

## **ANNOTATED MINUTES**

**Tuesday, February 21, 1995 - 9:00 AM**

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

### **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:00 a.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.*

### **CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY,  
SECONDED BY COMMISSIONER HANSEN, THE  
CONSENT CALENDAR (ITEMS C-1 THROUGH C-3) WAS  
UNANIMOUSLY APPROVED.**

### **NON-DEPARTMENTAL**

- C-1 In the Matter of the Reappointment of Susan Hathaway-Marxer to the Library Advisory Board*
- C-2 In the Matter of the Reappointment of John Ingle to the Planning Commission*
- C-3 In the Matter of the Appointment of Janet Kretzmeier to the Multnomah Commission on Children & Families*

### **REGULAR AGENDA**

### **PUBLIC COMMENT**

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

**NO PUBLIC TESTIMONY RECEIVED.**

### **AGING SERVICES DIVISION**

- R-2 Ratification of an Intergovernmental Agreement, Contract #104165, between Multnomah County Aging Services Division and Portland Community College to Provide Intensive Classroom and Practicum Training for Older Citizens Interested in Working in the Field of Child Care as part of the County Intergenerational Initiative. Effective January 1, 1995 through June 30, 1996*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-2. KATHY GILLETTE PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER SALTZMAN ADVISED HE WOULD ABSTAIN FROM VOTING DUE TO HIS POSITION ON THE PCC BOARD. AGREEMENT APPROVED, WITH COMMISSIONERS KELLEY, HANSEN, COLLIER AND STEIN VOTING AYE AND COMMISSIONER SALTZMAN ABSTAINING.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

**R-3 PUBLIC HEARING and Consideration of a RESOLUTION in the Matter of Certifying an Estimate of Expenditures for the FY 1995-96 Property Tax Program in Accordance with HB 2338 (PUBLIC HEARING CONTINUED FROM FEBRUARY 16, 1995 IF NEEDED)**

**PUBLIC HEARING NOT NEEDED. RESOLUTION 95-38 APPROVED FEBRUARY 16, 1995.**

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*Tuesday, February 21, 1995 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFINGS**

**B-1 Update on the Multnomah County Deputy Transfers to the City of Portland Police Bureau. Presented by Chief Charles Moose and Norm Monroe.**

**PORTLAND POLICE CHIEF CHARLES MOOSE  
PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS.**

**B-2 Multnomah County Audit for Fiscal Year Ending June 30, 1994. Presented by Tom Kessler, Audit Committee Chair.**

**TOM KESSLER, DAVE BOYER AND JEAN UZELAC  
PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS.**

**B-3 1995 Legislative Session Update. Presented by Laurie Beth English and Rhys Scholes.**

**RHYS SCHOLES, GINA MATIODA AND LAURIE BETH  
ENGLISH PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS. LEGISLATIVE UPDATES TO BE  
SCHEDULED EVERY OTHER WEEK OR AS  
REQUESTED BY THE BOARD.**

*There being no further business, the meeting was adjourned at 12:00 Noon.*

**OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY**

  
Carrie A. Parkerson



# MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK  
SUITE 1510, PORTLAND BUILDING  
1120 S.W. FIFTH AVENUE  
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS		
BEVERLY STEIN •	CHAIR	• 248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	• 248-5219
TANYA COLLIER •	DISTRICT 3	• 248-5217
SHARRON KELLEY •	DISTRICT 4	• 248-5213
CLERK'S OFFICE •	248-3277	• 248-5222

## AGENDA

*MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS*

*FOR THE WEEK OF*

*FEBRUARY 20, 1995 - FEBRUARY 24, 1995*

*Monday, February 20, 1995 - HOLIDAY - OFFICES CLOSED*

*Tuesday, February 21, 1995 - 9:00 AM - Regular Meeting* . . . . . *Page 2*  
*(NO MEETING THURSDAY, FEBRUARY 23, 1995)*

*Tuesday, February 21, 1995 - 9:30 AM - Board Briefings* . . . . . *Page 3*

***NO PARAGON CABLE COVERAGE THIS WEEK***

***INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222, OR MULTNOMAH COUNTY TDD PHONE 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.***

Tuesday, February 21, 1995 - 9:00 AM

Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

- C-1      *In the Matter of the Reappointment of Susan Hathaway-Marxer to the Library Advisory Board*
- C-2      *In the Matter of the Reappointment of John Ingle to the Planning Commission*
- C-3      *In the Matter of the Appointment of Janet Kretzmeier to the Multnomah Commission on Children & Families*

REGULAR AGENDA

PUBLIC COMMENT

- R-1      *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

AGING SERVICES DIVISION

- R-2      *Ratification of an Intergovernmental Agreement, Contract #104165, between Multnomah County Aging Services Division and Portland Community College to Provide Intensive Classroom and Practicum Training for Older Citizens Interested in Working in the Field of Child Care as part of the County Intergenerational Initiative. Effective January 1, 1995 through June 30, 1996*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-3      *PUBLIC HEARING and Consideration of a RESOLUTION in the Matter of Certifying an Estimate of Expenditures for the FY 1995-96 Property Tax Program in Accordance with HB 2338 (PUBLIC HEARING CONTINUED FROM FEBRUARY 16, 1995 IF NEEDED)*

*Tuesday, February 21, 1995 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFINGS**

- B-1 Update on the Multnomah County Deputy Transfers to the City of Portland Police Bureau. Presented by Chief Charles Moose and Norm Monroe. 9:30 AM TIME CERTAIN, ONE HOUR REQUESTED.*
  
- B-2 Multnomah County Audit for Fiscal Year Ending June 30, 1994. Presented by Tom Kessler, Audit Committee Chair. 10:30 AM TIME CERTAIN, 30 MINUTES REQUESTED.*
  
- B-3 1995 Legislative Session Update. Presented by Laurie Beth English and Rhys Scholes. 11:00 AM TIME CERTAIN, ONE HOUR REQUESTED.*

Meeting Date: 2/21/95

Agenda No.: B-1

(Above Space for Board Clerk's Use *ONLY*)

**AGENDA PLACEMENT FORM**

SUBJECT: Briefing

BOARD BRIEFING: Date Requested: Tuesday February 21, 1995  
Amount of Time Needed: 1 Hour Requested/9:30AM Time Certain

REGULAR MEETING: Date Requested: \_\_\_\_\_  
Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Nondepartmental DIVISION: Chair's Office

CONTACT: Norm Monroe TELEPHONE: X-3962  
BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION: Chief Charles Moose and Norm Monroe

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1995 FEB 15 PM 12:57

**ACTION REQUESTED:**

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

**SUMMARY** (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if available):

Update on Deputy Transfer to the City of Portland Police Bureau. Presented by Chief Charles Moose and Norm Monroe.

