



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

March 25, 2021

The Honorable Janelle Bynum, Chair
House Committee on Judiciary

RE: House Bill 3265

Chair Bynum and members of the committee, I am Steve Robbins, Chief Financial Officer for the Oregon Department of Corrections (DOC). Please accept this written testimony regarding House Bill (HB) 3265.

While DOC does not take a position on the passage of HB 3265, the agency wishes to make the Chair and committee members aware of the implications of portions of the bill.

Beginning over a decade ago, the federal government started a grant initiative called the State Criminal Alien Assistance Program (SCAAP). The intent of the program is an acknowledgement that the federal government has some degree of responsibility for state prison systems having undocumented individuals in custody. The grant funds are intended to partially offset the cost of incarceration relative to the actual undocumented population in the prison system. Initially, these grants exceeded \$5 million per year (\$10 million per biennium) and were used to offset the costs of correctional health care at DOC in Oregon. Over time, the amount of the grant has been reduced to approximately \$2.5 million per biennium, but DOC still applies for, and receives, SCAAP grants today.

Accompanying the SCAAP grant application each year, DOC is required to provide the following pieces of information about adults in custody (AICs):

- Name;
- Date of birth;
- Country of birth;
- Unique AIC identifying number (also known as a SID number);
- Date incarcerated;
- Anticipated release date;
- FBI number (if available); and
- Number of days in custody during the grant period.

This also impacts DOC youth in Oregon Youth Authority – as DOC is the link in sharing release dates.

While DOC does not have specific knowledge of the federal Bureau of Justice utilizing this information for the purposes (HB 3265, Section 4) of, "...investigating, detecting, apprehending, arresting, detaining, or holding for immigration enforcement an individual or individuals of foreign citizenship present in the United States," it is likely, at the very least, the submission of this information could be used for detection and enforcement.

HB 3265, Section 4(2)(b)(A) would eliminate DOC's ability to provide the above listed items to the federal Bureau of Justice for purposes of applying for the annual SCAAP grant. The financial impact to DOC would be a loss of approximately \$2.5 million in federal funds revenue on a biennial basis, which would require the agency to request General Funds to fill the gap.

HB 3265 is in line with policies the Governor has supported, but we certainly want the legislature to be aware of the potential for lost revenues.

Thank you for your time and consideration, and I would be happy to answer any questions the committee may have.

Submitted by:

Oregon Department of Corrections
Steve Robbins, Chief Financial Officer
steve.c.robbins@doc.state.or.us
Phone: (971) 209-5095