

Department of Justice

2009 - 2011 Biennium

Agency Number: 13700

Detail of 30% Reduction to 2009-11 Essential Budget Level

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Priority (ranked with highest priority first)	Dept. Initials	Prgm. or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div													
5% Increments										\$ -				
1st	DOJ	CJ	Criminal Justice	947,771						\$ 947,771	3	2.42	<p>This reduction results in the elimination of position funding for two Research Analyst 3's (RA3) and a Research Analyst 1 (RA1) as well as reduced Attorney General charges in the amount of \$252,470. The loss of the RA3 will mean gang task forces investigating gang violence will not have the crucial assistance of an analyst. Similarly, we will have to decline analytical assistance to drug task forces working large scale trafficking organizations. (Although little recognized, a good analyst can double the effectiveness of an organized crime task force.) The RA 1 performs critical officer safety services by deconflicting search warrants and surveillances, and by doing critical case research for detectives statewide on all types of criminal cases including homicides, gangs, drugs, robbery and kidnapping.</p> <p>In addition, the Division receives federal HIDTA funds to hire additional analysts. Grant guidelines require the Division to have a state funded analyst for each HIDTA funded analyst. Thus if a state-funded analyst position is eliminated, it is quite possible that HIDTA funded analysts would need to be removed.</p> <p>It would also eliminate the Attorney General billings associated with the reduction of 1.00 FTE of a Financial Special Agent and 0.55 FTE of a regular Special Agent. At a time when financial crime, embezzlement and elder theft are at all time highs, and local law enforcement relies heavily on the Department of Justice with the only cadre of financial investigators in the state, these reductions will mean that many large scale theft cases will go unprosecuted.</p>	
	DOJ	CJ	CJ Legal			359,892				\$ 359,892	1	1.55	<p>Eliminate 1.00 FTE of a Financial Special Agent and 0.55 FTE of a regular Special Agent associated with AG billings above.</p>	
	DOJ	CE	Medicaid Fraud	48,474				145,422		\$ 193,896	1	1.00	<p>Medicaid Fraud Unit (MFU) work on Medicaid billing fraud and patient abuse/neglect cases. This will reduce the amount of money Oregon otherwise would have received from people who defraud the Medicaid system. In FFY 2007, MFU obtained 40 criminal and civil judgments, including \$7.8 million dollars in money judgments for Oregon. In addition to reducing the amount of money that will be recovered for Oregon, a reduction in personnel for the MFU may invite federal examination of the adequacy of the State's commitment to investigation, prosecution, and deterrence of fraud against the Medicaid system. As a condition of continued receipt of federal Medicaid funds, Oregon must maintain an adequate commitment to investigating, prosecuting, and deterring fraud as to Medicaid</p>	

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1st (cont.)	DOJ	CVSD	ODSVS	235,524						\$ 235,524			<p>Oregon Domestic and Sexual Violence Services (ODSVS): Oversight activities intended to ensure high service quality and accountability for public funds, including site visits, advisory committee meetings, and trainings, will be further reduced. Further needed cuts would be distributed across the 49 ODVSV subgrantees - nonprofit domestic and sexual violence service providers. Victims of domestic violence and sexual assault -- already underserved -- will be further removed from essential services. Current combined funding level (federal and state) is not at even half the money needed to provided minimal emergency services statewide.</p>	
	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,095				\$ 539,095			<p>Reductions would be offset by OF and FF where possible. Full limitation is still needed. If unable to backfill with OF, or limitation is not preserved, reductions would be taken as follows:</p>	
						39,707				\$ 39,707			<p>Child Abuse Multidisciplinary Intervention (CAMI): Reductions will be taken in the amount of money distributed to each county's MDT (much of which is passed through to Child Assessment Centers (CAC)) and to the five Regional Service providers. Multidisciplinary Teams (MDT) will be unable to fully function and the amount of money passed through to CAC for direct services to victims of child abuse and their families will be reduced. Counties may not be able to comply with OAR child abuse training requirements and will likely not be able to fully comply with the requirements of Karly's law.</p>	
						222,533				\$ 222,533			<p>Medical Assessments: CVSD is already backfilling a \$250,000 07-09 biennial shortfall in Child Med Assess funds and the shortfall in 09-11 is likely to be even higher. Further reductions would result in either ceasing to pay or reducing the dollar threshold for Child Med Assess exam. Reduction or elimination of payment will impact local CACs that are already struggling to keep up with the financial burdens of increased assessments overall and especially increased assessments due to Karly's Law. Without Child Med Assess funds, CACs will struggle to keep their doors open and to assist Law Enforcement Agencies and Department of Human Services (DHS) in meeting Karly's law medical exam requirements and consultation.</p> <p>Victim Assistance Program (VAP): Reductions would be taken across the board from the 36 county VAP allocations. VAPs are already facing new workloads due to the passage and implementation of an amendment to the Oregon Constitution giving victims remedy if their rights are violated. Any reduction would jeopardize the stability of many of the county programs resulting in victims' rights are not being upheld.</p>	

