

Agency Mission, Goals, and Historical Context

The organization that is now identified as the Oregon Criminal Justice Commission (CJC) has gone through multiple names and iterations over the past 40 years. The CJC traces itself back to 1983, when the Oregon Prison Overcrowding Project (OPOP) was established to develop long range strategies for relieving overcrowding problems. Within two years the OPOP morphed into the Oregon Criminal Justice Council, which was created to study, evaluate, and make recommendations concerning (i) the functioning and coordination of the various parts of the criminal justice system; (ii) capacity and utilization of correctional facilities statewide; and (iii) methods of reducing the risk of future criminal conduct by offenders. A few years later in 1987, following national trends, the Oregon State Sentencing Guidelines Board was created, chaired by the Attorney General, to create and approve sentencing guidelines for the state by administrative rule. The Oregon Criminal Justice Council staffed this work and played a central role in the development of the guidelines. The Oregon Legislature adopted the proposed sentencing guidelines in HB 2250 (1989). Also that year, the Oregon Legislature passed a statewide civil forfeiture law in (HB 2282 (1989)), which created the Asset Forfeiture Oversight Committee to monitor the civil forfeiture process. In 1995, the Criminal Justice Council was allowed to sunset, so that it could be replaced by the Oregon Criminal Justice Commission, a seven-member commission that would undertake the duties of the Oregon Criminal Justice Council and the State Sentencing Guidelines Board. Two years later, the work of the Asset Forfeiture Oversight Committee was also moved over the new Criminal Justice Commission. In 2005, the responsibilities of the CJC were expanded to including the provision of support to Local Public Safety Coordinating Councils, as well as to administer grants for specialty courts across the state. Finally, in 2013, the CJC was given the responsibility to administer Oregon's Justice Reinvestment Initiative.

The mission of the Oregon Criminal Justice Commission is “To improve the legitimacy, efficiency, and effectiveness of state and local criminal justice systems.” To accomplish this mission, the purpose of the CJC is to “improve the effectiveness and efficiency of state and local criminal justice systems by providing a centralized and impartial forum for statewide policy development and planning” (ORS 137.656(1)).

The duties of the CJC are as follows:

1. To develop and maintain a state criminal justice policy and comprehensive long-range plan for a coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention, and offender treatment and rehabilitation (ORS 137.656(2)).
2. To conduct joint studies by agreement with other state agencies, boards or commissions on any matter within the jurisdiction of the commission (ORS 137.656(3)(a)).
3. To provide Oregon criminal justice analytical and statistical information to federal agencies and serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on state and local sentencing practices (ORS 137.656(3)(b)).
4. To provide technical assistance and support to local public safety coordinating councils (ORS 137.656(3)(c)).

5. To receive grant applications to start or expand drug court programs as defined in ORS 3.450 (Drug court programs), to make rules to govern the grant process and to award grant funds according to the rules (ORS 137.656(3)(d)).
6. To prepare the racial and ethnic impact statements described in ORS 137.683 (Racial and ethnic impact statements for proposed legislation) and 137.685 (Racial and ethnic impact statements for state measures) (ORS 137.656(3)(e)).
7. To assess the extent to which each county is reducing racial and ethnic disparities in its correctional population (ORS 137.656(3)(f)).

Agency Programs, Services, and Organizational Structure

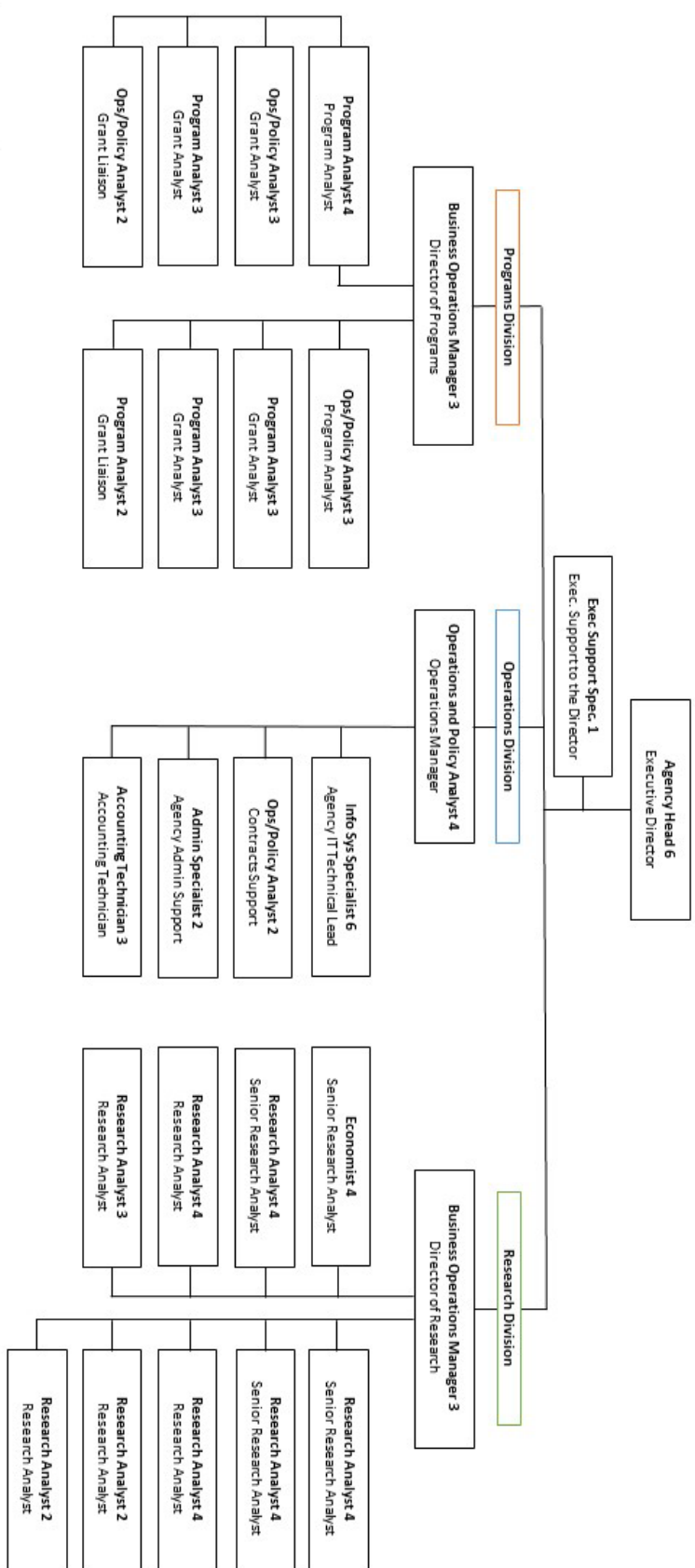
The CJC consists of three divisions: Programs, Operations, and Research.

