison supervision; 2. Convicted of a new misdemeanor or felony within 3 years of release from a DOC facility to parole/post-prison supervision; AND 3. Incarcerated for a new felony within 3 years of release from a DOC facility to parole/post-prison supervision	1) Arrests for a new crime within 3 years of release	Approved	No Data	40%	40%
	2) Convicted of a new misdemeanor or felony within 3 years of release		No Data	30%	30%
	3) Incarcerated for a new felony within 3 years of release		No Data	10%	10%
4. Staff Assaults - The number of Class 1 assaults on individual staff per year.		Approved	No Data	80	80
5. Walk-a-Ways - The number of Adult in Custody (AIC) walk-a-ways from outside work crews per year.		Approved	No Data	0	0
6. Reduce all Energy Usage - Reduce the annual average electricity, propane, geothermal, diesel and natural gas usage. Measure on a monthly kBtu/square foot basis.		Approved	153.23	144.76	141.39
7. Adult in Custody (AIC) Misconducts - The number of Adults in Custody (AIC) sanctioned for level 1 misconducts, including Violations Not Responsible (VNR)		Approved	No Data	1,300	1,300
8. Secure Custody Escapes - The number of escapes per year from secure-custody facilities (armed perimeter).		Approved	0	0	0
9. Unarmed Perimeter Escapes - The number of escapes from DOC unarmed perimeter facilities.		Approved	0	0	0
10. Leave Programs - The percentage of Adults in Custody (AIC) who complete transitional leave and non-prison leave (AIP)		Approved	No Data	85%	85%
11. Customer Service - Percent of customers rating their satisfaction with the agency customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.	1) Expertise	Approved	64.20%	80%	80%
	2) Accuracy		65.70%	80%	80%
	3) Helpfulness		51.20%	80%	80%
	4) Timeliness		53.20%	80%	80%

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
	5) Availability of Information		56.30%	80%	80%
	6) Overall		51.10%	80%	80%
12. Offsite Medical Healthcare - Percent of total Adult in Custody (AIC) healthcare encounters that occur offsite.		Approved	1.03%	1%	1%
13. Number of workers compensation time loss days per 100 employees on a fiscal year basis.		Approved	102.49	0	TBD
13. OSHA Recordable Rate - Average number of OSHA recordable injuries per 100 employees who work a whole year.		Approved	No Data	6.50	6.50
3. Percent of offenders on post-prison supervision convicted of a felony within three years of release from prison.		Proposed Delete	34.10%	0%	TBD
4. The rate of Class 1 assaults on individual staff per month (rate per 1000 employees).		Legislatively Deleted	2.43	0	TBD
5. The rate of inmate walk-a-ways from outside work crews per month.		Legislatively Deleted	1	0	TBD
7. Number of inmates sanctioned for Level 1 misconducts (monthly average/1,000 inmates).		Legislatively Deleted	9.71	0	TBD
10. Percent of inmates who successfully complete transitional leave.		Legislatively Deleted	86.51%	0%	TBD

**LFO Recommendation:**

The Department of Corrections proposes to revise and update seven of its Key Performance Measures for the 2019-21 reporting periods. The Legislative Fiscal Office recommends the following:

Approve replacing KPM #3, percent of offenders on post-prison supervision convicted of a felony within three years of release from prison, with a new measure that meets the legal definition of "recidivism" codified in ORS 423.557. The new definition includes: *any arrest for a new crime, conviction of a new misdemeanor or felony, OR new felony incarceration within three years of release from incarceration or imposition of probation.* The Criminal Justice Commission is tasked with publishing the revised recidivism data, and reports in its May 2019 recidivism report that the most recent recidivism cohort includes individuals released from prison/jail or sentenced to probation from July-December 2015. For this group, the CJC examined the full three year recidivism period and reports recidivism rates for those released to parole/post-prison supervision as: 55% were arrested for a new crime in the first year, 42% were convicted of a new misdemeanor or felony within two years, and 17% were incarcerated for a new felony within three years. The recommended targets for each of the three parts of this measure are considerably more aggressive than the reported recidivism rates and therefore set an aspirational target.

Approve changing KPM #4, the rate of Class 1 assaults on individual staff per month (rate per 1,000 employees) from a rate per 1,000 to a number. Currently the rate of staff assaults is calculated based on the number of employees. There are multiple variables that make the number of employees difficult to calculate (i.e. day picked, number of staff on military leave, etc.) Changing from a rate to the actual number of staff assaults will remove some variables in reporting data and would allow for better comparisons of numbers.

Approve changing KPM #5, the rate of inmate walk-aways from outside work crews per month, from a rate to a number. Currently, the number of walk-aways is divided by 12 to give a monthly rate. This rate generally comes out to a figure less than 1 on a monthly basis. The more useful data would be the actual number of Adults in Custody (AIC) that walk away in year.

Approve changing KPM #7, the number of inmates sanctioned for level 1 misconducts (monthly average/1,000 inmates) from a rate to a number, and approve updating the language in KPMs #8 and #9 to replace the word "inmate" with "adult in custody." KPM #7 should be further clarified by identifying the reporting period. "Level 1 misconducts" are set forth in Oregon Administrative Rule 291-105, and include arson; compromising an employee; disturbance; drug possession; escape; extortion; hostage taking; inmate assault; possession of an electronic device, escape device, or weapon; racketeering; sexual or staff assault; and unauthorized organization.

Approve changing KPM #13, number of workers compensation time loss days per 100 employees on a fiscal year basis, to the average number of OSHA- recordable injuries per 100 employees who work a whole year. The DOC's general safety measure is non-standard and not directly related to staff safety. In comparison, the OSHA Recordable Rate is a standardized Federal and Oregon OSHA measure applicable to all covered workplaces which allows the agency, through Bureau of Labor Statistics records (beginning in 1973) to compare its annual workplace injury and illness results with other prison systems locally and nationwide. The OSHA Recordable rate is directly related to staff safety and is based on data collection systems long-required by OSHA regulations. The agency's target is to be at least 15% better than the most recently-measured national average.

**SubCommittee Action:**

The Subcommittee approved the changes to key performance measures as recommended by LFO.