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: Beverly Stein  
OR  
DEPARTMENT MANAGER: \_\_\_\_\_

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

*Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-5222.*

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

In the Matter of Recognizing the Service )  
and Contributions of Sheriff's Officers ) PROCLAMATION  
Transferring to the Portland Police ) 94-124  
Bureau )

WHEREAS, Melissa Bishop, Garry Christensen, Michael Donohue, Michael Geiger, Barbara Glass, Scott Gratton, Kristi Gustafson, Philip Harper, Michael Malanaphy, Robert McCormick, Wayne McDonnell, Lana Mockler, Gregory Nado, Sam Pronesti, Michael Reese, Mark Romanaggi, Cessna Smith, Robert Smith, Gary Stafford, Judy Taylor, Daniel Thompson, Walter Van Hooser and Steven Zapp have served the citizens of Multnomah County as Multnomah County Sheriff's Officers for a combined total of more than 347 years; and

WHEREAS, these officers will continue to serve Multnomah County residents in their new roles as Portland Police Officers; and

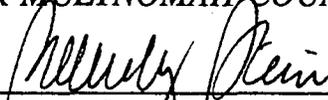
WHEREAS, these officers carry with them the proud tradition of one of the finest law enforcement organizations in the nation; and

WHEREAS, these men and women represent the dynamic partnership between Multnomah County and the City of Portland; now therefore

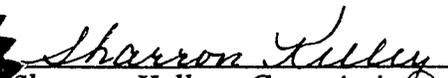
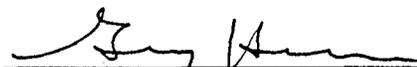
IT IS HEREBY PROCLAIMED that the Multnomah County Board of Commissioners recognizes the service and contributions of these truly wonderful human beings and with great sorrow says good bye to them and with deep appreciation thanks them for their services and with heartfelt pride congratulates them on the occasion of the assumption of their new duties.

DATED this 30th day of June, 1994.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON



Beverly Stein, Chair

  
Tanya Collier, Vice-Chair  
Sharron Kelley, Commissioner  
Gary Hansen, Commissioner  
Dan Saltzman, Commissioner

# DARE/GREAT/PAL SCHOOLS 94/95

2-21-95  
Handout #1  
B-1

SCHOOL	LOCATION	PREC	D	G	P
Lincoln H. S.	1600 SW Salmon St	Cent			
West Sylvan M. S.	8111 SW West Slope Dr	Cent			
Ainsworth K-5	2425 SW Vista Av	Cent	☆		
Bridlemile K-5	4300 SW 47th Dr	Cent			
Chapman K-5	1445 NW 26th Av	Cent			☆
Skyline K-5	11536 NW Skyline Blvd	Cent	MCSO	X	
Marshall H. S.	3905 SE 91st Av	SE			
Binnsmead M. S. *	2225 SE 87th Av	SE			
Bridger K-5	7910 SE Market St	SE	PPS	☆	☆
Clark K-5	1231 SE 92nd Av	SE			
Lent K-5	5105 SE 97th Av	E			☆
Marysville K-5	7733 SE Raymond St	SE			
Vestal K-5	161 NE 82nd Av	SE			☆
Wilcox K-5	833 NE 74th Av	SE			☆
Lane M.S.	7200 SE 60th Av	SE		☆	☆
Kelly K-5	9030 SE Cooper St	SE		☆	☆
Whitman K-5	7326 SE Flavel ST	SE	☆	☆	☆
Woodmere K-5	6540 SE 78th Av	SE	☆	☆	☆
Wilson H. S.	1151 SW Vermont St	Cent			
Gray M. S.	5505 SW 23rd Av	Cent			
Hayhust K-5	5037 SW Iowa St	Cent			
Maplewood K-5	7452 SW 52nd Av	Cent	X		
Rieke K-5	1405 SW Vermont St	Cent			
Jackson M. S.	10625 SW 35th Av	Cent			
Capitol Hill K-5	8401 SW 17th Av	Cent	X		☆
Markham K-5	10531 SW Capitol Hwy	Cent			
Smith K-5	8935 SW 52nd Av	Cent			
Stephenson K-5	2627 SW Stephenson St	Cent			

X = Fall term

☆ = Spring term

\* = Feeds two schools

☆ = PAL program year round

T = Targeted school

SCHOOL	LOCATION	PREC	D	G	P
Madison H. S.	2735 NE 82nd Av	East			
Binnsmead M. S. *	2225 SE 87th Av	SE			
Gregory Heights M. S.	7334 NE Siskiyou St	East			☆
Lee K-5	2222 NE 92nd Av	East			
Scott K-5	6700 NE Prescott St	East			☆
Rose City Park 1-5	2334 NE 57th Av	East			☆
Rice K only	6433 NE Tillamook St	East			
Whitaker M. S.	5700 NE 39th Av	East		☆	☆
Faubion K-5	3039 NE Portland Blvd	NE	X	☆	☆
Meek K-5	4039 NE Alberta Ct	East		☆	☆
Rigler K-5	5401 NE Prescott St	East	PPS	X	☆
Vernon P-5	2044 NE Killingsworth St	NE	PPS	X	☆
Woodlawn P-5	7200 NE 11th Av	NE		☆	
Roosevelt H. S.	6941 N Central St	North			
Portsmouth M. S.	5103 N Willis Blvd	North	POP	☆	☆
Astor K-5	5601 N Yale St	North	POP	X	
Ball P-5	4221 N Willis Blvd	North			☆
Clarendon K-5	9325 N Van Houten Av	North		X	☆
Peninsula P-5 (yr rnd)	8125 N Emerald Av	North			
George M. S.	1000 N Burr Av	North			☆
James John K-5	7439 N Charleston Av	North		☆	☆
Sitton K-5	9930 N Smith St	North		X	☆
Cleveland H. S.	3400 SE 26th Av	SE			
Kellog M. S. *	3330 SE 69th Av	SE			
Hosford M. S.	2303 SE 28th Pl	SE			
Abernathy K-5	2421 SE Orange St	SE			
Buckman K-5	320 SE 16th Av	SE		☆	☆
Edwards K-5 (yr rnd)	1715 SE 32nd Pl	SE			
Grout K-5	3119 SE Holgate Blvd	SE			

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SCHOOL	LOCATION	PREC	D	G	P
Richmond K-5	2276 SE 41st Av	SE		X	
Sellwood M. S.	8300 SE 15th Av	SE			
Brooklyn P-5	3830 SE 14th Av	SE			
Duniway K-5	7700 SE Reed College Pl	SE			✱
Lewis K-5	4401 SE Evergreen St	SE	X		✱
Llewellyn K-5	6301 SE 14th Av	SE	X		✱
Franklin H. S.	5405 SE Woodward St	SE			
Kellogg M. S. *	3330 SE 69th Av	SE			
Woodstock K-5	5801 SE 50th Av	SE	☆		
Arleta K-5	5109 SE 66th Av	SE PPS	☆		
Atkinson K-5 *	5800 SE Division ST	SE	X		
Creston K-5	4701 SE Bush ST	SE			
Youngson K-5	2704 SE 71st Av	SE			
Mt. Tabor M.S.	5800 SE Ash St	SE			
Richmond K-5	2276 SE 41st Av	SE			
Sunnyside K-5	3421 SE Salmon St	SE	X		✱
Atkinson K-5 *	5800 SE Division St	SE	X		
Edwards K-5 (yr rnd) *	1715 SE 32nd Pl	SE			
Glenco K-5	825 SE 51st Av	SE PPS	☆		
Jefferson H. S.	5210 N Kerby Av	NE			
Whitaker M. S. *	5700 NE 39th Av	East		☆	✱
Ockley Green M. S.	6031 N Montana Av	North		X	✱
Applegate K-5	7650 N Commercial Av	NE	X	X	✱
Beach P-5	1710 N Humboldt St	North PPS	☆	X	
Chief Joseph K-5	2409 N Saratoga St	North		X	
Kenton K-5	7528 N Fenwick Av	North		X	✱
Tubman M. S. *	2231 N Flint St	NE			
Boise-Eliot P-5	620 N Fremont St	NE	T		
Humboldt P-5	4915 N Gantenbein Av	NE PPS	X		