The **Programs Division** is responsible for the administration, monitoring, and oversight of all state grant programs, which includes the Justice Reinvestment Initiative Grant Program, Specialty Courts Grant Program, Improving People’s Access to Community-based Treatment, Support and Services Program (IMPACTS), Illegal Marijuana Market Enforcement Grant Program (IMMEGP), Restorative Justice Grant Program, and other smaller grant programs. In addition, the Programs Division also oversees the management of legislatively mandated task forces and committees and well as other ad hoc committees. Examples of committee staffing include the Oregon Public Safety Task Force, which met most recently between 2018 and 2020, the Jail Healthcare Advisory Committee created by HB 3229 (2021), and the Justice Reinvestment Equity Committee created by HB 3064 (2019).

The **Operations Division** has two primary responsibilities. First, the Operations Division manages the submission, administration, monitoring and oversight, of all federal grants, which includes the standard, annual Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) as well as emergency assistance grants awarded under the Byrne JAG umbrella, the Prison Rape Elimination Act Grant, the Residential Substance Abuse Treatment Grant, the Sex Offender Registration and Notification Act Grant, and the Project Safe Neighborhoods Grant. Second, the Operations Division is responsible for all agency internal operations, including information technology, human resources (in partnership with the Department of Corrections), and the like.

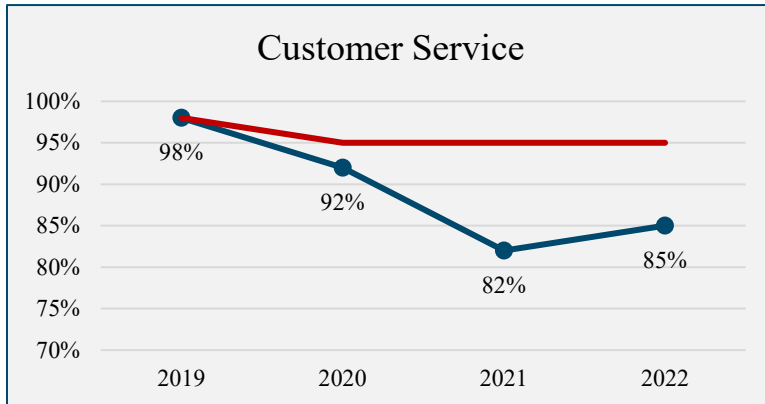
The **Research Division** is responsible for research projects given to the CJC and initiated by it. Approximately half of the CJC research workload is driven by the Oregon Legislature, including the Oregon Statistical Transparency of Policing (STOP) Program, research conducted under the Justice Reinvestment Initiative program, and our bias crime data reporting. Other research is self-initiated, which includes CJC’s semi-annual recidivism reporting, conducting cost-benefit analyses, and conducting analyses for partner criminal justice agencies.

An current organizational chart is included on the following page:



26 POS
26.00 FTE

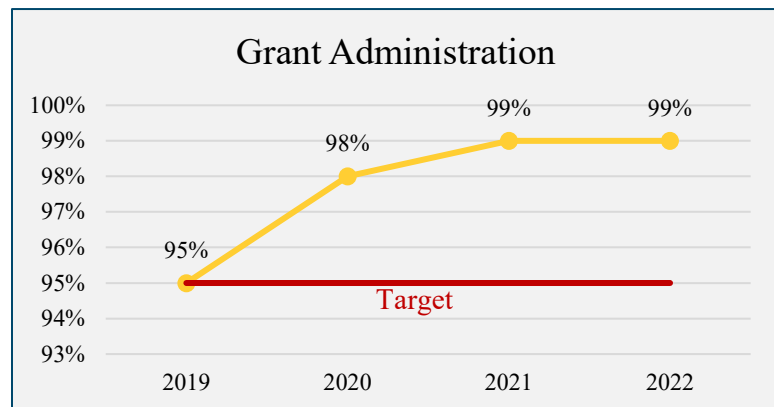
Agency Performance Measures



The CJC has two Key Performance Measures (KPMs). The first is related to customer service and is measured by the percentage of customers who rate their satisfaction with the agency as “good” or “excellent.” To assess this KPM, the CJC utilizes an annual survey and its results are measured against a target of 95%. The results of the last four surveys are contained in the figure to

the left and demonstrate a slight downward trend from 2019 to 2021 followed by an upward trend from 2021 to 2022. CJC believes that this pattern can be attributed to two factors. First, between 2019 and 2020, the individuals surveyed to obtain the KPM rating changed, as we expanded the potential pool of survey respondents significantly to include all individuals listed on our “interested parties” contact lists. Previously, the survey was sent to a small subset of those individuals, which was judged to be underinclusive of our customer base. The second factor is related to the COVID-19 pandemic, as the downward trend was observed during a period of transition, both due to significant staff turnover following the departure of our previous executive director and the transition from traditional in person work to remote work. CJC believes that the recent upward trend in this KPM can be explained by the stability that has been reached post pandemic with regards to staffing a service provision.

CJC’s second KPM is related to Grant Administration and is measured by the percentage of administered grant programs that meet or exceed 75% or more of the contractual grant requirements. To assess this KPM, the CJC examines it grantee’s reporting and other compliance information to ensure that grant requirements are being met. The target for this KPM is 95%. Over the past four years, the CJC has exceeded and continues to exceed the target.



