



HB 5039 – Public Safety Ways and Means 2021 Legislative Session | Oregon Youth Authority

Response to Questions from February 22, 2021

What is the difference in paying the residential providers the increased rate to do Sex Offender Treatment (SOT) required by state law in their programs versus paying private rates for the required treatment? (Representative Sollman)

Supplemental charge for SOT in program (estimated for '21-23): \$15.74/youth/day (projected biennial cost of \$1.1M)

Private pay rates for SOT (current rates – no change in 2021 but very possible increases in 2022 and/or 2023):

- \$150.19/hour – Individual Therapy @ 1 hour per week
- \$36.54/hour – Group Therapy @ 2 hours per week
- \$2.3M projected biennial cost (using current rates only)

Projected biennial savings from paying SOT daily rate vs. hourly rates: \$1.2M in 21-23

Can you provide a copy of the referenced materials in the Positive Human Development presentation to be placed on OLIS? (Representative Sollman)

The Practice Guide and Fundamental Practices have been submitted and will be posted on OLIS.

How much money does the state lose due to Oregon not being PREA-compliant? (Senator Gorsek)

In Fiscal Year (FY) 2020 there were two Department of Justice (DOJ) grant programs (or portions thereof) subject to the PREA statutory provision related to the submission of certifications and assurances. They are the Bureau of Justice Assistance's (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program and the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Formula Grant Program.

PREA statute provides that if a Governor is not able to certify to DOJ that the state is in full compliance with the standards, the Governor has the option to, and in Oregon's case did, submit an assurance to DOJ that not less than 5 percent of certain DOJ grant funds will be used solely for the purpose of enabling the state to achieve and certify full compliance with the Standards in future years. The two funding sources impacted were \$57,182 in BJA JAG funds and \$18,184 in OJJDP funds for a total of \$75,366. These funds are granted by the Youth Development Division and the Criminal Justice Commission to county and local services and they had to address the reallocation process for their respective juvenile and adult grants. (Compiled with assistance from the Youth Development Division and Criminal Justice Commission).

In addition, there are risks to the State in not being compliant. This exists because the Governor cannot certify that the entire state is compliant with PREA. Also, in every lawsuit that gets filed against the state this will be a fact that plaintiffs attempt to use to show negligence.

The source of noncompliance is the Oregon Youth Authority, but the funding impact is to other agencies and the counties. Whether the dollar amount is big or small, the lack of compliance in one place creates an issue or response in another.