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1st (cont.)	DOJ	CVSD	Criminal Fines and Assess. Acct. (Cont.)			222,533				\$ 222,533				Crime Victims Compensation Program (CVCP): Reductions would be taken across the board on every claim paid by CVCP in addition to fee schedule reductions already imposed on payments where the victim has no insurance. The impact will be felt directly by victims and their service providers. Currently, some providers are reluctant to treat victims covered by CVCP because of the low rate of reimbursement. Further reductions would decrease victims' access to medical, counseling, funeral and rehabilitation services disproportionately affecting victims in rural areas.
	DOJ	DCC	Defense of Criminal Convictions	829,034						\$ 829,034				Adjustment to mandated caseload
	DOJ DOJ	AP TR	Appellate Trial			64,390 427,423				\$ 427,423	1	0.25 1.33		Other Funds position reductions associated with DCC above. Other Funds position reductions associated with DCC above.
	DOJ	DCS	Division of Child Support	1,090,256				1,922,262		\$ 3,012,518				DCS has continued to automate processes creating efficiencies to save service and supply funds. This 5% reduction anticipates savings that DCS is hopeful will materialize. An example would be in the area of child support NSF (insufficient funds) checks, and OVP's (overpayments). DCS purchased software to improve the ability to notify and collect these funds.
2nd	DOJ	CVSD	ODSVS	235,524						\$ 235,524				ODSVS: Same as 1st 5%
	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,095 39,707 222,533 222,533				\$ 539,095 \$ 39,707 \$ 222,533 \$ 222,533				CAMI: Same as 1st 5% Medical Assessments: Same as 1st 5% VAP: Same as 1st 5% CVCP: Same as 1st 5%
	DOJ	DCC	Defense of Criminal Convictions	1,636,952						\$ 1,636,952				Because the impact on the State is minimized by taking reductions in the appellate cases in the Oregon Court of Appeals instead of the trial or federal appellate courts, the entire reduction would be taken in the direct criminal appeals and post-conviction appeals (11% of the cases or 2.6 months of work) in the Oregon Court of Appeals. Although we will attempt to absorb the reductions by delaying cases and other steps, the reductions largely mean waiving appearance in these appeals. And not having the Department of Justice represent the State's legal interest in these cases shifts the responsibility for developing the State's position from the State's attorneys to the court (Judicial Dept). Not only is this a problem because the costs are simply shifted from one part of the system to another, but the greater problem is the undermining of the basic structure of the appellate system. That system operates on the premise that each party will vigorously advocate for its position and the court is left to decide the cases. A waiver by the State puts the court in the position of having to advocate for the State by choosing b
	DOJ	APP	Appellate			895,216				\$ 895,216	4	3.21		

