

Legislative Fiscal Office

Oregon State Capitol
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Salem, Oregon 97301
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Joint Committee on Ways and Means

Senator Elizabeth Steiner, Senate Co-Chair
Representative Tawna Sanchez, House Co-Chair

Senator Fred Girod, Senate Co-Vice Chair
Representative David Gomberg, House Co-Vice Chair
Representative Greg Smith, House Co-Vice Chair

Amanda Beitel, Legislative Fiscal Officer
Tom MacDonald, Deputy Legislative Fiscal Officer (Budget)
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

To: Public Safety Subcommittee

From: John Borden, Legislative Fiscal Office

Date: May 15, 2023

Subject: HB 5012 – District Attorneys
Work Session Recommendations

District Attorneys – Agency Totals

	2019-21 Actual	2021-23 Legislatively Approved	2023-25 Current Service Level	2023-25 LFO Recommended
General Fund	13,843,569	15,155,109	15,565,287	16,395,287
Total Funds	\$13,843,569	\$15,155,109	\$15,565,287	\$16,395,287
Positions	36	36	36	36
FTE	36.00	36.00	36.00	36.00

The Legislative Fiscal Office (LFO) recommendation for the District Attorneys is to fund the agency at \$16.4 million General Fund and 36 position (36.00 FTE), which is an 8.2% increase over the 2021-23 legislatively approved budget. The recommendation includes two policy packages:

- \$280,000 General Fund for funding for grand jury recordation; and
- \$550,000 General Fund (one-time) for the final reconciliation of personal service costs for the biennium. This package includes a request that the Department of Administrative Services unschedule \$550,000 General Fund pending the District Attorney's submission of a final reconciliation of personal service costs for the biennium to the Legislative Fiscal Office.

Adjustments to Current Service Level

See attached "Work Session Presentation Report."

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5012. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to HB 5012, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2023-25 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Recommended Changes

LFO recommends a budget of \$16,395,287 General Fund and 36 positions 36.00 FTE, which is reflected in the –1 amendment.

MOTION: I move adoption of the –1 amendment to HB 5012. (VOTE)

Final Subcommittee Action

LFO recommends that HB 5012, as amended by the –1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move HB 5012, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2021-23 Agy. Leg. Adopted	14,783,245	-	-	-	-	-	14,783,245	36	36.00
2021-23 Ebds, SS & Admin Act	371,864	-	-	-	-	-	371,864	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2021-23 Leg Approved Budget	15,155,109	-	-	-	-	-	15,155,109	36	36.00
2021-23 Leg Approved Budget (Base)	15,155,109	-	-	-	-	-	15,155,109	36	36.00
Summary of Base Adjustments	459,736	-	-	-	-	-	459,736	-	-
2023-25 Base Budget	15,614,845	-	-	-	-	-	15,614,845	36	36.00
010: Non-PICS Pers Svc/Vacancy Factor	70,092	-	-	-	-	-	70,092	-	-
020: Phase In / Out Pgm & One-time Cost	(540,471)	-	-	-	-	-	(540,471)	-	-
030: Inflation & Price List Adjustments	420,821	-	-	-	-	-	420,821	-	-
2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Adjusted 2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Total LFO Recommended Packages	830,000	-	-	-	-	-	830,000	-	-
2023-25 Legislative Actions	16,395,287	-	-	-	-	-	16,395,287	36	36.00
Net change from 2021-23 Leg Approved Budget	1,240,178	-	-	-	-	-	1,240,178	-	-
Percent change from 2021-23 Leg Approved Budget	8.2%	0.0%	0.0%	0.0%	0.0%	0.0%	8.2%	0.0%	0.0%
Net change from 2023-25 Adj Current Service Level	830,000	-	-	-	-	-	830,000	-	-
Percent change from 2023-25 Adj Current Service Level	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	5.3%	0.0%	0.0%