Program Summaries

1. State Administering Agency

In 2009, the CJC was designated by the Governor as the State Administering Agency (SAA) for the Bureau of Justice Assistance (BJA) grants. The CJC is directly awarded the federal grants and is responsible for the allocation of resources statewide. Further the CJC serves as the primary coordinating body for state public safety issue identification, system collaboration, policy development, and system planning and implementation. The responsibility requires the CJC to work closely with public safety associations including prosecution, defense, law enforcement, court systems, the Department of Corrections, and victim's services

2. Statistical Analysis Center

The Statistical Analysis Center (SAC) is closely linked to the planning and policy development and sentencing guidelines focus areas. In order to make informed decisions, policy-makers require updated criminal justice data. The SAC has worked to gain access to and analyze arrest, charge and conviction data in order to continue to inform state and local policy discussions. This data analysis has helped the SAC to develop a comprehensive cost-benefit model, a risk-assessment tool, and legislative fiscal and racial/ethnic impact estimates. Continued analysis of this data is crucial in making recommendations on what law changes have the greatest potential for managing limited fiscal resources while maintaining the effectiveness of Oregon's criminal justice system.

3. Justice Reinvestment Initiative Grant Program

The Justice Reinvestment Grant Program provides funding for counties to plan, implement, and expand initiatives that establish a process to assess individuals charged with crimes and provide a continuum of community-based sanctions, services, and programs. Grantfunded initiatives must be designed to reduce recidivism and decrease the county's utilization of imprisonment in a Department of Corrections institution while protecting public safety and holding individuals accountable.

Grant-funded initiatives throughout Oregon include pretrial release programming, treatment services and supports, and reentry services such as peer mentoring, housing assistance, education, and job-seeking assistance. A county's Local Public Safety Coordinating Council, the county's board of commissioners, and the presiding judge of the local judicial district must support the initiative.

Since the program began the number of individuals in prison has decreased by 2,317 individuals, from 14,386 (April 2013) to 12,069 (April 2022). As a result, the state did not build an additional men's prison or reopen a women's prison as had been forecasted in 2013 and two additional men's prisons have been closed. The recidivism rate in Oregon has also decreased since the inception of the Justice Reinvestment Program.

4. Justice Reinvestment Equity Program

Senate Bill 1510 (2022) created the Justice Reinvestment Equity Program to support subgrants and technical assistance to culturally specific organizations and culturally responsive service providers administered by the Northwest Health Foundation Fund. The CJC has convened a stakeholder group composed of culturally diverse persons with expertise in culturally responsive evaluations, persons with expertise in criminal justice issues, and representatives of the subgrantees receiving funds, to evaluate the implementation of the Justice Reinvestment Equity Program and monitor the progress of sub-grants.

5. Specialty Court Grant Program

The Specialty Courts Grant Program supports the operations of Oregon’s specialty courts. These courts operate under a model that provides an alternative to incarceration through court-directed supervision and mandated treatment to non-violent individuals with substance use or mental health issues underlying their criminal behavior. Specialty courts rely on consistent interactions between the participant and judge and require collaboration among a multidisciplinary team made up of a judge, treatment providers, probation, district attorneys, and defense attorneys.

The CJC also maintains the Oregon Specialty Court Standards which describe consistent practices for specialty courts to follow in order to achieve intended outcomes such as decreased substance use, reduced recidivism, and enhanced public safety.

6. Improving People’s Access to Community-based Treatment, Supports and Services (IMPACTS) Grant Program

The Improving People’s Access to Community-based Treatment, Supports and Services (IMPACTS) Grant Program supports counties and tribal governments in developing stronger community-based supports and services available to specific groups of individuals (referred to as a “target population”) identified as high utilizers of the criminal justice system, emergency services, and/or institutional placements.

Outcomes for grant-funded programs include reducing the number of times an individual is involved with the criminal justice system (booked into jail, law enforcement contacts), visits an emergency department, or is admitted to the Oregon State Hospital. In the first IMPACTS grant cycle, grantees have worked to stand up their programs, identify their target populations, begin providing supports and services, and track all relevant data. In 2021, a total of 576 individuals were served through IMPACTS programs across 11 jurisdictions.

7. Illegal Marijuana Market Enforcement Grant Program (IMMEGP)

The Illegal Marijuana Market Enforcement Grant Program is to help local communities address the harmful impacts of large-scale illegal marijuana operations in Oregon, such as violent crime, labor trafficking, and environmental degradation. The program makes funds available to local government entities, such as sheriff’s offices, city police departments, and prosecutor’s offices, as well as to

community-based organizations, to pay for things such as hiring new staff, attending specialized trainings, and offering supports and services to victims of crimes. The grant program prioritizes providing resources to under-resourced rural areas and assistance for people escaping dangerous working conditions, among others.

The primary intended outcomes for the program include uprooting large-scale, organized crime-based illegal marijuana activities and supporting trafficked workers suffering abuse at illegal grow sites. Additionally, through grant program data reporting and analysis, the CJC aims to improve the state's understanding of the nature, scope, and conditions of the illegal marijuana market in Oregon.

8. Restorative Justice Grant Program

The Restorative Justice Grant Program provides public and private entities with financial support to establish an alternative approach to Oregon's traditional criminal and juvenile legal system processes. Collaboration between organizations in the community and agencies that are part of the criminal justice system, such as law enforcement, courts, district attorneys, and defense attorneys, is key in ensuring that the aims of the program are met. Grant-funded initiatives must focus on centering the experiences of those that have been harmed, along with encouraging those that caused the harm to take responsibility and repair the harm, with the purpose of identifying solutions that promote healing and mutual agreement.

The program serves individuals who have engaged in the "front end" of the criminal legal system, meaning before conviction for a crime or incarceration. The program prioritizes providing resources to initiatives that accept cases of person crime and historically underserved regions in Oregon, among others. Evaluations are intended to assess outcomes related to safety, satisfaction, and feelings about responsibility.

