

## Oregon Youth Authority

	2017-19 Actual	2019-21 Legislatively Adopted	2019-21 Legislatively Approved *	2021-23 Current Service Level	2021-23 Governor's Budget
General Fund	310,184,353	330,726,201	329,686,394	364,445,248	341,887,662
Other Funds	54,926,508	14,553,422	18,073,016	7,239,492	59,421,307
Federal Funds	30,108,116	40,643,083	36,674,284	35,198,939	29,521,114
<b>Total Funds</b>	<b>395,218,977</b>	<b>385,922,706</b>	<b>384,433,694</b>	<b>406,883,679</b>	<b>430,830,083</b>
Positions	1,021	1,008	1,008	992	975
FTE	949.85	980.88	980.88	964.38	948.38

\* Includes Emergency Board and administrative actions through January 2021.

### Program Description

The Oregon Youth Authority (OYA) serves youth offenders ages 12-24 who have committed crimes prior to their 18<sup>th</sup> birthday. The agency exercises legal and physical custody of youth offenders committed to OYA by juvenile courts and exercises physical custody of youth offenders committed to the Oregon Department of Corrections by adult courts and placed with OYA. As of July 2020, the average number of youth under supervision at any given time was 1,160, with 701 youth in community placements and 459 in close custody. Fourteen percent of youth served by OYA are young women. The agency also provides direct assistance to Oregon counties by providing funding for juvenile crime prevention, diversion, and gang intervention programs.

### CSL Summary and Issues

The General Fund CSL is 10.5%, or \$34.8 million, greater than the 2019-21 legislatively approved budget. This seemingly-large current service level increase is due to restoration of the significant reduction (\$11.3 million GF) made to the agency's budget in the 2nd special session of 2020. The all funds CSL is 5.8%, or \$22.4 million, more than 2019-21. The 2021-23 General Fund current service level is reduced by \$2.9 million for mandated caseload changes based on the April 2020 youth corrections population forecast (*see below*).

### Policy Issues

The Juvenile Justice Information System (JJIS) is the foundational data management system for juvenile justice in Oregon, used by all county juvenile departments and the Oregon Youth Authority for case management, contract management, and reporting. Created in 1995, JJIS has allowed the state to maintain a single record for each youth in the juvenile justice system, over time creating the database that supports the agency's data-driven approach to juvenile justice. While the database itself is fully up to date and supported by its vendor, the user interface is obsolete and is not fully functional. The JJIS interface cannot be used via the internet and therefore is not available on mobile devices, is written in a little-used computer language, and is no longer meaningfully supported by its vendor.

The JJIS Modernization project began in 2017, received its first Stage Gate approval in July 2018, and anticipates receiving its Stage Gate 3 endorsement by the end of the biennium. The agency has included a policy option package in its 2021-23 agency request budget for both General Fund and Article XI-Q bond funding to complete the project, which is estimated to cost \$30.3 million through its anticipated completion date of June 2025.

Due in part to the COVID-19 pandemic, the population of youth detained in OYA close custody facilities is declining. As of the end of November 2020, the population in OYA's close custody facilities was 432, about 20% below available capacity; the population in OYA's transitional programs ("camps") averaged 53, or almost 40% below available capacity. A smaller population of youth in custody has contributed to OYA's success in limiting the spread of the coronavirus in its facilities, and housing fewer youth in living units is also an emerging best practice that the agency would like to continue going forward. The Youth Authority's director may set living unit size by rule, and the agency is currently working on a plan to establish living unit populations lower than those currently in use.

On any given day, about 110 youth adjudicated to OYA are undergoing court-ordered sex offense treatment. This treatment, though not a Medicaid-reimbursable service, has been provided by OYA's Behavior Rehabilitation Service (BRS) providers in the course of their care of OYA youth. HB 2472 (2019) changed some requirements for providers of sex offense treatment, including registration, supervision, and training requirements, effective January 1, 2020, and BRS providers assert they are incurring new expenses resulting from the legislation. The agency has included a policy option package in its 2021-23 agency request budget to support new costs associated with the provision of sex offense treatment services; additionally, a work group consisting of staff from OYA, DHS, and OHA are meeting to work on ways to configure the service so that it is Medicaid eligible.

