

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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Oregon Criminal Justice Commission
Agency and Division

213
Administrative Rules Chapter Number

Amends Justice Reinvestment Rules for Increased Flexibility Regarding Unknown Funding Level

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amendment of rules pertaining to the administration of Justice Reinvestment Grant funds.

Statutory Authority:

2013 Oregon Laws c.649 §§ 53□54

Other Authority:

Statutes Implemented:

2013 Oregon Laws c.649 §§ 52□54

Need for the Rule(s):

Under 2013 Oregon Laws c.649 §§ 52□56, the Criminal Justice Commission administers the Justice Reinvestment Grants Program in consultation with the Grant Review Committee. These rule changes streamline the grant application and reporting processes and give the Commission increased flexibility around how the grant funds are distributed by focusing the grant application process on the goals of Justice Reinvestment (set forth in c.649 §§ 52□56). The Commission needs this flexibility because the level of funding could vary drastically from the 2015-17 biennium.

Documents Relied Upon, and where they are available:

None.

Fiscal and Economic Impact:

The rules apply to counties and non-profit organizations that choose to apply for grant funding under the rules. The changes to the rules will streamline the application and reporting processes, making it easier for counties and non-profit organizations to apply for grant funding and reducing the reporting workload. The changes will also increase flexibility for the Criminal Justice Commission making it easier to administer the grant application and reporting even if there is a significant change in funding level from the 2015-17 biennium. This should have a positive fiscal impact for counties and non-profit organizations that apply for grant funding as well as for the Criminal Justice Commission.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The rule changes help to streamline the grant application and reporting process by eliminating redundant steps from the 2015-17 biennium application process, eliminating unnecessary steps from the 2015-17 biennium reporting process, and providing the Commission with more flexibility with regard to grant application evaluation and awards. This should save counties, non-profit organizations and the Criminal Justice Commission time and should therefore have a positive fiscal impact. The extent of the impact is unknown at this time because it is unknown how many local governments and non-profits will apply for grant funding and concomitantly the amount of time required to review the applications and award grant funding, but that amount of time should be reduced from what it would have been without the changes.

The rule changes also provide the Commission with additional flexibility with regard to the amount of grant funding utilized for efficacy evaluation. This could result in a positive fiscal impact on the grant recipients, because additional funding could be made available for programmatic use rather than for program evaluation. The extent of the impact will ultimately depend on factors that cannot be quantified at this time, including the number of applicants for funding, the amount of funding available, and the Commission's subjective determinations on a case-by-case basis pertaining to the best allocation of scarce funding at the time of grant awards.

Additionally, the stated goals of the Justice Reinvestment Grant Program are to decrease counties' utilization of imprisonment in Oregon Department of Corrections facilities and to decrease recidivism. To the extent that the rule changes are able to increase this program's efficiency there may be a positive fiscal impact on the Oregon Department of Corrections, state and county governments and businesses and private citizens due to less crime in the community, and the resulting decreased use of incarcerative sanctions.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:
Small businesses are not subject to these rules.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:
Small businesses are not subject to these rules. It is anticipated that they will not have costs of compliance, because the rules do not apply to them.

c. Equipment, supplies, labor and increased administration required for compliance:
Small businesses are not subject to these rules. Therefore, there is no equipment, supplies, labor or increased administration required for them to comply with these rules.

How were small businesses involved in the development of this rule?
Small businesses were not involved in the development of the rules, because the rules will not substantively affect them. The rules implement a grant program providing funds only to counties and non-profit organizations. Small businesses may not apply for or receive grants under the rules, nor are they subject to any requirements under the rules.

Administrative Rule Advisory Committee consulted?: No
If not, why?:
The rule content was discussed at public meetings of the Criminal Justice Commission on February 22, 2017 and April 7, 2017.

<u>07-10-2017 Close of Business</u>	<u>Julie Vaughn</u>	<u>julie.vaughn@oregon.gov</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address