9. Innovative Grant Fund

During the 2021 Regular Legislative Session, the Oregon Legislature passed HB 2049, which created the Innovative Grant Fund within the CJC. HB 2049 provides \$1 million in funding for programs that will do the following: (1) demonstrate strong potential to have positive impacts on public safety; (2) can produce measurable outcomes; (3) have the potential to benefit the entire state, either through immediate impact or through potential reproducibility after an initial pilot period; and (4) demonstrate coordination with local public safety coordinating councils. The CJC is developing a grant program methodology and a process for evaluating the efficacy of programs receiving grant funds.

10. Jail Healthcare Standards Advisory Council

The Jail Health Care Advisory Council was a 16-member body tasked with studying jail health care standards in Oregon and making recommendations to the Legislature about how the state can improve them. The Advisory Council also made recommendations about the formation of an independent body to review jail health care standards so that they are reviewed, revised, and maintained over time.

11. Statistical Transparency of Policing Program

In 2017, the Oregon Legislature passed HB 2355 to create the Statistical Transparency of Policing (STOP) program in Oregon, creating a new program designed to study the extent to which racial disparity exists within law enforcement statewide.⁴ HB 2355 mandated that all Oregon law enforcement agencies collect data on traffic and pedestrian stops, excluding call for service. The data elements collected include the officer's perception of the race and gender of the person stopped, statutory reason for and disposition of the stop. The CJC is tasked to evaluate the results of collected law enforcement agency data for patterns or practices of profiling and report the results to the Governor, Department of Public Safety Standards and Training (DPSST), and committees for the Legislative Assembly related to the judiciary.

In 2019, the Oregon Legislature passed HB 5050, transferring the responsibilities of the Criminal Justice Policy Research Institute's Law Enforcement Contacts Policy & Data Review Committee from Portland State University to the Criminal Justice Commission, thereby consolidating both quantitative and qualitative data collection on traffic and pedestrian stops in one state agency.

12. Planning and Policy Development

The CJC is charged with (1) conducting studies with other agencies and organization on matters within the jurisdiction of the Commission,(2) acting as a clearinghouse and information center for the collection, preparation, and analysis of criminal justice data, (3) providing technical assistance and support to local public safety coordinating councils, (4) funding specialty courts throughout the state, and (5) preparing racial and ethnic impact statements for certain legislative initiatives.⁵ Planning and policy development is focused on providing data and outcome analyses for evidence-based practices to stakeholders. Evidence-based treatment, barrier removal, and program services promote effective community-based supervision resulting in reduced recidivism and increased public safety.

Through pretrial reform, the state is moving toward the use of a validate risk assessment tool to inform pretrial release decisions thereby increasing public safety while holding offenders accountable. In addition to overseeing Justice Reinvestment implementation, the Task Force was responsible with studying security release and the impact of fines and fees in Oregon to assist with recommendations of statewide pretrial reform. (HB 2238 §1(2)) Providing analysis to decision makers and increasing transparency are aspects of criminal justice reform that are broadly applicable to the Governor's identified relevant statewide goals.

In 2019, the Oregon Legislature passed HB 3289 instructing the Criminal Justice Commission to conduct a study on data, data collection practices, and data availability at local and regional correctional facilities in each county. Instructs CJC to study the manner, means, costs, and barriers to health care at local and regional correctional facilities across the state. Directs CJC to obtain and analyze the standards, policies, and procedures used by local and regional correctional facilities in order to determine whether they adequately protect the Constitutional rights of prisoners and follow national best practices.

In 2019, the Oregon Legislature also passed SB 962, directs certifying agencies to certify to United States Citizenship and Immigration Services, within specified time, victim helpfulness in detecting, investigating, or prosecuting qualifying criminal activity in response to U nonimmigrant visa (U visa) requests. Creates rebuttable presumption of victim helpfulness. Directs agencies to create written procedures for processing certification requests. Specifies certification procedures. Directs certifying agencies to report annually to Criminal Justice Commission beginning June 1, 2020. Directs the Criminal Justice Commission to submit report to interim committees of Legislative Assembly related to judiciary. Sunsets reporting requirement on January 2, 2022.

In 2019, the Oregon Legislature passed SB 577. Section 9 of this bill, now codified in ORS 137.678, requires the Oregon Criminal Justice Commission (CJC) to review all data pertaining to bias crimes and non-criminal bias incidents and to report the results annually on July 1. In 2021, the Oregon Legislature passed HB 2932. This measure directs the CJC to analyze data from the Nation Use-of-Force Data Collection operated by the Federal Bureau of Investigation and report annually to the Legislative Assembly on the analysis.

13. Sentencing Guidelines

The CJC is responsible for administering Oregon’s felony sentencing guidelines. The guidelines are administrative rules established to guide sentences imposed for felony crimes committed on or after November 1, 1989. Their development aims to achieve the specific goals of prioritizing prison space, enhancing truth in sentencing, providing sentence uniformity and maintaining a sentencing policy consistent with correctional capacity. Each interim, Commissioners adopt the rules to conform the guidelines to new policies and the activity of the legislature during the prior session.

14. Asset Forfeiture Oversight Advisory Committee

The CJC collects information reported by state and local law enforcement agencies to compile the report for the Asset Forfeiture Oversight Advisory Committee (“AFOAC”). Criminal and Civil forfeitures in Oregon are governed by different statutes. ORS 131A.005 et seq authorizes civil forfeiture when a drug crime is committed. ORS 131.550 et seq authorizes criminal forfeiture for a variety of crimes. Statutory direction for the AFOAC, the CJC, and reporting requirements are found at ORS 131.600, ORS 131A.450, & ORS 131A.455.

15. Sanctuary Promise

The Sanctuary Promise Act (HB 3265, 2021 Regular Session) further strengthens Oregon’s existing sanctuary laws, mandating that public bodies decline any request or communication from a federal agency that relates to immigration enforcement (other than a qualifying judicial subpoena) and to report such requests or communications to CJC. It also established a telephone hotline – operated by the Oregon Department of Justice – dedicated to assisting victims, witnesses, and other reporters of Sanctuary Promise violations. The CJC maintains a data dashboard of all reported violations and publishes a summary report for the Legislature annually.