#### Other Significant Issues and Background

SB 1008 (2019) changed the way that juvenile offenders are treated in the criminal justice system. Among other provisions, it requires all juvenile criminal cases, including for Measure 11 offenses, to start in juvenile court, but allows the prosecution to request on a case-by-case basis whether to waive the youth to adult court. It allows juveniles charged as adults to be eligible for a "Second Look" hearing halfway through the original sentence to advocate for conditional release, and it allows for a transfer hearing for youth about to transfer to an adult prison at age 25 who have less than two years remaining on their sentence to request a hearing for conditional release. This bill went into effect on January 1, 2020, and due to the COVID-19 pandemic, is not believed to be fully implemented. Once implemented statewide, the measure is anticipated to have an effect on the number of youth mandated to custody in OYA close custody facilities.

The Oregon Youth Authority is one of a handful of state agencies whose current service levels are adjusted for mandated caseload programs, those required by the federal government, the state constitution, or court actions. Current forecasting practice for OYA counts only a subset of youth court-ordered to OYA custody - those mandated to be housed in close custody facilities - as the "mandated" caseload; because OYA has both release authority and some discretion over where youth are best served, it is assumed that the agency can release youth from close custody facilities to manage population levels, if necessary. On average, the population currently counted as "mandated" is about half of the

close custody population, with the other half considered to be there at the discretion of OYA. The agency is working with the Office of Economic Analysis on methods of forecasting the youth corrections population that take into account the entire population of youth adjudicated to the custody of the agency in an effort to create a forecast more useful for financial planning purposes.

### **Agency Request Budget**

The Oregon Youth Authority's agency request budget for 2021-23 includes 21 policy option packages totaling \$79.9 million (\$19.2 million General Fund) and 40 positions (39.00 FTE) that address a broad array of operational needs. Top agency priorities include diversity, equity, and inclusion initiatives, continued renovation of close custody facilities, and addressing the cost of information technology infrastructure.

### **Governor's Budget**

The Governor's budget for the Oregon Youth Authority is 5.9% greater than current service level overall, but the General Fund budget is 6.2% less. The net total funds increase of \$23.9 million from CSL includes \$36.2 million in reductions and \$62.3 million in increases. Reductions include:

- \$5 million General Fund and 30 positions (29.00 FTE) from the closure of one housing unit each at the MacLaren Youth Correctional Facility and at the Rogue Valley Youth Correctional Facility.
- \$8.7 million General Fund, \$5.2 million Federal Funds, and \$0.4 million Other Funds from eliminating funding for 92 residential treatment beds
- \$2 million General fund reduction in Juvenile Crime Prevention funding to counties; and \$0.4 million General Fund reduction in funding to Multnomah County for youth gang services.
- \$1.7 million General Fund, \$0.1 million Other Funds, and 9 positions (8.50 FTE) from position reductions in the Program Services and Community Services divisions.
- Statewide reductions:
  - \$1.9 million from inflation provided in the base budget on services & supplies. \$1.6 million of this reduction is General Fund.
  - \$6.2 million from a 5% vacancy factor assumed on salaries. \$6 million of this reduction is General Fund.
  - \$4.7 million in reduced statewide charges for the Attorney General and other state government service charges. \$4.5 million of this reduction is General Fund.

Increases/new spending include:

- \$1.6 million General Fund and 7 positions (7.00 FTE) for diversity, equity, and inclusion priorities (POP 102)
- \$2.9 million General Fund and 15 positions (14.50) FTE for staffing in close custody facilities to offset capacity lost to mandatory caseload reductions

- \$36 million Other Funds expenditure limitation for the agency’s capital construction request, and \$1.6 million General Fund for debt service (POP 104). This funds the agency’s entire capital construction request, providing funding to renovate two cottages at MacLaren, two living units at the Tillamook Youth Correctional Facility, and two living units at Camp Riverbend; to construct a new parole/probation office on the site of the Oak Creek Youth Correctional Facility; to replace the emergency generator at MacLaren; and for hazardous materials removal and deferred maintenance projects throughout OYA’s building portfolio.
- \$16.9 million Other Funds expenditure limitation and \$3.4 million General Fund for the next phase of the Juvenile Justice Information System (JJIS) project. (POP 108)

#### Key Performance Measures

A copy of the OYA Annual Performance Progress Report can be found on the LFO website

<https://www.oregonlegislature.gov/lfo/APPR/APPR%20OYA%202020.pdf>