

ANALYSIS

Item 23: Department of State Police Equitable Sharing

Analyst: John Terpening

Request: Increase Federal Funds expenditure limitation by \$3,039,868 to spend funds available from the Equitable Sharing Program.

Analysis: The Oregon State Police (OSP) is requesting an increase in Federal Fund expenditure limitation in the amount of \$3,039,868 to spend funds that have become available through the U.S. Department of Justice's Equitable Sharing Program. This program, formerly known as the Asset Forfeiture Program, provides valuable additional resources to participating federal, state, local and tribal law enforcement agencies. Funding provided through the Equitable Sharing Program are one-time in nature and must be spent on the following: law enforcement equipment, training, lease and utility payments for facilities, and drug, gang or other prevention or awareness programs.

OSP intends to spend the \$3 million of Federal Funds on the following assets:

- Mobile Command Post Vehicles - OSP anticipates purchasing five of these vehicles to post strategically around the state that will allow for better response times and more effective incident command. Estimated cost is around \$1,075,267.
- Explosive Unit Response Trucks - OSP anticipates purchasing three of these vehicles to replace three current trucks that are over 10 years old. Estimated cost is around \$1,320,000.
- Hazardous Duty Robots - OSP anticipates upgrading three of its current robots, which is more cost-effective than replacement and will allow for additional capability and better control. Estimated cost is around \$644,601.

Any monies spent are subject to federal audits and have a 12-month reporting period, while unspent funds can remain in the Equity Share account until they can be utilized by the program.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means recommend including an increase of \$3,039,868 in the Federal Funds expenditure limitation for the Department of State Police in budget reconciliation bill during the 2022 legislative session, to make purchases under the Equitable Sharing Program.

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Request: Increase Federal Funds expenditure limitation by \$3,039,868 for the one-time purchase of special use equipment, vehicles, and equipment upgrades utilized to enhance Oregon's public safety needs.

Recommendation: Approve the request during the February 2022 Legislative Session.

Discussion: The Department of State Police (OSP) has been involved in a number of Equitable Sharing Program activities administered by the U.S. Department of Justice. This federal program is designed to enhance cooperation amongst federal, state, local, and tribal law enforcement agencies by providing valuable additional resources to program participants including fiscal asset sharing.

Recently, OSP received over \$3.0 million in one-time Federal Funds from the U.S. Department of Justice Equitable Sharing Program, also known as the asset forfeiture program, which can only be used for:

- Purchase of law enforcement equipment,
- Law enforcement training,
- Lease and utility payments for law enforcement facilities, and
- Drug, gang, and other prevention or awareness programs.

OSP is requesting to use the Equity Sharing Funds received to purchase the following:

- Five Mobile Command Post Vehicles - these vehicles would be utilized during critical incidents and investigations. The vehicles allow for a safe place to interview individuals, provide storage and deployment for scene processing equipment, report writing, and proper evidence handling. These vehicles would be strategically housed at various statewide locations. Estimated costs for these vehicles are \$1,075,267.
- Three Explosive Unit Response Trucks - OSP is requesting to replace their three 10-year-old explosive unit response trucks. The replacements would be outfitted identically to one another to make response time and call for service more systematic. Estimated costs for these trucks are \$1,320,000.
- Upgrade Three Hazardous Duty Robots - These robots are used in situations when handling explosive hazards are required without placing a bomb technician in danger. The current robots could be outfitted with upgrades to improve their versatility rather than spending the money to replace them. The estimated costs to upgrade three robots is \$644,601.

The Equity Sharing program requires purchases to be accounted for and submitted through their federal portal. The one-time funding requires a 12-month reporting period and is subject to federal audits. Any unused funds will remain in the Equity Share draw account until they are able to be utilized by the program entity. All reporting and auditing requirements must be met to remain in good standing with the program. Failure to comply with all federal regulation may limit future participation in the program and potential forfeiture or pay back of funds.

Legal Reference: Increase Federal Funds expenditure limitation established by chapter 470, section 3(1), Oregon Laws 2021 for the Department of State Police, Patrol Services, Criminal Investigations and Office of the State Fire Marshal by \$3,039,868 for the 2021-23 biennium.



Oregon

Kate Brown, Governor

Department of State Police

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December 6, 2021

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint 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 State Police (OSP) is requesting an increase in federal fund expenditure limitation in the amount of \$3,039,868 in order to spend equitable sharing funds. Specific requirements are placed on what these funds can be used for. If approved, the agency will purchase necessary special use vehicles and upgrade equipment in order to meet Oregon's growing public safety needs.

Agency Action

As Oregon's public safety needs grow, OSP has recognized the need for new and replacement special use vehicles and equipment. In order to keep pace with these needs and prepare for the demands of the future, OSP is seeking to purchase mobile command post vehicles, replace Explosive Unit response trucks and upgrade our hazardous duty robots. The following describes the need and uses for these items:

- **Mobile Command Posts** - Currently the Oregon State Police lacks suitable vehicles that can serve as mobile command posts. A mobile command post vehicle gives investigators and supervisors an appropriate platform to manage critical incidents and investigations. In addition to providing a controlled environment for staff, these vehicles allow for storage and deployment of scene processing equipment as well as an area for proper evidence handling. These vehicles are used as a safe place to interview involved individuals, write reports and author search warrants. Having several mobile command posts strategically placed throughout the State will allow for reduced response times to remote locations especially when inclement weather exists. A total of five vehicles state-wide would meet regional needs.
- **Explosive Unit Response Trucks** - The three Explosive Unit response trucks currently in use by the Department are over ten years old and their reliability is questionable. The Unit utilizes these trucks to cover state-wide response needs. Having reliable vehicles to respond to potentially life threatening calls is critical.

These trucks are needed to carry vital tools necessary for operations including bomb suits, hazardous duty robots and x-ray equipment. Having all of the trucks in the unit equipped and configured identically makes them familiar and versatile among the bomb technicians. Replacing the current aging trucks will help ensure proper response to calls for service when time is of the essence and proper equipment on the scene is vital.

- **Upgrade of Hazardous Duty Robots** – Hazardous duty robots are used by the Explosive Unit to approach and handle an explosive hazard without placing the bomb technician in harm's way. These robots have been used extensively for training and operationally on a variety of incidents to include dangerous calls involving armed barricaded subjects. The current robots in use are aging and in need of upgrades that will add capability. There is a significant cost savings by upgrading the current robots versus replacing them with new ones. The upgrade would make the robots faster, more maneuverable, with stronger parts and enhanced electronics. The upgraded interface also allows for better control by the operator.

The agency recognizes that this equipment is needed to accomplish our public safety mission and provide our members who are responding to critical incidents the tools they need to be safe and effective. These purchases will not only result in an immediate benefit for operations but will also equip the agency to serve the needs of Oregon for several biennia to come.

Action Requested

The Oregon State Police (OSP) is requesting an increase in federal fund expenditure limitation for the 2021-23 biennium in the amount of \$3,039,868 to spend equitable sharing funds.

Legislation Affected

HB5028, Chapter 470, section 3(1), Oregon Law 2021 - \$3,039,868.

Thank you for your time and consideration.

Sincerely,



Terri Davie
Superintendent
Oregon State Police

CC: Constantin Severe, Governor's Office
John Terpening, Legislative Fiscal Analyst
Michelle Lisper, DAS/CFO Policy & Budget Analyst
Jon Harrington, OSP Deputy Superintendent
Jenny Cribbs, OSP Chief Financial Officer