16. Family Preservation Project

In 2021, the Oregon Legislature included in HB5006§8 a budget note which directs the Criminal Justice Commission to work in collaboration with the Department of Corrections, and the YWCA of Greater Portland to track outcomes of the Family Preservation Project. The program, operated at the Coffee Creek Correctional Facility, is designed to strengthen family times by providing services and supports to incarcerated parents and their minor children. Findings must be reported to the Legislature annually.

Unresolved Issues Impacting the 2021-2023 Budget

None

Major Agency Changes, Budget Drivers, Risk, and IT Projects

The CJC has not identified any major agency changes, budget drivers, or IT projects affecting the 2023-2025 budget. One potential risk identified by CJC, however, are ongoing concerns about specialty court participant populations given the recent passage of Ballot Measure 110 in late 2020. These concerns are primarily linked to the fact that since the passage of Ballot Measure 110, monthly arrests for PCS have fallen by nearly 90 percent and convictions have fallen by over 85 percent, leading to a fear that the potential population for specialty courts could be reduced to an extent that would threaten the viability of these courts.

Assessing specialty court participation data from a period immediately before the passage of Ballot Measure 110 to the most recent one-year period across 2021 and 2022, the CJC believes that data demonstrate the continued strength of specialty court enrollment across the state and that while Ballot Measure 110 has undoubtedly impacted specialty court enrollments, it is not to the extent feared and does not threaten the viability of the specialty court program in Oregon.

Table 1. Specialty Court Participant Numbers by Most Serious Crime Type

Crime Type	January to December 2020		November 2021 to October 2022	
	Count	Pct.	Count	Pct.
Driving	255	10.6%	203	9.5%
PCS Only	413	17.1%	104	4.9%
Drug (non-PCS)	211	8.7%	154	7.2%
Property	644	26.7%	770	35.9%
Other Crimes	444	18.4%	245	11.4%
Person	375	15.5%	553	25.8%
Missing	70	2.9%	114	5.3%
Total	2,412	100.0%	2,143	100.0%

Table 1 displays the crime type for statewide specialty court participants for the two time periods described above. Statewide, comparing the two time periods demonstrates that specialty court participation has dropped by 11 percent, from close to 2,400 participants from January to December

2020 to almost 2,150 participants from November 2021 to October 2022. Notably, the profile of specialty court participants has changed as well.

Prior to Ballot Measure 110, over 17 percent of specialty court participants could be deemed to be “PCS only,” meaning that for those participants, the only charge/conviction underlying their enrollment in a specialty court was for PCS and no other offense. In the most recent year of data, however, the share of PCS only participants fell to just under 5 percent¹. At the same time, participants with underlying property and person crime charges/convictions increased substantially. The share of participants in the property crime category increased from almost 27 percent to nearly 36 percent of the specialty court participant population and the share of person crime participants increased from 15.5 percent to nearly 26 percent.

To further assess these trends, the CJC also examined participant numbers by crime type broken down by specialty court. The full county-court breakdown is included in the Appendix. Prior to the passage of Ballot Measure 110, a majority of the state’s specialty courts reported a share of PCS only participants near the statewide average of around 17 percent. A small number, however, relied more heavily on PCS only participants. Indeed, 10 courts reported a PCS only participant population in excess of 20 percent: Benton ADC, Clackamas ADC, Clatsop ADC, Crook MHC, Jefferson MHC, Klamath ADC, Lake ADC, Lane ADC, Multnomah STOP, and Umatilla ADC. Of those, three courts Lane ADC, Multnomah STOP, and Umatilla ADC, reported PCS only participant populations in excess of 50 percent. These courts would be at the highest risk of seeing population declines attributable to Ballot Measure 110.

The Multnomah County STOP Court provides a direct example of the impact of Ballot Measure 110. In 2020, the STOP Court had a total population of 139, with 138 of those participants classified as PCS only. Due to the participant population of the court, Multnomah County officials elected to completely retool and refocus the court. Renamed the Multnomah County STEP (Strategic Treatment and Engagement Program) Court, this new entity is designed to serve defendants charged with certain violent felonies, with the goal of addressing underlying addiction issues related to participants’ criminal offending. This new Court, which began operations in mid-2021, reported 42 participants between November 2021 and October 2022, none of which were classified as PCS only. The direct effect on the Multnomah County drug court population can be assessed by the difference in these two populations.

While the Courts in Lane and Umatilla Counties did not retool to the same extent as Multnomah County, each of these drug courts have experienced population changes as well. The Lane ADC population fell between the two periods under examination, from a total of 130 in 2020 to 99 in 2021-2022. This corresponded with a fall in PCS only participants, which decreased from 66 to 24. Similarly, the Umatilla ADC PCS only population fell from 25 to 6, and the overall population saw a reduction from 40 to 33.

Interestingly, the majority of the rest of the reduction can be attributed to two other Multnomah County specialty courts—its M57 Drug Court, which saw a participant reduction of 90 and its DISP

¹ Of the 104 specialty court participants identified as PSC Only from November 2021 to October 2022, 88 percent were in specialty court on a pre-M110 PCS charge. In addition, 47 percent had a non-PCS charge on their underlying criminal case or had a pending non-PCS charge on another case at the time of acceptance into the program.

DUII Court, which experienced a population decline of 42. These two courts, however, reported few, if any, PCS only participants. This indicates that other factors are likely at play, including those tied to restrictions taken to minimize the spread of COVID-19. Regardless of the cause, however, the reductions found in the three Multnomah Courts and the Lane ADC account for nearly 97 percent of the population reduction experienced statewide.

Six Year Budget Retrospective

2017-2019 Biennium

House Bill 3078 established the JRI Downward Departure Grant Program along with \$7M GF in funding. Grantees for this program are counties willing to seek funding via a competitive process to fund target downward departure programs that provide wrap around services and intensive supervision to individuals who were convicted of prison eligible offenses.

House Bill 2355 established the Statistical Transparency of Policing Program, which required the CJC to create an IT system to receive data from all Oregon law enforcement agencies regarding all officer-initiated traffic and pedestrian stops. The bill also created an annual reporting requirement describing analyses conducted on this data examining the extent to which disparate outcomes in stop patterns exist within the state.