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SCHOOL	LOCATION	PREC	D	G	P
King P-5	4906 NE 6th Av	NE			
Grant H. S.	2245 NE 36th Av	East			
Gregory Heights M. S. *	7334 NE Siskiyou St	East			☆
Tubman M. S. *	2231 N Flint St	NE			
Beaumont M. S.	4043 NE Fremont St	East		X	
Alameda K-5	2732 NE Fremont St	NE		X	
Sabin P-5	4013 NE 18th AV	NE		X	
Fernwood M. S.	1915 NE 33rd Av	NE			
Irvington P-5	1320 NE Brazee St	NE	☆		
Laurelhurst K-5	840 NE 41st Av	SE	☆		☆
Hollyrood K-3 only	3560 NE Hollyrood Ct	East			
M. L. C. K-12	2033 NW Glisan St	Cent			
Holy Redeemer K-8	127 N Portland Blvd	NE	X	X	
All Saints K-8	601 NE 39th Av	SE	☆	☆	
David Douglas H. S.	1001 SE 135th Av	East			
Alice Ott M. S.	12500 SE Ramona St	East		X	
West Powellhurst	2921 SE 116th Av	East	MCSO	X	X
Gilbert Park	13132 SE Ramona St	East	MCSO	☆	X
Cherry Park *	1930 SE 104th Av	East	MCSO	☆	X
Gilbert Heights K-6	12839 SE Holgate Blvd	East	MCSO	☆	X
Floyd Light M. S.	10800 SE Ramona St	East		X	
Ventura Park	145 SE 117th Av	East	MCSO	X	X
Mill Park	1900 SE 117th Av	East	MCSO	X	X
Cherry Park *	1930 SE 104th Av	East	MCSO	☆	X
Menlo Park	12900 NE Glisan St	East	MCSO	X	X
Lincoln Park	13200 SE Lincoln St	East	MCSO	☆	X
Parkrose H. S.	11717 NE Shaver St	East			
Parkrose M. S.	11800 NE Shaver St	East		X	☆
Prescott	10410 NE Prescott St	East	MCSO	X	X

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SCHOOL	LOCATION	PREC	D	G	P
Russell	2700 NE 127th Av	East MCSO	X	X	*
Sacramento	11400 NE Sacramento St	East MCSO	X	X	*
Shaver	3701 NE 131st Pl	East MCSO	X	X	*
Sumner	8678 NE Sumner St	East			
Alder (Reynolds)	17200 SE Alder St	East MCSO	☆		
St. Therese	1260 NE 132nd Av	East MCSO	☆		

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# DARE/GREAT/PAL SCHOOLS 95/96

2-21-95  
Handout #2  
B-1

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Lincoln H. S.	1600 SW Salmon St	Cent			
West Sylvan M. S.	8111 SW West Slope Dr	Cent			
Ainsworth K-5	2425 SW Vista Av	Cent	☆		
Bridlemile K-5	4300 SW 47th Dr	Cent			
Chapman K-5	1445 NW 26th Av	Cent			☆
Skyline K-5	11536 NW Skyline Blvd	Cent MCSO	X		
Marshall H. S.	3905 SE 91st Av	SE			
Binnsmead M. S. *	2225 SE 87th Av	SE		☆	
Bridger K-5	7910 SE Market St	SE PPS	☆	☆	☆
Clark K-5	1231 SE 92nd Av	SE	T	☆	
Lent K-5	5105 SE 97th Av	E	T	☆	☆
Marysville K-5	7733 SE Raymond St	SE	T	☆	
Vestal K-5	161 NE 82nd Av	SE	T	☆	☆
Wilcox K-5	833 NE 74th Av	SE	T	☆	☆
Lane M.S.	7200 SE 60th Av	SE		☆	☆
Kelly K-5	9030 SE Cooper St	SE		☆	☆
Whitman K-5	7326 SE Flavel ST	SE	☆	☆	☆
Woodmere K-5	6540 SE 78th Av	SE	☆	☆	☆
Wilson H. S.	1151 SW Vermont St	Cent			
Gray M. S.	5505 SW 23rd Av	Cent			
Hayhust K-5	5037 SW Iowa St	Cent			
Maplewood K-5	7452 SW 52nd Av	Cent	X		
Rieke K-5	1405 SW Vermont St	Cent			
Jackson M. S.	10625 SW 35th Av	Cent			
Capitol Hill K-5	8401 SW 17th Av	Cent	X		☆
Markham K-5	10531 SW Capitol Hwy	Cent			
Smith K-5	8935 SW 52nd Av	Cent			
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Lee K-5	2222 NE 92nd Av	East		☆	
Scott K-5	6700 NE Prescott St	East	T	☆	☆
Rose City Park 1-5	2334 NE 57th Av	East	T	☆	☆
Rice K only	6433 NE Tillamook St	East			
Whitaker M. S.	5700 NE 39th Av	East		☆	☆
Faubion K-5	3039 NE Portland Blvd	NE	X	☆	☆
Meek K-5	4039 NE Alberta Ct	East	☆	☆	☆
Rigler K-5	5401 NE Prescott St	East PPS	X	☆	☆
Vernon P-5	2044 NE Killingsworth St	NE PPS	X	☆	
Woodlawn P-5	7200 NE 11th Av	NE	T	☆	
Roosevelt H. S.	6941 N Central St	North			
Portsmouth M. S.	5103 N Willis Blvd	North POP	X	X	☆
Astor K-5	5601 N Yale St	North POP	X	X	
Ball P-5	4221 N Willis Blvd	North	T	X	☆
Clarendon K-5	9325 N Van Houten Av	North	X	X	☆
Peninsula P-5 (yr rnd)	8125 N Emerald Av	North	T	X	
George M. S.	1000 N Burr Av	North		☆	☆
James John K-5	7439 N Charleston Av	North	☆	☆	☆
Sitton K-5	9930 N Smith St	North	☆	☆	☆
Cleveland H. S.	3400 SE 26th Av	SE			
Kellogg M. S. *	3330 SE 69th Av	SE			
Hosford M. S.	2303 SE 28th Pl	SE		X	
Abernathy K-5	2421 SE Orange St	SE	T	X	
Buckman K-5	320 SE 16th Av	SE	☆	X	☆
Edwards K-5 (yr rnd)	1715 SE 32nd Pl	SE	T	X	
Grout K-5	3119 SE Holgate Blvd	SE	T	X	

