

**HB 5031 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Rep. Grayber

**Joint Committee On Ways and Means**

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**Action Date:** 05/21/21

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

**House Vote**

**Yeas:** 11 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Smith G, Sollman, Stark

**Senate Vote**

**Yeas:** 11 - Anderson, Frederick, Girod, Golden, Gorsek, Johnson, Knopp, Lieber, Steiner Hayward, Taylor, Thomsen

**Exc:** 1 - Hansell

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

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

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**Department of Public Safety Standards and Training**

**2021-23**

**Budget Summary\***

	2019-21	2021 - 23	2021-23	Committee Change from 2019-21	
	Legislatively Approved Budget <sup>(1)</sup>	Current Service Level	Committee Recommendation	Committee Change from 2019-21 Leg. Approved	
				\$ Change	% Change
General Fund Debt Service	\$ 9,357,609	\$ 9,107,640	\$ 9,107,640	\$ (249,969)	-2.7%
Other Funds Limited	\$ 50,897,418	\$ 53,102,054	\$ 53,503,699	\$ 2,606,281	5.1%
Other Funds Nonlimited	\$ 111,601	\$ -	\$ -	\$ (111,601)	-100.0%
Other Funds Debt Service Nonlimited	\$ 31,898,400	\$ -	\$ -	\$ (31,898,400)	-100.0%
Federal Funds Limited	\$ 8,510,332	\$ 7,614,469	\$ 7,779,643	\$ (730,689)	-8.6%
Total	\$ 100,775,360	\$ 69,824,163	\$ 70,390,982	\$ (30,384,378)	-30.2%

**Position Summary**

Authorized Positions	152	152	155	3
Full-time Equivalent (FTE) positions	149.87	151.25	153.74	3.87

<sup>(1)</sup> Includes adjustments through January 2021

\* Excludes Capital Construction expenditures

**Summary of Revenue Changes**

The primary revenue source for the Department of Public Safety Standards and Training (DPSST) is the state’s Criminal Fines Account (CFA). This revenue source, expended as Other Funds, supports the majority of the Department’s criminal justice training and certification programs, the Public Safety Memorial Fund, and a large portion of administrative and support services. Fire service training is supported by the Fire Insurance Premium Tax administered by the State Fire Marshal.

Other Funds collected as program fees fully support the Private Security and Private Investigators Program. Additionally, the Agency receives inter-agency transfers from various state agencies for 9-1-1 training services, traffic safety training and crisis intervention training. In total, Other Funds account for 76% of DPSST’s total available revenue in the 2021-23 recommended budget.

Federal Funds are received from the U.S. Office of National Drug Control Policy to support the Oregon High Intensity Drug Trafficking Area (HIDTA) Program. These funds are used to provide law enforcement training to target and disrupt drug trafficking activities in Oregon. Federal Funds account for 11% of DPSST’s total available revenue in the 2021-23 recommended budget.

General Fund, accounting for 12.5% of total revenue, is used solely for debt service associated with bonds sold for the construction of the Public Safety Academy in 2006.

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

DPSST is responsible for developing and maintaining public safety standards for employment and providing training to over 41,000 public safety professionals and volunteers in Oregon. The public safety discipline includes city, county, state, and tribal law enforcement officers, city and county corrections officers, parole and probation officers, fire service personnel, 9-1-1 telecommunicators, emergency medical dispatchers, private security providers, and investigators. DPSST also certifies qualified instructors, reviews and accredits public safety training programs throughout the state, and administers the Public Safety Memorial Fund.

The Subcommittee recommended a budget of \$70,390,982 total funds consisting of \$9,107,640 General Fund for debt service, \$53,503,699 Other Funds expenditure limitation, and \$7,779,643 Federal Funds expenditure limitation including 155 positions (153.74 FTE). The total funds budget represents a 0.8% increase over the 2021-23 current service level and a 30.2% decrease from the 2019-21 legislatively approved budget. This substantial decrease is due to a refinancing of the Agency's debt during the 2019-21 biennium, necessitating a one-time increase of \$32.0 million in Nonlimited Other Funds. Excluding this one-time increase, the recommended budget is 2.2% greater than the 2019-21 legislatively approved budget.