House Bill 2238 reestablished the Public Safety Task Force. The Legislature charged the Task Force with studying security release in Oregon, with a focus on reducing racial and ethnic disparity in pretrial incarceration. Under that broad charge, the Legislature included three specific areas of focus: (1) repealing statutes authorizing security release in favor of courts, or another entity with delegated authority, making release decisions; (2) utilizing pretrial release risk assessments; and (3) methods of reducing failure to appear at court hearings.

2019-2021 Biennium

House Bill 2049 created the Innovative Grant Fund within the CJC and provided \$1 million in funding for programs that will do the following: (1) demonstrate strong potential to have positive impacts on public safety; (2) can produce measurable outcomes; (3) have the potential to benefit the entire state, either through immediate impact or through potential reproducibility after an initial pilot period; and (4) demonstrate coordination with local public safety coordinating councils. The CJC is developing a grant program methodology and a process for evaluating the efficacy of programs receiving grant funds.

Senate Bill 577 redefined bias crimes within Oregon while also establishing a new data collection and analysis regime. Section 9 of this bill, now codified in ORS 137.678, requires the Oregon Criminal Justice Commission (CJC) to review all data pertaining to bias crimes and non-criminal bias incidents and to report the results annually on July 1. In 2021, the Oregon Legislature passed HB 2932. This measure directs the CJC to analyze data from the Nation Use-of-Force Data Collection operated by the Federal Bureau of Investigation and report annually to the Legislative Assembly on the analysis.

Senate Bill 962 directed certifying agencies to certify to United States Citizenship and Immigration Services, within specified time, victim helpfulness in detecting, investigating, or prosecuting qualifying criminal activity in response to U nonimmigrant visa (U visa) requests. It also directed certifying agencies to report annually to Criminal Justice Commission beginning June 1, 2020 while mandating the Criminal Justice Commission to submit report to interim committees of Legislative Assembly related to judiciary.

Senate Bill 973 created the Improving People’s Access to Community-based Treatment, Supports and Services (IMPACTS) Grant Program. IMPACTS supports counties and tribal governments in developing stronger community-based supports and services available to specific groups of individuals (referred to as a “target population”) identified as high utilizers of the criminal justice system, emergency services, and/or institutional placements.

2021-2023 Biennium

House Bill 2204 (2021) created the CJC’s Restorative Justice Grant Program, which provides public and private entities with financial support to establish an alternative approach to Oregon’s traditional criminal and juvenile legal system processes. Grant-funded initiatives must focus on centering the experiences of those that have been harmed, along with encouraging those that caused the harm to take responsibility and repair the harm, with the purpose of identifying solutions that promote healing and mutual agreement. The program serves individuals who have engaged in the “front end” of the criminal legal system, meaning before conviction for a crime or incarceration. The program prioritizes providing resources to initiatives that accept cases of person crime and historically underserved regions in Oregon, among others. Evaluations are intended to assess outcomes related to safety, satisfaction, and feelings about responsibility.

House Bill 2932 (2021) required the CJC to partner with the Oregon State Police to publish data related to use-of-force by law enforcement officers within Oregon. The CJC is preparing to release its first report related to use-of-force near the end of the biennium.

House Bill 3000 (2021) increased the amount of funding available for CJC’s Illegal Marijuana Market Enforcement Grant Program from \$3 million to \$6 million.

House Bill 3229 (2021) created the Jail Health Care Advisory Council, a 16-member body tasked with studying jail health care standards in Oregon and making recommendations to the Legislature about how the state can improve them. The Advisory Council also made recommendations about the formation of an independent body to review jail health care standards so that they are reviewed, revised, and maintained over time.

House Bill 3265, known as the Sanctuary Promise Act and passed during 2021, further strengthens Oregon’s existing sanctuary laws, mandating that public bodies decline any request or communication from a federal agency that relates to immigration enforcement (other than a qualifying judicial subpoena) and to report such requests or communications to CJC. It also established a telephone hotline – operated by the Oregon Department of Justice – dedicated to

assisting victims, witnesses, and other reporters of Sanctuary Promise violations. The CJC maintains a data dashboard of all reported violations and publishes a summary report for the Legislature annually.

Senate Bill 893, passed during special session in December of 2021, provided an additional \$20 million GF for the Illegal Marijuana Market Enforcement Grant Program to support both law enforcement response to the proliferation of illegal marijuana cultivation and distribution, as well as to support efforts to both reduce human trafficking and provide services to victims of human trafficking, labor trafficking, and wage theft.

House Bill 4074, passed during the 2022 regular session, provided an additional \$6 million GF for the Illegal Marijuana Market Enforcement Grant Program to support community-based organizations to provide services to victims of human trafficking, labor trafficking, and wage theft.

Senate Bill 1510, passed during the 2022 regular session, created the Justice Reinvestment Equity Program to support subgrants and technical assistance to culturally specific organizations and culturally responsive service providers administered by the Northwest Health Foundation Fund. The CJC has convened a stakeholder group composed of culturally diverse persons with expertise in culturally responsive evaluations, persons with expertise in criminal justice issues, and representatives of the subgrantees receiving funds, to evaluate the implementation of the Justice Reinvestment Equity Program and monitor the progress of sub-grants.

COVID-19 Related Budget Issues

None

Legislation Necessary to Implement the Governor's Budget

The Governor's Recommended Budget (GRB) included support for Policy Option Package 103, which relates to the funding of CJC Justice Reinvestment Initiative (JRI) Grant. The JRI grant programs found within HB 3194 (2013) and 3078 (2017) are slated to sunset on July 1, 2024 (see SB 1510 (2022)). Given that this sunset occurs mid-biennium, the CJC was only permitted to include 50% of the funding it normally seeks to administer this grant program for the 2023-2025 biennium. To make up this shortfall, the CJC requested additional JRI grant funding via POP 103 and a corresponding legislative concept, LC 386.