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Dept	Prgm/ Div													
2nd (cont.)	DOJ	DCS	Division of Child Support	1,257,219		538,692		3,244,412	241,777	\$ 5,282,100	26	25.94	<p>Same as 6th Priority plus: DEFRA cuts in 2009-11 will result in the elimination of 26 positions, including 13 (4 %) child support case managers (CSCM) and 2 (5%) management positions. This decrease in FTE will reduce child support collections by \$9.3 million during the 2009-11 biennium and will increase to \$14.7 in 2011-13 biennium. State revenue collections will decrease by \$986,000. In addition, DHS and Oregon Youth Authority (OYA) collections will be reduced by approximately \$488,737 in 2009-11, escalating to \$775,774 in 2011-13.</p> <p>This General Fund (GF) reduction to the CSP will have the following impact:</p> <p>1) 26 positions will be eliminated, including 13 child support case managers. This decrease in FTE will reduce child support collections by \$12.4 million. TANF, OYA and DHS recoveries will be reduced by \$538,688, \$216,696, and \$502,002, respectively.</p> <p>2) Operating payments to the District Attorney offices will be reduced by \$124,552 GF which will result in a FF loss of \$241,777. In effect, the State will be reducing county budgets by approximately \$366,329. This is exclusive of the affect that decreasing timber revenue payments will have on county DA programs.</p> <p>3) It is likely that the CSP will fail some or all of its federal incentive measures. This will reduce OF revenue for the program and may cause the CSP to fall out of compliance with the state plan. Penalties would be imposed which may include the loss of federal matching funds as well as the imposition of penalties against Oregon's TANF grant.</p> <p>Both the TANF numbers and declining employment numbers will place additional demand on the Child Support Program for Establishment of new orders and</p>	
3rd	DOJ	CJ	Criminal Justice	130,730						\$ 130,730			This reduction results in the eliminate the Attorney General billings associated with the reduction of 0.45 FTE in Special Agent positions.	
	DOJ	CJ	CJ Legal			103,241				\$ 103,241	1	0.45	Eliminate 0.45 FTE in Special Agent position associated with AG billing above.	
	DOJ	CVSD	ODSVS	235,524						\$ 235,524			ODSVS: Same as 1st 5%	
	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,095				\$ 539,095			CAMI: Same as 1st 5%	
						39,707				\$ 39,707			Medical Assessments: Same as 1st 5%	
						222,533				\$ 222,533			VAP: Same as 1st 5%	

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Dept	Prgm/ Div													
3rd (cont.)	DOJ	CVSD	Criminal Fines and Assess. Acct. (Cont.)			222,533				\$ 222,533				CVCP: Impact same as 1st 5%. In addition, if reductions reach into the 15-20% amount, suspension and/or elimination of benefits such as transportation, rehabilitation, family sex abuse counseling and other mental health counseling may be necessary which would disproportionately affect victims in rural and frontier areas.
	DOJ	DCC	Defense of Criminal Convictions	1,667,450						\$ 1,667,450				Same as 2nd 5% plus an additional reduction of 10.7% of the cases or 2.55 months of work.
	DOJ	APP	Appellate			851,934				\$ 851,934	5	5.25		
	DOJ	DCS	Division of Child Support	1,277,440		664,535		3,528,030	241,777	\$ 5,711,782	32	32.00		Same as 1st and 2nd priority plus: 1) 32 additional positions eliminated (17 (5%) case managers and 2 (5%) management positions) \$15.3 million additional reduction in child support collections TANF, OYA, DHS additional recovery reductions \$664,535; \$267,321; \$619,279
4th	DOJ	CVSD	ODSVS	235,524						\$ 235,524				ODSVS: Same as 1st 5%
	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,095				\$ 539,095				CAMI: Same as 1st 5%
						39,707				\$ 39,707				Medical Assessments: Same as 1st 5%
						222,533				\$ 222,533				VAP: Same as 1st 5%
						222,533				\$ 222,533				CVCP: Impact same as 3rd 5%
	DOJ	DCC	Defense of Criminal Convictions	1,721,989						\$ 1,721,989				Same as 2nd and 3rd 5% plus an additional reduction of 12.1% of the cases or 2.9 months of work.
	DOJ	APP	Appellate			968,235				\$ 968,235	4	3.38		
	DOJ	DCS	Division of Child Support	1,323,048		373,802		3,052,119	241,777	\$ 4,990,746	18	18.00		Same as 1st, 2nd and 3rd 5% plus: 1) 18 additional positions eliminated (4 (1%) case managers and 1 (2%) management positions) \$9 million additional reduction in child support collections TANF, OYA, DHS additional recovery reductions \$373,801; \$150,368; \$348,344
5th	DOJ	CJ	Criminal Justice	375,796						\$ 375,796	1	1.00		This reduction results in eliminating a Research Analyst 1 (RA1) position further reducing the staff of the Watch Center by 1/7 (see 1st 5%). It would also eliminate the Attorney General billings associated with the reduction of a Special Agent position. The loss of another RA 1 would mean the Watch Center would have to significantly curtail its services, potentially placing police officers at greater personal risk. Elimination of funding for another Special Agent will significantly reduce investigations and prosecutions of organized crime.
	DOJ	CJ	CJ Legal			203,436				\$ 203,436	1	1.00		Eliminate Special Agent position. See CJ directly above.
	DOJ	CVSD	ODSVS	235,524						\$ 235,524				ODSVS: Same as 1st 5%