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Richmond K-5	2276 SE 41st Av	SE	T	X	
Sellwood M. S.	8300 SE 15th Av	SE			
Brooklyn P-5	3830 SE 14th Av	SE			
Duniway K-5	7700 SE Reed College Pl	SE			✳
Lewis K-5	4401 SE Evergreen St	SE	X		✳
Llewellyn K-5	6301 SE 14th Av	SE	X		✳
Franklin H. S.	5405 SE Woodward St	SE			
Kellogg M. S. *	3330 SE 69th Av	SE			
Woodstock K-5	5801 SE 50th Av	SE	☆		
Arleta K-5	5109 SE 66th Av	SE PPS	☆		
Atkinson K-5 *	5800 SE Division ST	SE	X		
Creston K-5	4701 SE Bush ST	SE			
Youngson K-5	2704 SE 71st Av	SE			
Mt. Tabor M.S.	5800 SE Ash St	SE			
Richmond K-5	2276 SE 41st Av	SE			
Sunnyside K-5	3421 SE Salmon St	SE	X		✳
Atkinson K-5 *	5800 SE Division St	SE	X		
Edwards K-5 (yr rnd) *	1715 SE 32nd Pl	SE			
Glenco K-5	825 SE 51st Av	SE PPS	☆		
Jefferson H. S.	5210 N Kerby Av	NE			
Whitaker M. S. *	5700 NE 39th Av	East		☆	✳
Ockley Green M. S.	6031 N Montana Av	North		X	✳
Applegate K-5	7650 N Commercial Av	NE	X	X	✳
Beach P-5	1710 N Humboldt St	North PPS	☆	X	
Chief Joseph K-5	2409 N Saratoga St	North	X	X	
Kenton K-5	7528 N Fenwick Av	North	X	X	✳
Tubman M. S. *	2231 N Flint St	NE		X	
Boise-Eliot P-5	620 N Fremont St	NE	T	X	
Humboldt P-5	4915 N Gantenbein Av	NE PPS	X	X	

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Gregory Heights M. S. *	7334 NE Siskiyou St	East			☆
Tubman M. S. *	2231 N Flint St	NE			
Beaumont M. S.	4043 NE Fremont St	East		X	
Alameda K-5	2732 NE Fremont St	NE		X	
Sabin P-5	4013 NE 18th AV	NE	T	X	
Fernwood M. S.	1915 NE 33rd Av	NE			
Irvington P-5	1320 NE Brazee St	NE	☆		
Laurelhurst K-5	840 NE 41st Av	SE	☆		☆
Hollyrood K-3 only	3560 NE Hollyrood Ct	East			
M. L. C. K-12	2033 NW Glisan St	Cent			
Holy Redeemer K-8	127 N Portland Blvd	NE	X	X	
All Saints K-8	601 NE 39th Av	SE	☆	☆	
David Douglas H. S.	1001 SE 135th Av	East			
Alice Ott M. S.	12500 SE Ramona St	East		X	
West Powellhurst	2921 SE 116th Av	East	MCSO	X	X
Gilbert Park	13132 SE Ramona St	East	MCSO	☆	X
Cherry Park *	1930 SE 104th Av	East	MCSO	☆	X
Gilbert Heights K-6	12839 SE Holgate Blvd	East	MCSO	☆	X
Floyd Light M. S.	10800 SE Ramona St	East		X	
Ventura Park	145 SE 117th Av	East	MCSO	X	X
Mill Park	1900 SE 117th Av	East	MCSO	X	X
Cherry Park *	1930 SE 104th Av	East	MCSO	☆	X
Menlo Park	12900 NE Glisan St	East	MCSO	X	X
Lincoln Park	13200 SE Lincoln St	East	MCSO	☆	X
Parkrose H. S.	11717 NE Shaver St	East			
Parkrose M. S.	11800 NE Shaver St	East		X	
Prescott	10410 NE Prescott St	East	MCSO	X	X

X = Fall term

\* = Feeds two schools

☆ = Spring term

☆ = PAL program year round

T = Targeted school

SCHOOL	LOCATION	PREC	D	G	P
Russell	2700 NE 127th Av	East MCSO	X	X	
Sacramento	11400 NE Sacramento St	East MCSO	X	X	
Shaver	3701 NE 131st Pl	East MCSO	☆	X	
Sumner	8678 NE Sumner St	East			
Alder (Reynolds)	17200 SE Alder St	East MCSO	☆		
St. Therese	1260 NE 132nd Av	East MCSO	☆		

X = Fall term  
 ☆ = Spring term

\* = Feeds two schools  
 ☆ = PAL program year round

T = Targeted school

# DARE/GREAT/PAL SCHOOLS 95/96

2-21-95  
Handout #3  
B-1

SCHOOL	LOCATION	PREC	D	G	P
Lincoln H. S.	1600 SW Salmon St	Cent			
West Sylvan M. S.	8111 SW West Slope Dr	Cent			
Ainsworth K-5	2425 SW Vista Av	Cent	☆		
Bridlemile K-5	4300 SW 47th Dr	Cent			
Chapman K-5	1445 NW 26th Av	Cent			✳
Skyline K-5	11536 NW Skyline Blvd	Cent	X		
Marshall H. S.	3905 SE 91st Av	SE			
Binnsmead M. S. *	2225 SE 87th Av	SE		☆	
Bridger K-5	7910 SE Market St	SE PPS	☆	☆	✳
Clark K-5	1231 SE 92nd Av	SE	T	☆	
Lent K-5	5105 SE 97th Av	E	T	☆	✳
Marysville K-5	7733 SE Raymond St	SE	T	☆	
Vestal K-5	161 NE 82nd Av	SE	T	☆	✳
Wilcox K-5	833 NE 74th Av	SE	T	☆	✳
Lane M.S.	7200 SE 60th Av	SE		☆	✳
Kelly K-5	9030 SE Cooper St	SE		☆	✳
Whitman K-5	7326 SE Flavel ST	SE	☆	☆	✳
Woodmere K-5	6540 SE 78th Av	SE	☆	☆	✳
Wilson H. S.	1151 SW Vermont St	Cent			
Gray M. S.	5505 SW 23rd Av	Cent			
Hayhust K-5	5037 SW Iowa St	Cent			
Maplewood K-5	7452 SW 52nd Av	Cent	X		
Rieke K-5	1405 SW Vermont St	Cent			
Jackson M. S.	10625 SW 35th Av	Cent			
Capitol Hill K-5	8401 SW 17th Av	Cent	X		✳
Markham K-5	10531 SW Capitol Hwy	Cent			
Smith K-5	8935 SW 52nd Av	Cent			
Stephenson K-5	2627 SW Stephenson St	Cent			

