

AGENDA COVER MEMO

Memorandum Date: October 12, 2023

Meeting Date: October 24, 2023

TO: Board of County Commissioners

DEPARTMENT: County Administration

PRESENTED BY: Steve Mokrohisky, County Administrator

AGENDA ITEM TITLE: **MOTION/ORDER:** In the Matter of Allocating County Resources to cover the State of Oregon funding shortfall for Community Corrections Grant-in-Aid and Justice Reinvestment Program (JRP) for 2023-25 Biennium to Maintain Critical Public Safety Services

I. MOTION

Move approval allocating County resources to cover the funding shortfall for Community Corrections Grant-in-Aid and Justice Reinvestment Program for the 2023-25 biennium.

II. AGENDA ITEM SUMMARY

This item is a report back and recommendation on the allocating County resources to maintain a portion of the critical public safety services within Parole & Probation, Sheriff's Office, and as provided by our community partners including Sponsors that will be lost due to the projected funding shortfall.

It is being recommended that the County allocate resources up to the amount of \$5.3 million so that the reduction to the various programs is approximately 10% for the biennium.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Public Safety Coordinating Council (PSCC) is a statutorily required advisory council to the Board of County Commissioners. In this role, the PSCC recommends budgets and associated amendments for Community Corrections Grant-in-Aid and Justice Reinvestment Grant Program funds to the Board of County Commissioners (BCC) for adoption.

The PSCC Budget Committee met five (5) times to develop budget recommendations for 2023-25 Grant-in-Aid and Justice Reinvestment funds. State funding levels have resulted in a worst-case budget scenario with an approximately \$9.4 million shortfall forcing across the system reductions in level of service to catastrophic levels.

At its October 18, 2022, meeting the Board heard a presentation from PSCC on funding source purposes, methodology, and 2023-25 funding landscape concerns that could result in a significant funding shortfall. Actual 2023-25 funding falls short and is exacerbated by high inflationary costs, new contact statewide contact standards and severity of risk and needs among those served.

At its September 20, 2023, meeting the Board heard a presentation on the impacts of the 2023-25 funding shortfall and gave direction to the County Administrator to return with a plan to maintain services while continuing to work to find long term solutions.

B. Policy Issues

See September 20, 2023, Agenda Memo which outlined the policies around the Community Corrections Act Grant-in-Aid and Justice Reinvestment Initiative (JRI) funding.

C. Financial and/or Resource Considerations

The following table shows the actual costs that would be needed to sustain 2021-23 levels of service compared to 2023-25 available funds. The Justice Reinvestment Competitive grant was a gamble, and the application unfortunately was not successful. The proposed allocation of County resources includes a portion of the JRI competitive grant request listed below as well.

Actual Costs for 21-23 Levels of Service Compared to Available Funds

	Actual Cost	Available Funds	Gap
Grant-in-Aid	\$31,299,850	\$22,132,550	-29.3%
Justice Reinvestment Formula	\$4,250,313	\$3,995,334	-6%
Justice Reinvestment Competitive	\$1,525,120	\$1,525,120	0%
TOTAL (if Competitive grant successful)	\$37,075,283	\$23,657,670	-26.5% (-\$9,422,279)
TOTAL (if Competitive grant NOT successful)	\$37,075,283	\$26,127,884	-29.53% (- \$10,947,399)

Below are the service impacts that will occur if the County does not allocate any funds, followed by a description of the services that will be retained if the County does make the proposed allocation of up to \$5.4 million over the biennium. The final allocation to the services will be based upon actual need up to the maximum being requested.

Lane County Sheriff's Office

- 14 jail bed reduction
- 6.5 FTE Deputy Sheriff reduction
- Loss of one (1) Records Supervisor
- Reduced Electronic Monitoring capacity for Reentry Lane (short term transitional leave program for adults in custody with State Department of Corrections)

The year one allocation of County resources up to \$846,894 for the biennium will maintain the following services:

- Add back of 3.3 beds of the 5 that were moved to the JRI Competitive Grant - \$216,894.
- 4.5 Deputy Sheriff positions which equals 9.6 beds - \$630,000.