### **Criminal Justice Standards and Training**

The Criminal Justice Standards and Training Program provides training and certification for all criminal justice public safety professionals, impacting over 600 public safety agencies. This includes city, county, state, tribal and university police officers, corrections officers, parole and probation officers, Oregon Liquor Control Commission regulatory specialists, 9-1-1 telecommunicators, and emergency medical dispatchers.

The Subcommittee recommended a budget of \$27,685,688 Other Funds and 83 permanent positions (81.74 FTE). This provides funding for 16 Basic Police, nine Basic Corrections, and five Basic Parole and Probation Officer training classes, among others. The recommended budget includes the following packages:

Package 070, Revenue Shortfalls. This package reduces Other Funds expenditure limitation by \$89,225 to account for the revenue shortfall in the Other Training Programs budget structure. Other Training Programs include Telecommunications/Emergency Medical Dispatch and Traffic Safety, among others. These programs are not funded with CFA, but instead depend on transfers from other state agencies. The Oregon Department of Transportation (ODOT) funds Traffic Safety training and the Oregon Military Department (OMD) provides a transfer of Telephone Excise Tax to support Telecommunications training. For the 2021-23 biennium, ODOT initiated a reduction in its transfer of \$66,233 Other Funds. Additionally, the transfer amount submitted by OMD had no increase to account for inflation. These two factors have resulted in the revenue shortfall.

Package 101, Statistical Transparency of Policing. This package provides \$354,620 Other Funds expenditure limitation to support two permanent Research Analyst 3 positions (1.66 FTE) for the Statistical Transparency of Policing (STOP) program. These positions are intended to

provide police agencies with periodic analyses examining specific contextual factors contributing to disparities identified by the Criminal Justice Commission's analysis of traffic and pedestrian stop data. Additionally, these analysts will assist in identifying and evaluating specific improvements for police agencies and the effectiveness of DPSST's related training.

Package 102, Instructor Development. This package provides DPSST with \$202,475 Other Funds expenditure limitation and one permanent position (0.83 FTE) to develop a new training program for instructor development. The new program will provide a means of keeping DPSST's full and part-time instructors current on best practices in policing, cultural competence, implicit bias, emotional intelligence, police legitimacy and procedural justice, legal updates, use of force, and other topics.

**Budget Note:**

Currently, the Department of Public Safety Standards and Training does not provide ongoing training to its instructor pool beyond the Basic Facilitator Class required for instructor certification. Acknowledging this deficit, the Department proposed a \$1.2 million policy option package in its agency request budget to create and provide an instructor development course for its more than 100 full-time and 300 part-time Academy instructors. Content, the delivery mechanisms, and cost for this new training are yet to be developed.

The Department is directed to return to the Legislature during the 2022 legislative session with a plan for an instructor development course. The plan should detail the ways in which relevant and up-to-date content will be developed or procured; the means of delivering instructor training throughout the year; the costs associated with the training, including any necessary contract, technology, travel, or consultant costs; a timeframe for implementation; and a request for resources, if necessary, to implement the training plan during the 2021-23 biennium.

Package 801, LFO Analyst Adjustments. This package includes a technical adjustment adding \$22,992 Other Funds expenditure limitation, supported by Emergency Communications Tax revenue from the Oregon Military Department for the Telecommunicators training program. The amount represents an inflationary increment that was inadvertently omitted from the agency's budget request, and offsets the reduction in Package 070.

**Fire Standards and Training**

The Fire Standards and Training Program provides training and certification for over 12,000 career and volunteer firefighters across the state. This division is funded from the Fire Insurance Premium Tax (FIPT), which is a 1.15% surcharge on all fire insurance policies written in the State of Oregon.

The Subcommittee recommended a budget of \$5,174,876 Other Funds and \$179,190 Federal Funds expenditure limitation. This includes 15 positions (15.00 FTE) and the following package:

Package 801, LFO Analyst Adjustments. This package contains two adjustments to the Division's Federal Funds expenditure limitation. A total of \$179,190 is carried forward on a one-time basis from the 2019 Assistance to Firefighters grants to pay for firefighter training equipment that has been ordered, but receipt is not expected before June 30, 2021. Additionally, Federal Funds are reduced by \$14,016 to remove inflation included in the agency's budget request in error.

### **Private Security and Investigators**

The Private Security and Private Investigators Program implements minimum standards for the training and certification of Oregon's private security providers and private investigators. This program is entirely funded by fees paid by certified private security providers and private investigators.