X = Fall term

\* = Feeds two schools

☆ = Spring term

✳ = PAL program year round

T = Targeted school

\*\* 95/96 school list omitting MCSO DARE schools \*\*

SCHOOL	LOCATION	PREC	D	G	P	
Madison H. S.	2735 NE 82nd Av	East				
Binnsmead M. S. *	2225 SE 87th Av	SE		☆		
Gregory Heights M. S.	7334 NE Siskiyou St	East		☆	✱	
Lee K-5	2222 NE 92nd Av	East		☆		
Scott K-5	6700 NE Prescott St	East	T	☆	✱	
Rose City Park 1-5	2334 NE 57th Av	East	T	☆	✱	
Rice K only	6433 NE Tillamook St	East				
Whitaker M. S.	5700 NE 39th Av	East		☆	✱	
Faubion K-5	3039 NE Portland Blvd	NE	X	☆	✱	
Meek K-5	4039 NE Alberta Ct	East	☆	☆	✱	
Rigler K-5	5401 NE Prescott St	East	PPS	X	☆	✱
Vernon P-5	2044 NE Killingsworth St	NE	PPS	X	☆	
Woodlawn P-5	7200 NE 11th Av	NE	T	☆		
Roosevelt H. S.	6941 N Central St	North				
Portsmouth M. S.	5103 N Willis Blvd	North	POP	X	X	✱
Astor K-5	5601 N Yale St	North	POP	X	X	
Ball P-5	4221 N Willis Blvd	North		T	X	✱
Clarendon K-5	9325 N Van Houten Av	North		X	X	✱
Peninsula P-5 (yr rnd)	8125 N Emerald Av	North		T	X	
George M. S.	1000 N Burr Av	North		☆	✱	
James John K-5	7439 N Charleston Av	North		☆	☆	✱
Sitton K-5	9930 N Smith St	North		☆	☆	✱
Cleveland H. S.	3400 SE 26th Av	SE				
Kellogg M. S. *	3330 SE 69th Av	SE				
Hosford M. S.	2303 SE 28th Pl	SE		X		
Abernathy K-5	2421 SE Orange St	SE	T	X		
Buckman K-5	320 SE 16th Av	SE		☆	X	✱
Edwards K-5 (yr rnd)	1715 SE 32nd Pl	SE	T	X		
Grout K-5	3119 SE Holgate Blvd	SE	T	X		

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☆ = Spring term

✱ = PAL program year round

T = Targeted school

\*\* 95/96 school list omitting MCSO DARE schools \*\*

SCHOOL	LOCATION	PREC	D	G	P
Richmond K-5	2276 SE 41st Av	SE	T	X	
Sellwood M. S.	8300 SE 15th Av	SE			
Brooklyn P-5	3830 SE 14th Av	SE			
Duniway K-5	7700 SE Reed College Pl	SE			✱
Lewis K-5	4401 SE Evergreen St	SE	X		✱
Llewellyn K-5	6301 SE 14th Av	SE	X		✱
Franklin H. S.	5405 SE Woodward St	SE			
Kellogg M. S. *	3330 SE 69th Av	SE			
Woodstock K-5	5801 SE 50th Av	SE	☆		
Arleta K-5	5109 SE 66th Av	SE PPS	☆		
Atkinson K-5 *	5800 SE Division ST	SE	X		
Creston K-5	4701 SE Bush ST	SE			
Youngson K-5	2704 SE 71st Av	SE			
Mt. Tabor M.S.	5800 SE Ash St	SE			
Richmond K-5	2276 SE 41st Av	SE			
Sunnyside K-5	3421 SE Salmon St	SE	X		✱
Atkinson K-5 *	5800 SE Division St	SE	X		
Edwards K-5 (yr rnd) *	1715 SE 32nd Pl	SE			
Glenco K-5	825 SE 51st Av	SE PPS	☆		
Jefferson H. S.	5210 N Kerby Av	NE			
Whitaker M. S. *	5700 NE 39th Av	East		☆	✱
Ockley Green M. S.	6031 N Montana Av	North		X	✱
Applegate K-5	7650 N Commercial Av	NE	X	X	✱
Beach P-5	1710 N Humboldt St	North PPS	☆	X	
Chief Joseph K-5	2409 N Saratoga St	North	X	X	
Kenton K-5	7528 N Fenwick Av	North	X	X	✱
Tubman M. S. *	2231 N Flint St	NE		X	
Boise-Eliot P-5	620 N Fremont St	NE	T	X	
Humboldt P-5	4915 N Gantenbein Av	NE PPS	X	X	

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✱ = PAL program year round

T = Targeted school

\*\* 95/96 school list omitting MCSO DARE schools \*\*

SCHOOL	LOCATION	PREC	D	G	P
King P-5	4906 NE 6th Av	NE		X	
Grant H. S.	2245 NE 36th Av	East			
Gregory Heights M. S. *	7334 NE Siskiyou St	East			☆
Tubman M. S. *	2231 N Flint St	NE			
Beaumont M. S.	4043 NE Fremont St	East		X	
Alameda K-5	2732 NE Fremont St	NE		X	
Sabin P-5	4013 NE 18th AV	NE	T	X	
Fernwood M. S.	1915 NE 33rd Av	NE			
Irvington P-5	1320 NE Brazee St	NE	☆		
Laurelhurst K-5	840 NE 41st Av	SE	☆		☆
Hollyrood K-3 only	3560 NE Hollyrood Ct	East			
M. L. C. K-12	2033 NW Glisan St	Cent			
Holy Redeemer K-8	127 N Portland Blvd	NE	X	X	
All Saints K-8	601 NE 39th Av	SE	☆	☆	
David Douglas H. S.	1001 SE 135th Av	East			
Alice Ott M. S.	12500 SE Ramona St	East		X	
West Powellhurst	2921 SE 116th Av	East	X	X	
Gilbert Park	13132 SE Ramona St	East	☆	X	
Cherry Park *	1930 SE 104th Av	East	X	X	
Gilbert Heights K-6	12839 SE Holgate Blvd	East	☆	X	
Floyd Light M. S.	10800 SE Ramona St	East		X	
Ventura Park	145 SE 117th Av	East	X	X	
Mill Park	1900 SE 117th Av	East	☆	X	
Cherry Park *	1930 SE 104th Av	East	X	X	
Menlo Park	12900 NE Glisan St	East	X	X	
Lincoln Park	13200 SE Lincoln St	East	☆	X	
Parkrose H. S.	11717 NE Shaver St	East			
Parkrose M. S.	11800 NE Shaver St	East		X	
Prescott	10410 NE Prescott St	East	☆	X	

X = Fall term

\* = Feeds two schools

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☆ = PAL program year round

T = Targeted school

\*\* 95/96 school list omitting MCSO DARE schools \*\*

SCHOOL	LOCATION	PREC	D	G	P
Russell	2700 NE 127th Av	East	☆	X	
Sacramento	11400 NE Sacramento St	East	X	X	
Shaver	3701 NE 131st Pl	East	X	X	
Sumner	8678 NE Sumner St	East			
Alder (Reynolds)	17200 SE Alder St	East	☆		
St. Therese	1260 NE 132nd Av	East	☆		

X = Fall term

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T = Targeted school

\*\* 95/96 school list omitting MCSO DARE schools \*\*

Meeting Date: FEB 21 1995  
Agenda No.: B-2

(Above space for Clerk's Office Use)

-----  
TIME CERTAIN REQUEST 11:00AM  
**AGENDA PLACEMENT FORM**

SUBJECT: Multnomah County Audit Fiscal Year Ending 6/30/94

BOARD BRIEFING Date Requested: February 21, 1995

Amount of Time Needed: 30 minutes

REGULAR MEETING Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: MSS DIVISION: Finance

CONTACT: Jean Uzelac TELEPHONE #: x2766  
BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Tom Kessler, Multnomah County Audit  
Committee Chair

ACTION REQUESTED:

INFORMATIONAL ONLY     POLICY DIRECTION     APPROVAL     OTHER

**SUMMARY** (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Multnomah County Audit Committee presentation of Comprehensive Annual Financial Report and Single Audit Report.