In total this will allow an add back of 12.9 beds.

The year two allocation of up to \$846,894 would be needed to maintain the year one service levels.

The allocation of County resources to the Sheriff's office totals up to \$1,693,788 for the biennium.

Community Justice and Rehabilitation Services (Adult Parole and Probation) The proposed cuts amounted to a reduction of \$5,396,204 to the division's personnel budget, the division would lose 17 (42.5%) out of its 40 Officer positions and 2 (22%) out of its 9 total support staff with the provided State funding. The Electronic Monitoring Program would reduce the number of available slots from 10 to 7 units. The Sex Offender Treatment program would lose 11 treatment slots. The Drug & Alcohol Treatment program would lose 9 treatment slots.

In year one, the proposed allocation of County resources of up to \$1,365,000 will maintain the following services:

Retain 10 positions (8 staffed and 2 vacant): 9 Parole Officer's and 1 Supervisor
Position (staffed) - \$1,323,450
Restore 3 Electronic Monitoring Program units - \$6,550
Restore 5 Sex Offender treatment slots - \$20,000
Restore 2 Drug and Alcohol Treatment slots - \$15,000

In year two the approximate allocation of \$1,412,427 would be needed to maintain the year one service levels.

The allocation of County resources to Parole & Probation totals up to \$2,777,427 for the biennium.

Reentry (Sponsors)

Sponsors works in partnership with Lane County Parole and Probation, the Lane

County Sheriff's Office, and system partners to provide high-quality, evidence-based services based on research and best practices.

The proposed reductions included:

Supervised Housing for Men with Sex Offense Convictions

Impact: Loss of 3 beds

Motivational Enhancement Therapy (MET) and Cognitive Behavioral Therapy (CBT)

Impact: Loss of 8 groups per week, potentially serving 250 fewer individuals per year.

Crisis Funding

Impact: \$20,000 reduction will result in 1,000 fewer monthly bus passes issued and 250 fewer people receiving emergency funds to pay for Oregon Identification.

Mentoring

Impact: Loss of 0.5 FTE Administrative Assistant and 0.5 FTE Peer Mentor.

RLAN- Reentry Lane County

Impact: Funding will be reduced by over 50% resulting in half as many individuals being served over the course of the biennium. Loss of 1.5 FTE.

Permanent Supportive Housing

Impact: Loss of 0.5 FTE MH Therapist and 0.5 Housing Navigator

Transitional Housing

Impact: the loss of approximately 25 beds of transitional housing that would serve 300 homeless, high risk individuals over the course of the biennium and the reduction of 3.5 FTE.

The year one allocation of County resources of approximately \$439,370 will maintain the following services:

Supervised Housing for Male Sex Offenders: Year one amount of \$7,926 would allow bring back of one of the three beds lost with the reduction.

Crisis Funds: Year one amount of \$8,472 would allow for 320 bus passes, additional monthly bus passes and approximately 100 Oregon ID cards.

Permanent Supporting Housing/The Oaks: Year one amount of \$50,499 would allow a buy back a 0.5 FTE Mental Health Therapist and approximately 0.2 FTE of a Housing Navigator.

Reentry Services/Transitional Housing: Year one amount of \$254,299 would allow a buyback of approximately 15 beds (at a rate of \$46.00/day).

Gender Specific CBT/MET/Incentives: Year one amount of \$63,294 would allow

service to 132 individuals over the course of the year.

Mentoring Program: Year one amount of \$32,439 would allow a buyback of 0.40 FTE of a case manager.

Peer Mentoring: Year one amount of \$22,441 would allow a buyback of 0.30 FTE of a Certified Peer Support Specialist.

The year two allocation to retain the same level of service is estimated at \$450,000.

The allocation of County resources to Sponsors totals up to \$889,370 for the biennium.

Other Services

In addition to the staffing and service reductions discussed above the following related services are also reduced: outpatient alcohol and drug treatment, mediation/restorative justice, Public Safety Coordinating Council data analysis and staffing, and equity education and facilitation. Reduced staffing also impacts coordination with Victim Services as this requires frequent and timely communications.