The Subcommittee recommended a budget of \$3,141,710 Other Funds expenditure limitation and 10 permanent positions (10.00 FTE).

### **Public Safety Memorial Fund**

The Public Safety Memorial Fund provides financial assistance to beneficiaries of public safety officers who are killed or are permanently and totally disabled in the line of duty.

The Subcommittee recommended a budget of \$291,525 Other Funds expenditure limitation.

### **Administration and Support Services**

The Administration and Support Services Program includes the administrative activities of the Department, as well as the budget for operating the Public Safety Academy. This includes, but is not limited to, food service, housekeeping, operations and maintenance, and debt service for the facility.

The Subcommittee recommended a budget of \$26,317,540 total funds; including \$9,107,640 General Fund for debt service, \$17,209,900 Other Funds expenditure limitation and 45 positions (45.00 FTE). The recommended budget includes the following packages:

Package 099, Microsoft 365 Consolidation. This package reduces General Fund by \$107,221 as part of a statewide effort to consolidate Microsoft 365 within the Office of the State Information Officer. The cost is built into the State Government Service Charge for every agency as an increase for the 2021-23 biennium. This package makes a corresponding reduction to the Department's budget equivalent to what should be paid for Microsoft 365 in the 2019-21 biennium.

Package 100, Deferred Maintenance Facilities. This package provides DPSST with \$11,968 Other Funds expenditure limitation to replace kitchen equipment.

Package 101, Statistical Transparency of Policing. This package is split between two Divisions. The portion containing the majority of funding and both new positions is located in the Criminal Justice Standards and Training Division. However, \$6,036 Other Funds expenditure limitation is provided for the Administrative and Support Services Division to cover expenses associated with hiring and onboarding the two new positions.

### **Oregon HIDTA**

DPSST assumed fiduciary responsibility for Oregon's federal High-Intensity Drug Trafficking Area (HIDTA) program in 2015. The Oregon HIDTA program seeks to reduce drug availability in high-impact drug trafficking areas. Federal funding is provided to support initiatives sanctioned by a statewide multi-jurisdictional Executive Board.

The Subcommittee recommended a budget of \$7,600,453 Federal Funds expenditure limitation and two positions (2.00 FTE).

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

See attached Legislatively Adopted 2021-23 Key Performance Measures form.

## DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Public Safety Standards and Training  
April McDonald -- 503-877-8125

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2019-21 Legislatively Approved Budget at Jan. 2021*	\$ 9,357,609	\$ -	\$ 50,897,418	\$ 32,010,001	\$ 8,510,332	\$ -	100,775,360	152	149.87
2021-23 Current Service Level (CSL)*	\$ 9,107,640	\$ -	\$ 53,102,054	\$ -	\$ 7,614,469	\$ -	69,824,163	152	151.25
<b>SUBCOMMITTEE ADJUSTMENTS (from CSL)</b>									
<b>SCR 010 - Criminal Justice Standards and Training</b>									
Package 070: Revenue Shortfalls									
Services and Supplies	\$ -	\$ -	\$ (89,225)	\$ -	\$ -	\$ -	(89,225)		
Package 101: Statistical Transparency of Policing									
Personal Services	\$ -	\$ -	\$ 308,852	\$ -	\$ -	\$ -	308,852	2	1.66
Services and Supplies	\$ -	\$ -	\$ 45,768	\$ -	\$ -	\$ -	45,768		
Package 102: Instructor Development									
Personal Services	\$ -	\$ -	\$ 179,651	\$ -	\$ -	\$ -	179,651	1	0.83
Services and Supplies	\$ -	\$ -	\$ 22,824	\$ -	\$ -	\$ -	22,824		
Package 801: LFO Analyst Adjustments									
Services and Supplies	\$ -	\$ -	\$ 22,992	\$ -	\$ -	\$ -	22,992		
<b>SCR 020 - Fire Standards and Training</b>									
Package 801: LFO Analyst Adjustments									
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ 165,174	\$ -	165,174		
<b>SCR 050 - Administration and Support Services</b>									
Package 099: Microsoft 365 Consolidation									
Services and Supplies	\$ -	\$ -	\$ (107,221)	\$ -	\$ -	\$ -	(107,221)		
Package 100: Deferred Maintenance Facilities									
Services and Supplies	\$ -	\$ -	\$ 11,968	\$ -	\$ -	\$ -	11,968		
Package 101: Statistical Transparency of Policing									
Services and Supplies	\$ -	\$ -	\$ 6,036	\$ -	\$ -	\$ -	6,036		
<b>TOTAL ADJUSTMENTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 401,645</b>	<b>\$ -</b>	<b>\$ 165,174</b>	<b>\$ -</b>	<b>566,819</b>	<b>3</b>	<b>2.49</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 9,107,640</b>	<b>\$ -</b>	<b>\$ 53,503,699</b>	<b>\$ -</b>	<b>\$ 7,779,643</b>	<b>\$ -</b>	<b>70,390,982</b>	<b>155</b>	<b>153.74</b>
% Change from 2019-21 Leg Approved Budget	-2.7%	0.0%	5.1%	-100.0%	-8.6%	0.0%	-30.2%	2.0%	2.6%
% Change from 2021-23 Current Service Level	0.0%	0.0%	0.8%	0.0%	2.2%	0.0%	0.8%	2.0%	1.6%