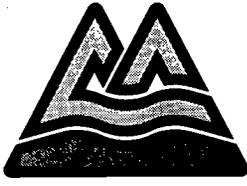
SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
OR  
DEPARTMENT MANAGER: 

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

MULTNOMAH COUNTY  
OREGON  
1995 FEB - 8 AM 10:40  
BOARD OF  
COUNTY CLERK

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222



# MULTNOMAH COUNTY OREGON

BEVERLY STEIN  
COUNTY CHAIR

EMPLOYEE SERVICES  
FINANCE  
LABOR RELATIONS  
PLANNING & BUDGET  
RISK MANAGEMENT

(503) 248-5015  
(503) 248-3312  
(503) 248-5135  
(503) 248-3883  
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING  
1120 S.W. FIFTH, 14TH FLOOR  
P.O. BOX 14700  
PORTLAND, OREGON 97214

PURCHASING, CONTRACTS  
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR  
PORTLAND, OREGON 97202

## MEMORANDUM

TO: Board of County Commissioners

FROM: Tom Kessler, Chair *TAK*  
Multnomah County Audit Committee  
David Boyer, Finance Director *DB*  
Jean Uzelac, Accounting Manager *JU*

DATE: January 18, 1995

SUBJECT: June 30, 1994 Comprehensive Annual Financial Report and Single Audit Report

We are pleased to submit to you our Multnomah County Comprehensive Annual Financial Report and Single Audit Report for the fiscal year ended June 30, 1994.

The Audit Committee met with KPMG Peat Marwick today to discuss the aforementioned reports. The following are the highlights of this meeting:

1. The County received an unqualified opinion on the general purpose financial statements (see page 17).
2. The auditors and management did not encounter any disagreements.
3. The financial report was prepared according to general accepted accounting principles.
4. The auditors did not uncover any material audit adjustments.
5. The County complied with:
  - The legal requirements relating to debt.
  - The appropriate laws pertaining to programs funded by other governmental agencies.
  - ORS 279 regarding the awarding of public contracts.
  - Cost accounting guidelines.
  - ORS 295 relating to collateral requirements.
  - ORS 294 relating to preparation, adoption, and execution of its budget.
6. • The County was not in compliance concerning overexpenditures in several budgetary line items (see page 141).

Board of County Commissioners  
January 18, 1995  
Page 2

- On certain occasions during the year ended June 30, 1994, the County was not in compliance with Oregon Revised Statutes relating to the types of investments and the required diversification thereof. The instances of noncompliance were corrected by December 31, 1993.
7. The County received an unqualified opinion on the Single Audit Report.
  8. The County did not have any material instances of noncompliance with the Federal Government's OMB Circular A-128 relating to Grant monies.
  9. Pages 12 through 19 detail the Schedule of Findings and Questioned Costs (no questioned costs were determined).

This information is being provided to you to gain a more complete understanding of the County's financial condition. If you have any questions, please contact either Tom Kessler at 223-7557 or David Boyer at 248-3903. Thank you for the opportunity you have provided us to present these documents to you.

N:\DATA\WP\CENTER\FINANCE\LBDB012

c: Audit Committee

*Briefing  
2-21-95  
Handout #1  
B-2*

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

Telephone 503 221 6500

Telefax 503 796 7650

December 9, 1994

**CONFIDENTIAL**

The Board of County Commissioners  
Multnomah County, Oregon

Dear County Commissioners of the Board:

We have recently concluded our audit of the financial statements of Multnomah County, Oregon (the County) for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994. The purpose of this letter is to present, for your consideration, certain matters involving the internal control structure and other operational items, that we noted during our audit.

**UTILIZATION OF MONTHLY  
FINANCIAL INFORMATION**

The Finance Division prepares and distributes to all divisions within the County the Local Government Financial System (LGFS) reports which detail monthly revenue and expenditure activity. The purpose of the report is to provide a detailed accounting for review at the division or department level to ensure that transactions are being properly recorded.

A separate accounting system is maintained for the CareOregon Fund which is used to prepare reports that are sent to Oregon Medical Assistance Program (OMAP) and are used by CareOregon's Advisory Board in making business decisions. Individuals responsible for the CareOregon Fund do not reconcile its separate accounting records to the LGFS system. We recommend these individuals utilize the information available to them to perform monthly reconciliations of all revenues and expenditures.

Implementation of reconciliation procedures will allow personnel responsible for the CareOregon Fund to identify potential errors recorded in the system and will also provide accurate budget versus actual information upon which to base decisions regarding expenditures.



The Board of County Commissioners  
Multnomah County, Oregon  
December 9, 1994  
Page 2

### County Response

In its month-to-month cycle, the County's LGFS operates on a cash basis, with accruals performed at year-end closing. CareOregon, as a subcontractor to OMAP, is required to maintain a monthly full accrual accounting system. CareOregon, which is essentially an insurance enterprise, must have full and accurate accruals to properly manage its business and inform its Advisory Board. These are the reasons a separate accounting system for CareOregon was developed.

CareOregon is in the process of implementing monthly accounting procedures for all differences between LGFS and its internal accounting systems. These procedures account for permanent differences such as capital accounts, and timing differences such as expense accruals. CareOregon has reconciled its records to LGFS at the end of its first year, July 31, 1994.

### CLAIM SETTLEMENT DATES

The CareOregon Fund provides health care services under the Oregon Health Care Plan through several different service providers. Every six months CareOregon makes a settlement payment for all services provided in the last six-month period. Currently, settlements are scheduled as of July 31 and January 31.

CareOregon is audited each June 30 as part of the Multnomah County audit and again each December 31 to meet OMAP requirements. We recommend that settlement dates be changed to coincide with audits that are performed.

### County Response

This recommendation will be adopted.

### REVIEW OF FORMS SUBMITTED FOR REIMBURSEMENT

The County receives reimbursement for expenditures for most federal programs. During one month, in the Women, Infants and Children (WIC) program, \$15,000 of indirect costs were not included on the claim form remitted to the State. This omission was an oversight and did not affect the total amount of federal funds received by the County.

We recommend that a more thorough review process be developed and that all claim forms be reviewed before being submitted to the State. A more thorough review process would reduce the risk that a federal grant will be undercharged for costs incurred.

The Board of County Commissioners  
Multnomah County, Oregon  
December 9, 1994  
Page 3

### County Response

The Health Department currently believes its review procedures are adequate with regard to the above finding. All reports are reviewed for reasonableness and signed by appropriate management staff other than the preparer. To avoid the inefficient use of human resources, the amount of review is structured in relative proportion to the materiality of that report, i.e., annual reports with final settlements are given more thorough reviews than interim reports.

### GRANT ACCOUNTING

Multnomah County receives significant amounts of funding from various external sources. By accepting these funds, the County is required to expend the funds in accordance with the grant agreement or with applicable laws and regulations. In certain instances, the County is unable to provide a detail of expenditures sufficient to track individual grant expenditures because the amounts received from one funding source are pooled with amounts received from other sources. Furthermore, expenditures of an organization or a reporting category as reported in the County's Local Government Financial System (LGFS) often contain expenditures related to more than one program. As neither the funds received nor the related expenditures are segregated from general resources and expenditures, it is often impossible to determine that amounts were expended in accordance with applicable requirements.

We recommend that the County either develop a new financial management system, or modify the LGFS currently in use, to allow identification of both the source and the use of designated monies. This system should be sufficient to allow the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of applicable laws, statutes, or grant agreements. The implementation of such a system would provide the County with greater assurance that funds are expended in accordance with the applicable requirements. Furthermore, in the case of a federal program audit, such a system would decrease the potential for questioned costs which may result due to the inability to specifically identify expenditures.