The proposed allocation of County resources of up to \$40,000 will retain additional outpatient alcohol and drug treatment.

Moving Forward - Potential Resource Considerations

In addition to any resources provided by the County, the following items are expected to positively impact the funding levels going forward.

1. 1115 Medicaid Waiver for Housing could come online as early as 2024
2. Medicaid Waiver for health care needs for pre-trial defendants
3. Reforms to BM110 could positively impact supervised population
4. Healthy DA's office prosecuting cases
5. Possibility of Emergency Board funding to address county shortfalls
6. 2024 Session additional community corrections funding opportunity

D. Health Implications

The health, welfare, and safety of those involved in the criminal system, their victims, Lane County employees, and the community are at risk from the catastrophic funding shortfall in the short, medium, and long term.

E. Analysis

1. 2023-25 Community-Corrections Act Grant-in-Aid and Justice Reinvestment Program funding is insufficient to provide for the basic health, safety, and

welfare of adults involved in the criminal justice system, crime victims, Lane County employees, and community.

2. Community Corrections Act and Justice Reinvestment Program funding levels are for the 2023-25 biennium. The second year of the biennium is more expensive than the first year. Approximately \$5.4 million is needed for Community Corrections Act and Justice Reinvestment services over the biennium.
3. Diversification of funding streams available to support Public Safety is needed.
4. Aggressive pursuit of Legislative changes in the short session and full session are needed. The Association of Oregon Counties Public Safety Steering Committee has identified issues similar to those shared in this discussion.

F. Alternatives/Options

1. Allocate County resources to retain the service levels indicated above, up to a total amount of \$5.4 million over the biennium due to the shortage in State funding.
2. Do not allocate County resources and proceed with the reductions.
3. Request additional analysis.

IV. RECOMMENDATION

The County Administrator recommends allocating up to \$5,400,585 million of County resources to reduce the reduction in services currently projected. If additional funding becomes available during the biennium, follow-up to the Board will occur.

V. TIMING/IMPLEMENTATION

The fiscal year began on July 1, 2023, and the budget needs to be finalized, with any reductions needed, in time for Supplemental Budget #2 to be approved by the Board of Commissioners in December 2023.

VI. FOLLOW-UP

In addition to any direction provided by the Board, the Public Safety Coordinating Council will continue its process to recommend the budgets and programming for Community Corrections Act Grant-in-Aid and Justice Reinvestment Program funding.

VII. ATTACHMENTS

None

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER & RESOLUTION)
NO. 23-10-24-04)
)
)
)
)
)

In the Matter of Allocating County Resources
to cover the State of Oregon funding shortfall
for Community Corrections Grant-in-Aid and
Justice Reinvestment Program (JRP) for
2023-25 Biennium to Maintain Critical Public
Safety Services

WHEREAS the Public Safety Coordinating Council (PSCC) is a statutorily required advisory council to the Board of County Commissioners;

WHEREAS the PSCC Budget Committee met five (5) times to develop budget recommendations for 2023-25 Grant-in-Aid and Justice Reinvestment funds;

WHEREAS at its October 18, 2022, meeting the Board heard a presentation from PSCC on funding source purposes, methodology, and 2023-25 funding landscape concerns that could result in a significant funding shortfall;

WHEREAS at its September 20, 2023, meeting the Board heard a presentation on the impacts of the 2023-25 funding shortfall and gave direction to the County Administrator to return with a plan to maintain services while continuing to work to find long term solutions; and

WHEREAS in order to avoid the level of service reductions that would result from the State funding shortage, the County Administrator is recommending that up to \$5.3 million of County resources be allocated to reduce the reductions to approximately 10% as compared to last biennium.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. Up to \$5,396,204 in County resources be allocated to the services historically funded with State funded through the Community Corrections Grant-in-aid program and Justice Reinvestment program for the 2023-25 state biennium.

ADOPTED this 24th day of October 2023.

Pat Farr, Chair
Lane County Board of Commissioners