In the GRB, POP 103 was recommended to be funded at \$35M, which would bring total JRI program funding to \$61.96M. CJC has also learned that LC 386 will be a priority bill for the Governor, although the precise rollout timeline has not yet been determined.

15% Reduction Options

If a 15% budget reduction was initiated, the impact to CJC programs would total \$9,824,640. Of that total, \$7,561,425 would come from the General Fund, \$90,477 would come from Lottery Funds, and \$2,172,738, would come from Other Funds. The impact of these reductions would be felt across

several grants administered by the CJC, reducing services for program recipients and their clients across the state. Reductions in General Fund would impact both the Justice Reinvestment Initiative grant as well as the Specialty Court grant, which could lead to increased crime, recidivism, and utilization of state parole and probation resources or corrections resources at Department of Corrections custodial institutions. Reductions in Lottery Funds would impact Veteran’s Courts across the state, reducing their ability to function and perhaps leading to the closure of one or more of these important programs. Reductions in Other Funds would impact grantees of the Illegal Marijuana Market Enforcement Grant Program, curtailing their efforts to prevent the cultivation and distribution of illegal marijuana both inside and outside the state.

For a detailed breakdown of these reduction options, please see Appendix A.

Long-term Vacancy Summary

The CJC reported one long-term vacancy for a Research Analyst 2 position. This position represents 1.0FTE and costs \$177,349 on a biannual basis. It has been vacant since 31 October 2021. The CJC is currently amid a search for that position and anticipates filling it in April of 2022.

Actions taken to Create Savings

No additional actions planned for 2023-2025.

Governor’s Recommended Budget Summary

Budget	GF	LF	OF	FF	Total
2021-2023 LAB	\$126,488,341	\$578,865	\$47,413,825	\$5,680,710	\$180,161,741
2023-2025 CSL	\$50,409,495	\$603,177	\$13,387,276	\$9,317,235	\$73,717,183
2023-2025 GRB	\$88,141,274	\$603,177	\$13,357,681	\$9,308,883	\$111,411,015

The GRB recommended total agency funding totaling \$111,411,015, including \$88,141,274 in General Fund, \$603,177 in Lottery Funding, \$13,357,681 in Other Funds, and \$9,308,883 in Federal Funds. The GRB recommendation is above 2023-2025 Current Service Level given the recommendation of the following Policy Option Packages and reductions.

POP Package 103

The Governor’s Recommended Budget (GRB) included support for Policy Option Package 103, which relates to the funding of CJC Justice Reinvestment Initiative (JRI) Grant. The JRI grant programs found within HB 3194 (2013) and 3078 (2017) are slated to sunset on July 1, 2024 (see SB 1510 (2022)). Given that this sunset occurs mid-biennium, the CJC was only permitted to include 50% of the funding it normally seeks to administer this grant program for the 2023-2025 biennium. In the GRB, POP 103 was recommended to be funded at \$35M, which would bring total JRI program funding to \$61.96M.

POP Package 104

Following the passage of HB 2204 (2021), the CJC implemented the Restorative Justice Grant Program throughout the 2021-2023 biennium. While HB 2204 (2021) created this program, however, funding for the program was not included in this legislative vehicle. Rather, HB 5006, the end of session bill, provided \$4 million in funding for this program on a one-time basis. To support the further development of this grant program, the CJC submitted POP 104. The GRB supported POP 104 and recommended providing \$4 million in funding for 2023-2025.

Reductions

The GRB includes the following recommended reductions:

Package 090 recommends a 6 percent reduction to the Specialty Court Grant program, which equates to \$1,080,190.

Package 092 recommends a reduction in the Attorney General rate of 4.62 percent, which equates to \$5,855.

Package 093 includes adjustments to the State Government Service Charges and DAS pricelist changes for services totaling \$62,366.

Requested Changes to KPMs

None

Hyperlink to the Governor's Recommended Budget

Not available as of this time

Secretary of State Audits

Not Applicable

Impacts on Agency Operations Attributable to Budget or Management Changes

None

Supervisory Span of Control Report

This report does not apply to agencies with fewer than 100 employees.

Proposed IT Projects

None

Proposed Capital Construction Projects

None

Program Prioritization for 2023-2025

Please see Appendix A

Other Funds and ARPA Ending Balance Forms

Please see Appendix A

Appendix A

Criminal Justice Commission (CJC)

2023 - 2025 Biennium

Detail of Reductions to 2023-25 Current Service Level Budget

1	2	3	4	5	6	7	8	9	10	11	12
Priority (ranked most to least preferred)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	
Dept	Prgm/ Div										
	Policy	CJC	JRI	Justice Reinvestment Formula Grant	2,520,475						\$ 2,520,475
	Policy	CJC	SC	Specialty Court Grant	2,520,475						\$ 2,520,475
	Policy	CJC	JRI	Justice Reinvestment Formula Grant	2,520,475						\$ 2,520,475
	Policy	CJC	IMME	Illegal Marijuana Market Enforcement Grant			724,246				\$ 724,246
	Policy	CJC	IMME	Illegal Marijuana Market Enforcement Grant			724,246				\$ 724,246
	Policy	CJC	IMME	Illegal Marijuana Market Enforcement Grant			724,246				\$ 724,246
	Policy	CJC	SC	Specialty Court Grant - Veterans Courts		30,159					\$ 30,159
	Policy	CJC	SC	Specialty Court Grant - Veterans Courts		30,159					\$ 30,159
	Policy	CJC	SC	Specialty Court Grant - Veterans Courts		30,159					\$ 30,159
											\$ -
											\$ -
											\$ -
											\$ -
					7,561,425	90,477	2,172,738	-	-	-	\$ 9,824,640