While we recognize there are some practical problems in distinguishing between federal and state monies, due to inadequate communication from the state, we believe there are funding sources for which implementation of this recommendation is both feasible and prudent.

This item is a repeat comment from the prior year.

The Board of County Commissioners  
Multnomah County, Oregon  
December 9, 1994  
Page 4

County Response

In many instances, at the time payment is made for expenses incurred, the departments do not know the breakdown of state and federal monies. Without this information, the County cannot specifically identify an expenditure as being federally funded. It would not be cost-effective to track expenditures at this level after the fact.

1993 COMMENTS

We have reviewed the comments included in our 1993 management letter dated December 10, 1993 during the course of performing our current year audit. Unless presented in the previous paragraphs, all prior comments are being addressed by management and, therefore, are not included in this management letter.

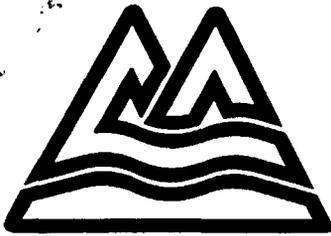
CONCLUSION

A material weakness is a condition in which the design or operation of the specific internal control structure elements does not reduce to a relatively low level the risk that errors or irregularities in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. However, we noted no matters involving the internal control structure and its operation that we consider to be material weaknesses as defined above.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in policies or procedures that may exist. The matters presented herein represent findings during the audit and have not been reviewed subsequent to the date of the audit report.

Very truly yours,

*KPMG Peat Marwick LLP*



# MULTNOMAH COUNTY, OREGON

Briefing  
2-21-95  
Handout #2  
B-2

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN  
DAN SALTZMAN  
GARY HANSEN  
TANYA COLLIER  
SHARRON KELLEY

BUDGET & QUALITY  
PORTLAND BUILDING  
1120 S.W. FIFTH - ROOM 1400  
P. O. BOX 14700  
PORTLAND, OR 97214  
PHONE (503)248-3883

TO: Jean Uzelac  
FROM: Dave Warren *DCW*  
DATE: January 17, 1995  
SUBJECT: Overexpenditures of 1993-94 Budgetary Categories

Peat Marwick has noted nine cases where expenditures were made in excess of 1993-94 legal authorizations. What follows is a brief description of what occurred in each instance.

Amount (in \$1,000's)

General Fund  
Social Services - Personal Services \$98

Juvenile Services overspent their Personal Services budget by \$ 286,000. The attached memorandum details the reasons for the overexpenditures and how the organization expects to assure that they do not recur in 1994-95.

General Fund  
Community Corrections - Materials and Services 2

Expert witnesses called by the Probate Court during commitment proceedings are a charge against the County which has been budgeted in Community Corrections although the Department has no real involvement with the process. In 1993-94 this cost, which is controlled by the Probate Court itself, exceeded the budget by \$4,000. In 1994-95, this cost has been budgeted in the Involuntary Commitment program in Community and Family Services.

Special Revenue Funds  
Federal and State Program - District Attorney - M&S 28

Preliminary investigation leads me to believe that approximately \$57,000 of match from the ROCN Trust Fund (not budgeted in the Federal / State Fund because the money is under the control of ROCN, not the County) was charged to the ROCN Anti-Drug Grant and offset by revenue (also unbudgeted) from ROCN. The District Attorney's Office believes that this is not the most appropriate way to handle this trust fund contribution and intends to work with Finance to find a mechanism that will not cause the ROCN allocation to run through the County's books in the future.

1993-94 Overexpenditures  
January 17, 1995

Special Revenue Funds  
Justice Services Special Operations - Community Corrections  
Personal Services 15

This overexpenditure in the Family Services program comes from two sources: (1) charge for compensated absences which occurred after the end of the fiscal year \$11,000, (2) the combination of filling vacant positions at salaries higher than budgeted and paying large vacation payoffs to those who left.

Special Revenue Funds  
County Fair - Environmental Services - Personal Services 4

The Fair Fund overexpenditures were due to incorrect estimates regarding the amount of permanent employee time and overtime that would be necessary to put on the fair.

Special Revenue Funds  
Inmate Welfare - Sheriff - Personal Services 2

Three unbudgeted personnel expenditures occurred during 1993-94: (1) inmates were supervised by a Corrections Officer paid \$1,800 of overtime while they were building sheds as a rehabilitation project paid out of the Inmate Welfare Fund, (2) one of the employees funded in the inmate Welfare Fund worked out of class as a supervisor for much of the year, supervising operations of the Property/Commissary/Laundry unit and this out of class pay caused her charge to the Inmate Welfare Fund to be approximately \$2,000 more than budget, (3) one employee left during the year and was paid accrued sick leave in excess of \$1,500.

Special Revenue Funds  
Inmate Welfare - Sheriff - Materials & Services 20

The Inmate Welfare Fund is used to supply inmates with commissary items. As revenue from the commissary comes in, additional items are purchased so that the inmates have access to candy, magazines, toothpaste, etc. The Sheriff's Office made sure that sufficient revenue had been received to cover the expenditures made for commissary items, but did not recognize that the budget had been exceeded.

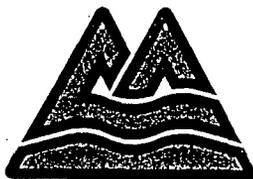
Special Revenue Funds  
Jail Levy - Health Services - Materials & Services 14

The overexpenditures occurred in Corrections Health professional services, the line item used to purchase specialty health care for inmates. It is likely that the overexpenditure resulted from time lags in the medical billings.

Internal Service Fund  
Data Processing - Environmental Services - Personal Services 54

I believe that this overexpenditure is caused by allocation of the cost of accrued vacation time not taken during the fiscal year. A charge of \$59,000 for this purpose was made to the personnel budget after the close of the fiscal year and was not anticipated.

attachment



# MULTNOMAH COUNTY OREGON

JUVENILE JUSTICE DIVISION  
1401 N.E. 68TH  
PORTLAND, OREGON 97213  
(503) 248-3460

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Dave Warren, Budget Office

FROM:  Harold Ogburn, Director  
Juvenile Justice Division

DATE: November 1, 1994

SUBJECT: 1993-94 Personal Services Overexpenditure

The purposes of this memorandum are to explain how Juvenile Justice General Fund programs overspent their 1993-94 Personal Services budgets; to identify the areas where that overspending was a result of unique circumstances that are unlikely to occur again; and to list the ways in which we expect to prevent the other overspending from happening again in 1994-95.

## I. 1993-94 Overexpenditure.

Overall, in 1993-94 Juvenile Justice spent \$285,715 more than its General Fund Personal Services appropriation. This overspending was concentrated in two programs: Counseling (\$138,056) and Detention (\$224,323).

### Counseling:

Overexpenditure in Counseling results from three sources: vacation payoffs for retirees, unanticipated, unfunded overtime; and filling counselor positions that were not budgeted.

**Retirees** - One Counselor Supervisor and one Counselor/Lead retired during the year with sizable vacation accruals that were charged to the Counseling budget. The unbudgeted vacation payoffs totaled \$23,191. Normally, this cost of termination is covered by the period a vacancy exists prior to filling the position with a new employee. In the case of counseling, the staffing requirements to maintain post coverage during the week did not permit the vacancies to last long enough to absorb the vacation payoff.