\*Excludes Capital Construction Expenditures

# Legislatively Approved 2021 - 2023 Key Performance Measures

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**Agency:** Public Safety Standards and Training, Department of

**Mission Statement:**

The Mission of the Department of Public Safety Standards and Training (DPSST) is to promote excellence in public safety by delivering quality training and by developing and upholding professional standards.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2022	Target 2023
1. Average increase in Police Officer Trainee test scores based on assessments at entry and completion of Police Basic Training.		Approved	25.05%	40%	40%
2. Percentage of attendees who ranked the usefulness of DPSST criminal justice regional training courses at or above "6" on a scale of 1-7. (Added per 2003 legislative direction)		Approved	92%	95%	95%
3. Percentage of attendees who ranked the usefulness of DPSST fire service regional training courses at or above "6" on a scale of 1-7. (Added per 2003 legislative direction)		Approved	86%	95%	95%
4. Percentage of revocation or denial actions appealed that are upheld at the appellate level.		Approved	100%	100%	100%
5. Average increase in Corrections Officer Trainee test scores based on assessments at entry and completion of Corrections Basic Training.		Approved	29.56%	50%	50%
8. CUSTOMER SERVICE - Percent of customers rating satisfaction with agency services "good" or "excellent" for: timeliness, accuracy, helpfulness, expertise, information availability.	1) Expertise	Approved	91%	95%	95%
	2) Helpfulness		91%	90%	90%
	3) Timeliness		86%	90%	90%
	4) Accuracy		91%	90%	90%
	5) Availability of Information		86%	90%	90%
	6) Overall		86%	90%	90%
9. Average increase in the Center for Policing Excellence test scores based on assessments at entry and completion of Supervisory Leadership Academy and Organizational Leadership Management Academy		Approved	91%	95%	95%
6. Armed Private Security Providers - Percentage of armed private security providers and private security firearms instructors whose armed certifications are suspended due to a failure to successfully complete the required annual training		Proposed New		100%	100%
6. Number of proceedings initiated to revoke the certification or license of a private security provider due to a violation of the Board's established moral fitness standards.		Proposed Delete	34	0	

**LFO Recommendation:**

The Legislative Fiscal Office recommends approval of the 2021-23 Key Performance Measures as proposed. KPM #6 is proposed for deletion in favor of a revised measure that will more clearly capture the effect of DPSST's regulation of private security providers.

LFO anticipates a significant revision of the agency's KPMs during the upcoming biennium. To reflect the mission and vision of the agency more accurately, DPSST proposes to make substantial changes to its key performance measures beginning in 2022. This will be a multi-year process as measures and data collection mechanisms are developed.



In recognition of the robust Basic Police curriculum revision, and preparation for substantive updates to other curricula, the first round of proposed changes will focus on the measures of DPSST's delivery of "quality training." Exact measures have yet to be developed, but will center on three main areas:

- Student readiness for field training or returning to the field (in the case of Leadership courses)
- Knowledge and skill development and retention
- Responsiveness to community and constituent needs

Additionally, DPSST will propose the creation of an organizational measure focusing on the demographics of its employees and their roles in the agency. This type of measure addresses the Governor's Task Force recommendation and Secretary of State observation that DPSST increase the diversity of its instructor pool, as well as better reflect DPSST's vision to "embody the diversity of the state."

**SubCommittee Action:**

The Subcommittee approved the Legislative Fiscal Office recommendation.