

ANALYSIS

Item 31: Department of State Police Equitable Sharing Program

Analyst: John Terpening

Request: Increase Federal Funds expenditure limitation for the Department of State Police by \$3,468,355 to spend funds available from the Equitable Sharing Program.

Analysis: The Oregon State Police (OSP) is requesting an increase in Federal Funds expenditure limitation in the amount of \$3,468,355 to expend funding that has become available through the U.S. Department of Justice's federal 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. 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. OSP intends to spend the funds on portable radios and armored vehicles for the SWAT team.

The Department has 851 portable radios that have exceeded the standard lifecycle replacement. While 340 have already been replaced, the Department will utilize \$3 million of these funds to replace the remaining 511 at \$5,871 per radio.

These funds will also be used to replace two armored vehicles used by the SWAT team that are over 14 years old with new Ballistic Armored Tactical Transport vehicles. Total cost to design and ship these vehicles is expected to be \$936,710. OSP is requesting to use \$468,355 of Equitable Sharing Program funds for the required 50% downpayment on these vehicles, with the remainder to be expended in the 2025-27 biennium when the vehicles are completed. A request for additional Federal Funds limitation will be included in the development of the Department's 2025-27 budget.

Recommendation: The Legislative Fiscal Office recommends that the Emergency Board increase Federal Funds expenditure limitation for the Department of State Police by \$3,468,355 for the Equitable Sharing Program.

Request: Increase Federal Funds expenditure limitation by \$3.5 million for portable radios and SWAT vehicles.

Recommendation: Approve the request.

Discussion: The Oregon State Police (OSP) has identified two requests for federal funding from the Equitable Sharing program. The agency has identified the need to replace 511 portable radios that have been deployed beyond their expected service life. While OSP has a replacement cycle in progress, current funding for the program will not replace all eligible vehicle and on-person radios. This request includes \$3.0 million for portable radios.

The second need identified by OSP is to add to its fleet of SWAT Armored Vehicles. The Agency's oldest armored vehicles are from 2004 and 2011 and are reportedly outdated and unreliable. Two new, Batt-X armored vehicles would allow the SWAT team to respond quickly and safely to emergencies, ensuring the protection of both team members and the public. Replacement vehicles will cost \$0.5 million for the current biennium, as OSP plans to expend half of the total cost for the armored vehicles in the current biennium and the remaining half in the next biennium through the budget preparation process. This split spending proposal is because the manufacturer requires a 50 percent deposit at the time of order.

According to the federal Department of Justice, through the Equitable Sharing Program, any state, local, or tribal law enforcement agency that directly participates in a law enforcement effort that results in a federal forfeiture may request an equitable share of the net proceeds of the forfeiture.

Legal Reference: Increase the Federal Funds expenditure limitation established by chapter 386, section 3(1), Oregon Laws 2023, for the Department of State Police, Patrol Services and Criminal Investigations, by \$3,468,355 for the 2023-25 biennium.



Oregon

Tina Kotek, Governor

Oregon State Police
Headquarters
3565 Trelstad Ave SE
Salem, Oregon 97317
503-378-3720
503-378-8282 Fax
503-585-1452 TTY

August 26, 2024

The Honorable Senator Rob Wagner, President of the Senate
The Honorable Representative Julie Fahey, Speaker of the House
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Senator Wagner and Representative Fahey:

Nature of the Request

The Oregon State Police (OSP) respectfully requests the Emergency Board approve and increase OSP Federal Expenditure Limitation by \$3,468,355. The purpose of the increase is to expend existing Equitable Sharing funds to purchase needed portable radios for sworn members and armored vehicles for the SWAT Operations Unit.

- Portable Radio request totals \$3,000,000 in Federal Expenditure Limitation.
- SWAT Armored Vehicles request totals \$468,355 in Federal Expenditure Limitation.

Background

Since 2012 ODOT and OSP merged their radio systems into one unified system that include a 65%/35% cost-sharing agreement. Under that agreement ODOT manages the radio system operation from tower engineering, construction, and maintenance to purchasing radios and equipment.

ODOT and OSP use both mobile radios (installed in vehicles) and portable radios (carried on the person). Both radio types have an expected service life of eight years. The current generation of radios were deployed more than ten years ago, and replacement cycle is underway. Current radio program funding is not sufficient to replace all mobiles and portables. Portable radios have been prioritized for replacement first because they are subject to greater wear and likely to fail sooner. OSP replaced 340 of the total 851 portables needed in 2023, the remaining 511 will complete the portable radio life cycle replacement.

The Federal Expenditure Limitation request of \$3,000,000 will enable OSP to expend revenue we currently have available to purchase 511 portable radios and accessories necessary to deploy them (\$5,871 cost per radio).

The second request involves funding the replacement of two armored vehicles for the SWAT team. OSP currently has four armored vehicles manufactured in 2004, 2011, 2015, and 2023. The 2004 and 2011 models are well beyond the expected lifespan for this type and use of vehicle. Due to the unique nature

of OSP SWAT responding quickly to active emergencies across a large geographic area, they are a critical piece of equipment that ensures the safety of SWAT team members and members of the public. They must be reliable enough to travel long distances and in rough terrain to arrive on scene and transport personnel for tactical operations, hostage negotiations, ballistic protection, among other essential functions. These vehicles have been instrumental in the successful resolution to high risk, rapidly unfolding incidents involving numerous partners and missions both internal and external to OSP. Replacing the older two armored vehicles will ensure safety, reliability, and reduce costly maintenance and downtime.

OSP plans to purchase two Batt-X armored vehicles which includes both the cost of the vehicle build, freight, and other applicable license and tax fees cost estimate for one vehicle is \$468,355, estimated cost for two totals \$936,710. We anticipate expending half of the total estimated cost in the current 2023-2025 biennium because the manufacturer requires a 50% deposit at time of order. The remaining 50% will be expended in the 2025-2027 biennium, the agency will use the budget preparation process to obtain proper limitation.

Action Requested

The Oregon State Police respectfully requests that the Emergency Board increase Federal Fund expenditure limitation by \$3,468,355.

Legislation Affected

SB 5530 (2023), Chapter 386, Section 3(1): \$3,468,355

Thank you for your consideration of this request.

Sincerely,



Casey Coddling
Superintendent
Oregon State Police

cc: Constantin Severe, Governor's Office
 Valeria Colas, Governor's Office
 Zack Gehringer, Dept. of Administrative Services - Chief Financial Office
 John Terpening, Legislative Fiscal Office
 Josh Brooks, OSP Deputy Superintendent
 Jenny Cribbs, OSP Financial & Business Services Administrator