Agency Name: CRIMINAL JUSTICE COMMISSION

2023-25 Biennium **Agency Number: 21300**

Agency Wide Program

Program/Division Priorities for 2023-25 Biennium

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	
213	Policy	CJC	SAA	State Administering Agency	1	5	222,486				4,307,487		\$ 4,529,973	1	1.00	No	Yes	S
213	Policy	CJC	SAC	Statistical Analysis Center	1	5	999,693				56,566		\$ 1,056,259	2	2.00	No	No	S
213	Policy	CJC	JR	Justice Reinvestment Formula*	1,2	5	52,091,438						\$ 52,091,438	1	1.00	No	Yes	S
213	Policy	CJC	JRS	Justice Reinvestment Supplemental*	1,2	5	9,896,732						\$ 9,896,732	0		No	No	S
213	Policy	CJC	JREP	Justice Reinvestment Equity Program	1,2	5	669,062						\$ 669,062	3	3.00	Yes	No	S
213	Policy	CJC	SC	Specialty Court	1,2	5	14,374,848	603,177	569,326		4,431,964		\$ 19,979,315	1	1.00	No	Yes	S
213	Policy	CJC	IMPACT	Improving People's Access to Community-based Treatment, Support and Services	1,2	5	1,091,951		5,288,227				\$ 6,380,178	3	3.00	No	No	S
213	Policy	CJC	Policy	Planning and Policy	1	5	2,676,181		599,969		512,866		\$ 3,789,016	5	5.00	No	No	S
213	Policy	CJC	Policy	Sentencing Guidelines	1	5							\$ -	0	0.00	No	No	S
213	Policy	CJC	STOP	Statistical Transparency of Policing	1	5	1,351,484		508,046				\$ 1,859,530	4	4.00	No	No	S
213	Policy	CJC	Policy	Bias Crimes	1	5	362,666						\$ 362,666	1	1.00	No	No	S
213	Policy	CJC	IMME	Illegal Marijuana Market Enforcement	1,2	5			6,288,102				\$ 6,288,102	1	1.00	No	Yes	S
213	Policy	CJC	AFOAC	Asset Forfeiture Oversight	1	5	154,099		104,011				\$ 258,110	1	1.00	No	No	S
213	Policy	CJC	INNO	Innovative Grant	1,2	5							\$ -	0	0.00	No	No	S
213	Policy	CJC	UFD	Use-of Force Data Collection	1	5	250,634						\$ 250,634	1	1.00	No	No	S
213	Policy	CJC	RJ	Restorative Justice	1,2	5	4,000,000						\$ 4,000,000	1	1.00	No	No	S
213	Policy	CJC	FP	Family Preservation Project	1,2	5							\$ -	0	0.00	No	No	S
213	Policy	CJC	OJRC	Oregon Justice Resource Center	1,2	5							\$ -	0	0.00	No	No	S
							88,141,274	603,177	13,357,681	-	9,308,883	-	111,411,015	25	25			

* JRI Formula and Supplemental are funded from a single allocation (\$62 mil) with final award totals determined by the Criminal Justice Commission. The funding split is based on the 21-23 biennium split between formula and supplemental awards.

(a) Other Fund Type	(b) Program Area (SCR)	(c) Treasury Fund #/Name	(d) Category/Description	(e) Constitutional and/or Statutory reference	(f) 2021-23 Ending Balance		(g) 2023-25 Ending Balance		(j) Comments
					In LAB	Revised	In CSL	Revised	
Limited	001-00-00-00000	01000 Other Funds Cash Account	Other/Asset Forfeitures / Fund 4150	ORS 131A.365 & 360 & Article XV section 10 of the Oregon Constitution	956,994	1,511,894	712,452	1,087,370	ORS 131A.360 which requires forfeiting agencies to remit 20% of the forfeiture proceeds to CJC for the support of specialty courts as defined in ORS 137.680. CJC received direction from the Governor's office to use federal funds to support contracts with multiple fund types as appropriate. Because of this, CJC adjusted the contract payments for the case management system to be paid through federal and general fund rather than all three funds. Underspending by the grantees in 19-21 has been somewhat addressed during the 21-23 biennium. These proceeds will be used in 23-25 to support the Specialty Court Grant Program.
Limited	001-00-00-00000	01122 Asset Forfeiture Oversight Account	Other/Asset Forfeitures / Fund 4252	ORS 131A.460 & 131.594 & 597	239,248	377,973	178,113	271,842	ORS 131A.360 which requires forfeiting agencies to remit 20% of the forfeiture proceeds to CJC for the support of specialty courts as defined in ORS 137.680. A portion of those proceeds are received to support the Asset Forfeiture record keeping and reporting requirements as well as staff the Asset Forfeiture Oversight Committee. This money will continue to support staffing the Asset Forfeiture Oversight Committee.
Limited	001-00-00-00000	01826 IMMEGP	Illegal Marijuana Market Enforcement Grant Program / Fund 4350	Chapter 103, 2018 Laws, sections 13 & 15	466,124	902,677	207,069	481,731	IMMEGP is given to the agency as a result of SB 1544 during the 2018 regular session. The program is to assist local law enforcement agencies in addressing unlawful marijuana cultivation or distribution operations. Revenue is received from the Oregon Marijuana Account (ORS 475B.759). CJC plans to spend this other fund in 2021-23 as well as 2023-25 to administer the IMMEGP.
Limited	001-00-00-00000	01966 IMPACTS	The Improving People's Access to Community-based Treatment, Supports and Services Program (IMPACTS) / Fund 4160	Chapter 563, 2019 Laws, sections 1 & 2	2	5,498,844	4	483,169	IMPACTS is given to the agency as a result of SB 973 during the 2019 regular session. The grant program is designed to address shortage of comprehensive community supports and services for individuals with mental health or substance use disorders. Due to delays in the execution of the original contracts, this grant has an off-cycle timeline. This amount will need to be rolled-over to the 23-25 biennium.
Limited	001-00-00-00000	02144 The Innovative Grant Fund	Grant Fund - Fund 4155	Chapter 609, 2021 Laws, sections 1 & 4	0	999,802	0	999,802	Innovative Grant Fund was given to the agency as a result of HB 2049 during the 2021 regular session. The grant program is designed to have a strong potential to have positive impacts on public safety, produce measurable outcomes, and have potential to benefit the entire state. CJC is still determining an appropriate project for the requirements of this bill, and will need be rolled-over to the 23-25 biennium.
Total					1,662,368	9,291,190	1,097,638	3,323,914	