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5th (cont.)	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,095				\$ 539,095				CAMI: Same as 1st 5% Medical Assessments: Same as 1st 5% VAP: Same as 1st 5% CVCP: Impact same as 3rd 5%
						39,707				\$ 39,707				
						222,533				\$ 222,533				
						222,533				\$ 222,533				
	DOJ	DCC	Defense of Criminal Convictions	1,566,728						\$ 1,566,728				Same as 2nd, 3rd and 4th 5% plus an additional reduction of 9.8% of the cases or 2.35 months of work.
	DOJ	APP	Appellate			1,011,969				\$ 1,011,969	4	4.06		
	DOJ	DCS	Division of Child Support	1,117,496		456,870		2,814,350	241,777	\$ 4,630,493	22	22.00		Same as 1st, 2nd, 3rd, and 4th 5% plus: 1) 22 additional positions eliminated (3 case managers (1%) case managers and 4 (10%) management positions) \$10.5 million additional reduction in child support collections TANF, OYA, DHS additional recovery reductions \$456,870; \$183,783; \$425,754
										\$ -				
										\$ -				
										\$ -				
6th	DOJ	CJ	Criminal Justice	275,518						\$ 275,518				Eliminate billings associated with 0.60 Sr. AAG Eliminate Senior Assistant Attorney General position. See CJ directly above.
	DOJ	CJ	CJ Legal			176,224				\$ 176,224	1	0.60		
	DOJ	CVSD	ODSVS	235,524						\$ 235,524				ODSVS: Same as 1st 5%
	DOJ	CVSD	Criminal Fines and Assess. Acct.			539,868				\$ 539,868				CAMI: Same as 1st 5% Medical Assessments: Same as 1st 5% VAP: Same as 1st 5% CVCP: Impact same as 3rd 5%
						39,707				\$ 39,707				
						222,533				\$ 222,533				
						222,533				\$ 222,533				
	DOJ	DCC	Defense of Criminal Convictions	1,550,296						\$ 1,550,296				Same as 2nd, 3rd, 4th and 5th 5% plus an additional reduction of 10.6% of the cases or 2.55 months of work.
	DOJ	APP	Appellate			986,916				\$ 986,916	4	4.02		
	DOJ	DCS	Division of Child Support	1,235,958		414,918		2,895,394	241,777	\$ 4,788,047	20	19.98		Same as 1st, 2nd, 3rd, 4th and 5th 5% plus: 1) 20 additional positions eliminated (4 (1%) case managers and 3 (7%) management positions) \$9.5 million additional reduction in child support collections TANF, OYA, DHS additional recovery reductions \$414,918; \$166,908; \$386,662
										\$ -				
										\$ -				
										\$ -				
				19,465,299	-	14,641,667	-	17,601,989	1,208,885	\$ 52,853,450	149	147.44		