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2021-23 Ebds, SS & Admin Act	371,864	-	-	-	-	-	371,864	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2021-23 Leg Approved Budget	15,155,109	-	-	-	-	-	15,155,109	36	36.00
2021-23 Leg Approved Budget (Base)	15,155,109	-	-	-	-	-	15,155,109	36	36.00
Summary of Base Adjustments	459,736	-	-	-	-	-	459,736	-	-
2023-25 Base Budget	15,614,845	-	-	-	-	-	15,614,845	36	36.00
010: Non-PICS Pers Svc/Vacancy Factor	70,092	-	-	-	-	-	70,092	-	-
020: Phase In / Out Pgm & One-time Cost	(540,471)	-	-	-	-	-	(540,471)	-	-
030: Inflation & Price List Adjustments	420,821	-	-	-	-	-	420,821	-	-
2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Adjusted 2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Total LFO Recommended Packages	830,000	-	-	-	-	-	830,000	-	-
2023-25 Legislative Actions	16,395,287	-	-	-	-	-	16,395,287	36	36.00
Net change from 2021-23 Leg Approved Budget	1,240,178	-	-	-	-	-	1,240,178	-	-
Percent change from 2021-23 Leg Approved Budget	8.2%	0.0%	0.0%	0.0%	0.0%	0.0%	8.2%	0.0%	0.0%
Net change from 2023-25 Adj Current Service Level	830,000	-	-	-	-	-	830,000	-	-
Percent change from 2023-25 Adj Current Service Level	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	5.3%	0.0%	0.0%

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Package 107 Grand Jury Recordation

Package Description This package appropriates \$280,000 General Fund for the cost of grand jury recordation (SB 505, 2017), which requires county district attorneys to electronically record all grand jury proceedings and to store and maintain copies of the audio recording. The appropriation includes the following:

Statewide transcription service for district attorney offices - Private vendor(s) by which counties access service - Department of Justice to procure and administer statewide contract(s) at an estimated cost of \$150,000 General Fund.

Storage, licensing, and archiving of grand jury recordings - Department of Justice to provide segregated hosting, security, backup, maintenance, and customer support, including associated licensing cost at an estimated cost of \$115,000 General Fund.

Annual training on grand jury recording equipment - Judicial Department to bill the District Attorney on a fiscal year basis for annual training(s) on the recording equipment for up to \$15,000 General Fund.

LFO Recommendation Approve the request, as modified.

LFO Analyst Notes HB 5012 (2023)

LFO Recommended	280,000	-	-	-	-	-	280,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description This package appropriates \$550,000 General Fund, on a one-time basis, to fund the reconciliation of anticipated personal service costs for 2023-25 biennium.

The package provides funding for the final reconciliation of Other Payroll Expenses, which becomes necessary due to a variance between an individual district attorney’s health benefit plan choice versus the cost estimate in the budget. A portion of the variance may be offset by vacancy and/or other savings. A similar budget adjustment has been funded by the legislature in the last four of the past biennia.

LFO Recommendation Approve the package, on a one-time basis.

Budget Instructions Request that the Department of Administrative Services unschedule \$550,000 General Fund pending the District Attorneys submission of a final reconciliation of personal service costs for the 2023-25 biennium to the Legislative Fiscal Office for review and approval of the amount to be scheduled for expenditure and that is net of any estimated budgetary savings for the biennium.

LFO Analyst Notes HB 5012 (2023)

LFO Recommended	550,000	-	-	-	-	-	550,000	-	-
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Legislatively Proposed 2023 - 2025 Key Performance Measures

Published: 5/4/2023 1:36:13 PM

Agency: District Attorneys

Mission Statement:

The Mission of the Oregon District Attorney is to uphold the United States Constitution and the Constitution and laws of the State of Oregon, to preserve the safety of the public, to protect the rights of crime victims and to pursue justice for all citizens with skill, honor and integrity.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2024	Target 2025
1. Child Support Collections - Percentage of current child support collected relative to total child support owed.		Approved	77%	85%	85%
2. Services to Victims - Percentage of adult criminal cases where the named victim(s) are provided "prompt notice" of their rights as crime victims.		Approved	95%	100%	100%
3. Early and Special Resolution Programs - Percentage of District Attorney offices resolving cases through early and special resolution, number of cases resolved.		Approved	92%	95%	95%
4. Implicit Bias Training - Percentage of district attorneys receiving implicit bias training each biennium.		Proposed New		85%	85%

LFO Recommendation:

The Legislative Fiscal Office recommends approval of the District Attorney's 2023-25 Key Performance Measures and targets, including the addition of KPM #4 on Implicit Bias Training.

SubCommittee Action:

HB 5012-1
(LC 9012)
5/3/23 (DFY/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
HOUSE BILL 5012**

1 In line 5 of the printed bill, delete “\$16,012,033” and insert “\$16,395,287”.

2 _____