

ANALYSIS

Consent Agenda – Various Agencies Requests for Approval to Apply for Federal Grants

The following state agencies seek retroactive approval to submit grant applications to various federal agencies. Retroactive approval is necessary for grant applications with deadlines that fell before the submittal dates for the November (or September) 2021 meeting of the Interim Joint Committee on Ways and Means and for which prior legislative approval had not been obtained. These agencies neglected to submit advance notification to legislative leadership of their intent to apply for the grants as required by the Department of Administrative Services and Legislative Fiscal Office, but in all cases have revised their internal administrative procedures so as not to omit this important step in the future.

Item 15: Criminal Justice Commission – Smart Probation

Analyst: Julie Neburka

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Department of Justice in the amount of \$714,722 over a period of three years to increase successful completion of probation and post-prison supervision.

Analysis: On May 3, 2021, the U.S. Department of Justice, Bureau of Justice Assistance (BJA) made \$5 million available on a competitive basis to state, tribal, and local government community corrections agencies to develop, implement, and test strategies to reduce the rate of recidivism for those under corrections supervision. The Criminal Justice Commission applied for this grant on behalf of the Oregon Department of Corrections, which plans to partner with the Oregon Association of Community Corrections Directors to implement and use a technology platform to aggregate criminal justice data from currently fragmented systems in order to analyze Oregon's earned discharge processes, supervision violations and revocations to jail or prison, and geographic availability of services and resources for offenders.

Project goals include safely increasing the rate of earned discharge, reducing the use of jail and prison revocations, and improving the availability of resources for community corrections programs statewide. Though the three-year period of performance begins on October 1, 2021, BJA has not yet announced grant awards. There are no match requirements. If successful, the agency will return to the Legislature to request additional Federal Funds expenditure limitation for expenditure of the grant award.

Item 16: Criminal Justice Commission – Project Safe Neighborhoods

Analyst: Julie Neburka

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Department of Justice in the amount of \$199,137 over a period of three years to reduce gun and gang violence in the cities of Portland and Gresham.

Analysis: On May 3, 2021 the Bureau of Justice Assistance (BJA) made \$18 million available on a formula basis to each federal judicial district, based on its violent crime rate and population, through the Project Safe Neighborhoods (PSN) grant program, which seeks to reduce gun violence at the local level. Coordinated through each U.S. Attorney's Office nationwide, the program supports law enforcement and community partnerships, strategic enforcement efforts that focus on the most violent offenders and/or the most violence-affected locations, prosecution and appropriate sanctions, and the prevention of additional violence through support of local prevention and re-entry efforts.

Oregon's grant would support programs that focus on reducing the risk of hospitalization for firearm or assault injuries, arrest for firearm or violent crime, and homicide by firearm. Additionally, funds would support continued prevention and intervention efforts targeting high-risk gang members, and on investigation and prosecution of criminal organizations that are engaged in human and/or drug trafficking and high levels of violent crime.

The Criminal Justice Commission applied for this grant as the fiscal agent for the U.S. Attorney's Office. The grant program requires the use of a fiscal agent to receive federal funding and to make subawards to or contract with the entities that will carry out the PSN strategy. Though the three-year period of performance begins on October 1, 2021, BJA has not yet announced grant awards. There are no match requirements. If successful, the agency will return to the Legislature to request Federal Funds expenditure limitation for expenditure of the grant award.

Item 18: Oregon Military Department – Regional Catastrophic Preparedness

Analyst: Julie Neburka

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Department of Homeland Security in the amount of \$400,000 to review and develop logistics and supply chain management plans for use in catastrophic disasters.

Analysis: The Regional Catastrophic Preparedness grant program is one in a suite of grant programs offered by U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) for building preparedness capabilities at the state and local level. FEMA has made \$12 million available nationally, anticipating 12-20 awards of no more than \$1 million each for a three-year period starting September 1, 2021. The Office of Emergency Management (OEM) would use the grant funds to review and develop logistics and supply chain management plans, as those are known resource gaps identified in various recent after-action reports.

Two limited-duration planner positions would develop the logistics management plan; develop and conduct training on the plan for state, local, and tribal partners; plan and conduct exercises for implementing the plan; and improve the plan based on evaluation of the exercises and feedback from local partners. The agency does not anticipate needing additional Federal Funds expenditure limitation for this grant, which was awarded to OMD on August 31, 2021 in the amount of \$388,463. There is no match requirement.

This grant opportunity became available on May 20, 2021 and the agency applied on July 16, 2021, without providing timely ten-day notification to the Legislature. The Legislative Fiscal Office notes that

OEM will become a stand-alone state agency as of July 1, 2022 and will need to establish robust administrative processes are established to ensure future legislative requests are timely.

Recommendation: The Legislative Fiscal Office recommends that the Interim Joint Committee on Ways and Means approve the 3 requests to apply for federal grants, en bloc, with the understanding that if the funds are awarded the agencies will return to the Legislative Assembly for approval of any necessary Federal Funds or Federal Funds as Other Funds expenditure limitation and position authority.



Oregon

Kate Brown, Governor

Criminal Justice Commission

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Ken Sanchagrin

Executive Director

10/18/2021

Senator Elizabeth Steiner Hayward, Co-Chair
Senator Betsy Johnson, Co-Chair
Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
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Rep. Duane Stark*

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Dear Co-Chairpersons:

The Oregon Criminal Justice Commission (CJC) is seeking retroactive approval to apply for a federal grant from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), and Bureau of Justice Assistance (BJA).

The U.S. DOJ has issued a competitive grant solicitation announcement from the BJA for FY 2021 Smart Probation: Innovations in Supervision Initiative. This grant will be passed through to DOC and the OACCD who propose to partner with technology non-profit Recidiviz to achieve the following goals: (1) Analyze factors contributing to rising recidivism rates; and (2) Increase successful supervision completions.

Goal 1:

- Implement a technology platform (the "Recidiviz Platform") designed to ingest criminal justice data from across multiple fragmented existing systems, link and normalize siloed data, and automatically calculate criminal justice metrics, including revocation, violation, and other recidivism metrics, such as rearrest or reconviction, on an ongoing basis;
- Convene a working group across three levels of DOC/community corrections staff (leadership, management, and line staff) as well as the OACCD to oversee and assist with the integration and interpretation of data and to collaboratively design and use the resulting tools and analysis;
- Analyze the earned discharge process end-to-end to understand where and when it is occurring and where, when, and why it is denied in order to identify opportunities to safely increase the rate of earned discharge from supervision when appropriate;
- Analyze supervision violations to understand where, when, and why they are occurring to identify opportunities to safely decrease the use of revocations when appropriate;
- Conduct geographical outlier analysis to understand where in Oregon individuals are succeeding on community corrections, where individuals are struggling, and how success and failure is correlated to specific needs and geographical availability of resources; and
- Build off the earned discharge and geographical analyses to expand capacity for the DOC and the OACCD to generate executive-level reports to support future initiatives requiring cross-collaboration.

Goal 2:

- Automated reports, alerts, and tooling for PPOs that highlight individuals on a PPO's caseload who may benefit from specific interventions, such as research-based programming opportunities or earned discharge;
- Ongoing, real-time feedback to PPOs on the success and failure of the individuals they supervise and the criminogenic needs of the supervisees; and
- PPO use of graduated sanctions and incentives and their impact on supervision success.

This work builds on work that the Bureau of Justice Assistance is currently supporting to provide states with a cloud-based analytical platform for analyzing supervision violations. Using a method that's already been developed through that work, the platform will sit on top of states' existing data storage systems. States will not need to upgrade their current data infrastructure to benefit from it.

The competitive award amount for this project is \$714,722. The grant does not specify a date by which the grants will be announced, there is no match requirement, and CJC will need no additional FTE to administer the grant. The project period will be 36 months.

The Criminal Justice Commission is seeking retroactive approval to apply for a grant of \$714,722 to the U.S. DOJ, OJP, and BJA to be administered through the CJC.

This grant opportunity was not anticipated in the Commission's 2021-2023 Legislatively Adopted Budget. If the grant application is successful, the CJC requests additional federal funds expenditure limitation.

Thank you for your consideration.

Sincerely,



Kenneth Sanchagrin

Executive Director, Criminal Justice Commission



Oregon

Kate Brown, Governor

Criminal Justice Commission

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10/18/2021

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Sen. Floyd Prozanski*
Rep. Duane Stark*
*Non-Voting

Dear Co-Chairpersons:

The Oregon Criminal Justice Commission (CJC) is seeking retroactive approval to apply for a federal grant from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), and Bureau of Justice Assistance (BJA).

The U.S. DOJ has issued a formula grant solicitation announcement from the BJA for FY 2021 Project Safe Neighborhoods. The Fiscal Year (FY) 21 Project Safe Neighborhoods (PSN) Program for the United States Attorney's Office (USAO) for District of Oregon was awarded an amount of \$199,137 for a project period of October 1, 2021 through September 30, 2024.

The District of Oregon's goal for the FY 2021 PSN grant is the reduction of gun and group/gang violence in the Target Enforcement Area (TEA) which includes Portland and the City of Gresham, both located in Multnomah County.

The District has developed objectives and strategies in order meet its goal that are guided by the four PSN Pillars: Community Engagement, Prevention & Intervention, Focused & Strategic Enforcement, and Accountability.

The District of Oregon's primary project goal is to build capacity with and for programs whose efforts through, for example, street outreach, violence interruption models, and hospital-based intervention, are focused on reducing the risk of rehospitalization for firearm or assault injuries, arrest for firearm or violent crime, and death by homicide by firearm within the Targeted Enforcement Area (TEA) which includes Portland and the City of Gresham within Multnomah County.

The District of Oregon will be using the 30% set aside on continued intervention and prevention efforts targeting high risk gang members and/or evaluation and assessment of those focused efforts. For the District of Oregon, the PSN Team will be considered as the "Gang Task Force" as required by this grant's requirements. The PSN Team will be focused, at least in part, on the investigation and prosecution of criminal and/or transnational organizations that are engaged in high levels of violent crime, firearms offenses, human trafficking, and drug trafficking

The competitive award amount for this project is \$199,137. The grant does not specify a date by which the grants will be announced, there is no match requirement, and CJC will need no additional FTE to administer the grant. The project period will be 36 months.

The Criminal Justice Commission is seeking retroactive approval to apply for a grant of \$199,137 to the U.S. DOJ, OJP, and BJA to be administered through the CJC.

This grant opportunity was not anticipated in the Commission's 2021-2023 Legislatively Adopted Budget. If the grant application is successful, the CJC requests additional federal funds expenditure limitation.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Sanchagrín", with a long horizontal flourish extending to the right.

Kenneth Sanchagrín

Executive Director, Criminal Justice Commission



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JOINT FORCE HEADQUARTERS, OREGON NATIONAL GUARD
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October 18, 2021

The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Joint Interim Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Dear Co-Chairpersons:

Nature of the Request:

The Oregon Military Department (OMD) requests retroactive approval to apply for a grant with the 2021 Regional Catastrophic Preparedness Grant Program (RCPGP) in the amount of \$400,000 from the Federal Emergency Management Agency (FEMA) on behalf of the Office of Emergency Management (OEM). No state matching funds are required to apply for or receive this grant. The application deadline was 2:00 pm on July 16, 2021. August 23, 2021 was our initial submission of this request for the September Legislative Days. On August 31, 2021, OEM was notified by FEMA that an award of \$388,463 was approved for Oregon.

Agency Action:

The purpose of the RCPGP is to build state as well as local capacity to manage catastrophic incidents by improving and expanding regional collaboration for catastrophic incident preparedness. In light of the ongoing COVID-19 public health pandemic emergency, the program purpose also includes regional pandemic preparedness. The current National Response Framework (4th edition-2019, or superseding edition) defines a catastrophic incident as any natural or manmade incident, including terrorism, that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, or government functions. The regional interdependencies of effective prevention, protection, mitigation, response, and recovery activities require a cohesive regional approach to catastrophic planning, including pandemic preparedness.

The application submitted by the Office of Emergency Management focused on Logistics and Supply Chain Management due to gaps OEM has recognized in resource management identified in incident response After Action Reports (AARs), the Threat Hazard Identification Risk Assessment (THIRA), the Stakeholder Preparedness Review (SPR) as well as other assessments. OEM does not have the staff to dedicate to reviewing existing Logistics and Supply Chain/Resource Management plans, to develop a statewide plan or to determine the need for additional systems to effectively execute the state plan.

Based on OEM's review of the hazard profile for Oregon, as well as the impending threat of a Cascadia Subduction Zone earthquake and tsunami, combined with a low level of current capability, Oregon has a critical need for support to the Logistics and Supply Chain core capability. According to the 2019 THIRA/SPR, Oregon has an 83-84% target gap and a 96-97% catastrophic gap for the Logistics and Supply Chain capability target. (This core capability was not required by FEMA in 2020, and therefore, not updated.)

In 2020, both the COVID-19 pandemic and Labor Day Wildfires significantly stressed this core capability. Communities faced numerous supply chain challenges as production of resources, including PPE (Personal Protective Equipment), were unable to meet demand. The state and many jurisdictions established warehouses for collection/distribution of PPE. The state also established warehouses for the wildfires in order to manage the amount of donated goods for the wildfire displaced population.

The Logistics and Supply Chain Management core capability was rated a high priority by 45.45% of respondents, a slight increase from the 43.18% of respondents in 2019 (OEM State of the State reports). Despite the increasing level of priority, the Logistics and Supply Chain Management core capability has an overall rank of 2.13 and is one of the lowest ranked core capabilities both overall and for core capabilities identified as high priorities. A rank of 2.0, according to the rubric, generally indicates there is a plan, but it does not cover all identified necessary areas; currently, there is not sufficient staff trained to support or engage stakeholders and minimal available equipment.

With this grant funding award, OEM intends to hire two limited duration planners to:

- Develop a logistics/supply chain management plan.
- Develop and conduct training about logistics/supply chain management, as well as the state plan, for OEM staff, local, tribal, state and federal partners.
- Plan and conduct exercises related to implementing the logistics/supply chain management plan.
- Incorporate feedback as well as assessments from training and exercises into the logistics/supply chain management plan.

OEM will be partnering with the Regional Disaster Preparedness Organization (RDPO), which comprises Oregon's UASI (Urban Areas Security Initiative) region as well as the City of Portland, Oregon's metropolitan statistical area principal city. The RDPO will serve in a coordinating role during plan development in order to:

- Ensure the logistics/supply chain management plans incorporate feedback from the entire UASI region.
- Review planning, training and exercise products to ensure products will serve the UASI region as well as be extended to other local, tribal and state partners.
- Serve in a coordinating role for training and exercise development to ensure needs of the UASI region are met.

The funding opportunity announcement was posted on May 20, 2021, but OEM was not aware of it until July 12, 2021. The agency has developed a policy associated with federal grant applications that requires advance notice of an intent to apply in a manner to allow for proper notification to the Legislature. This policy has been shared among all Divisions within OMD.

On August 31, 2021, OEM was notified that it was successful in obtaining \$388,463 in 2021 RCPGP grant funds. The agency will not obligate these funds until it has received retroactive approval to apply for this grant. Additional Federal Funds limitation is not necessary, as there is just over \$1 billion in Federal Funds limitation for OEM in the 2021-23 biennium, which will accommodate this new grant.

Attached is a copy of the application materials along with a copy of the Federal Notice of Funding Opportunity and the Award Announcement from FEMA.

Action Requested:

The Oregon Military Department requests retroactive approval to apply for the 2021 Regional Catastrophic Preparedness Grant Program grant in the amount of \$388,463 from the Federal Emergency Management Agency.

Legislation Affected:

None.

Thank you for your consideration of this request.

Sincerely,



David A. Stuckey
Deputy Director
Oregon Military Department

Enclosures (1-3)

1. OMD/OEM's RCPGP Application
2. Federal Notice of Funding Opportunity
3. RCPGP Award Announcement