**Overtime** - Counseling overtime cost \$16,988 in 1993-94, exceeding the overtime budget by \$10,659. It also exceeded the 1992-93 expenditure by \$6,556 or 62%. Part of this overexpenditure resulted from Counseling staff working on the Casey grant without charging their time to the grant. Unfortunately, it is not possible now to determine how much this overtime effort cost the County or to transfer the charges to the grant funding source.

Probably a more significant proportion of the overspending resulted from the Portland Police decision to sweep the Burnside area. This resulted in counselors being required on weekends at overtime rates.

Neither of these factors was anticipated when the 1993-94 budget was prepared. Overtime for Counseling was cut \$3,671 below the 1992-93 budget in order to meet earlier cost constraints; this magnified the overspending.

**Unbudgeted Positions** - In September, the Board approved a budget modification DSS #3, which cut one Juvenile Counselor and one Juvenile Counselor Supervisor from the budget. The Budget Office did not enter the Budget Modification into LGFS until June 1994. Employee Services did not note the reduction in staffing. The positions, although not authorized by the Board, were filled in February. They cost \$34,254 in unbudgeted expenditures.

A third counseling position was allowed to continue through the fiscal year (at the cost of \$59,264) under the unfulfilled beliefs that the Portland Public Schools would continue the grant funding for the position as they had in 1992-93 and that when the grant was received, the costs would be authorized retroactively.

Finally, two positions that were budgeted for less than full time status were filled by employees who worked more than the authorized number of hours: One Counselor Supervisor, budgeted at .75 FTE, who worked full time at an additional cost of \$14,926; one Counselor, budgeted at .50 FTE, who worked at .80 FTE at an additional cost of \$12,971. The total overspending from all of these factors equalled \$121,415.

#### Detention:

The overspending in Detention occurred in two areas--Temporary,Overtime--and overexpenditures in these budget lines had the effect of increasing Fringe and Insurance as well. The amounts below show the full impact of the spending in Temporary and Overtime, that is, they include the 30% additional cost reflected in the benefits line items.

**Temporary** - The Temporary line item records the cost of on-call staff who are needed to cover the 24-hour a day posts required to operate the Detention facility. We anticipated that we would need more on-call staff during 1993-94 than we had in 1992-93, because the transition to the new building was expected to require additional staffing. We increased the Temporary budget by 46% but this did not cover the actual expenditures, which increased by 46% over the budgeted figure. We overspent the budgeted amount by \$139,000.

Part of the overspending resulted from an unanticipated need to add additional staff to the visiting area during the building construction effort. This cost contributed approximately \$21,000 to the deficit.

A second factor was the need to turn the girls' unit into a coed unit for 172 days in the last fiscal year. This also was an unanticipated cost. A coed unit requires two staff rather than one. The direct additional cost of running this unit with two staff or 516 shifts at \$12.20/hour, is approximately \$50,775, resulting in a total unbudgeted expense of \$66,000 including benefit costs.

The remaining \$52,000 in overspending in this line item resulted from the Division's need to provide the additional hours of training to Detention staff which was mandated by the consent decree and which requires 120 hours training for new staff and 40 hours training for each continuing staff person each year.

**Overtime** - Unlike Temporary, we did not anticipate the increases in Overtime. Overtime costs increased 29% from the 1992-93 level but our budget increase equaled only 10%. The Overtime usage increased dramatically because of the extra training and coordination which accompanied the relocation into the new Detention facility and because of the additional overtime expended by staff in meeting on-going training requirements.

Two further general comments may be work making. First, the expenditure reports for 1993-94 also show overspending in Premium Pay. As we understand it, although we budget only the difference between Premium Pay and an employee's regular hourly pay in the Premium line item, the payroll system charges the full employee hourly cost to the Premium line. This made it appear that we had savings in Base Pay and we were not able to determine the full effect of vacancies.

Second, the Division's 1993-94 budget structure and resulting charges through the accounting system were extremely cumbersome and complicated. It was not possible for managers to compare their costs with their budgets at any usable level. We anticipate that the 1994-95 budget will make such comparisons easier and the managers will have better success at controlling their spending.

## **II. 1993-94 Expenditures We Do Not Expect To Occur Again.**

Some of the overexpenditures in 1993-94 were for occurrences we do not expect in the future. In particular, these would include the specific payoffs for the 1993-94 retirees, \$23,191, and the filling of unbudgeted positions, \$93,518.

## **III. Probable 1994-95 Areas Of Concern And Our Plan.**

We do not expect over-expenditures to occur again in terms of confusion over authorized positions. In 1994-95, we are copying personnel on budget modifications containing personnel changes in order to offset any delays which take place in the County process and its routing of personnel data to the personnel analyst. In addition, the full staffing of County budget office personnel should facilitate the timely posting of budget modification data to the LGFS system.

However, we appear to have an on-going problem in terms of a budget which underfunds required Personal Services expense in Temporary and Overtime line items. These expenses are associated with continuing overtime expectations on the part of counselors, new building operations, and the yearly training requirements of those who staff the

1993-94 Memo, continued. Page 4.

24-hour detention facility. We are in the process of projecting the additional expense anticipated for 1994-95 and may need to request additional funding from the General Fund Contingency. We also will attempt to budget for the unavoidable higher costs in the 1995-96 budget.

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**MULTNOMAH COUNTY OREGON**

**THE SINGLE AUDIT REPORT**  
**Fiscal Year Ended June 30, 1994**

**MULTNOMAH COUNTY, OREGON**

**Independent Auditors' Reports in Accordance  
with the Single Audit Act of 1984**

**June 30, 1994**

# MULTNOMAH COUNTY, OREGON

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Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

Independent Auditors' Report on the Schedule  
of Federal Financial Assistance

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994. These general purpose financial statements are the responsibility of the County's management. Our responsibility is to express an opinion on these general purpose financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards and *Government Auditing Standards* (1988 revision), issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the general purpose financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

Our audit was made for the purpose of forming an opinion on the general purpose financial statements of the County taken as a whole. The accompanying Schedule of Federal Financial Assistance is presented for purposes of additional analysis and is not a required part of the general purpose financial statements. The information in that schedule has been subjected to the auditing procedures applied in the audit of the general purpose financial statements and, in our opinion, is fairly stated in all material respects in relation to the general purpose financial statements taken as a whole.

*KPMG Peat Marwick LLP*

December 9, 1994

**MULTNOMAH COUNTY, OREGON**  
**Schedule of Federal Financial Assistance**  
**For the fiscal year ended June 30, 1994**

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE) AT JULY 1, 1993	RECEIPTS	EXPENDITURES	RECEIVABLE (ADVANCE) AT JUNE 30, 1994
<b>U.S. DEPARTMENT OF AGRICULTURE</b>						
Passed Through State Department of Human Resources:						
Food Distribution	10.550	\$ 422,797	\$ 0	\$ 422,797	\$ 422,797	\$ 0
Food Stamps	10.551	147,923	26,998	151,162	147,923	23,759
National School Lunch Program	10.555	89,072	7,976	89,595	89,072	7,453
Special Supplemental Food Program for Women, Infants, and Children	10.557	1,451,303	242,234	1,689,834	1,451,303	3,703
Total Department of Agriculture		2,111,095	277,208	2,353,388	2,111,095	34,915
<b>U.S. DEPT. OF HEALTH &amp; HUMAN SERVICES</b>						
Direct Programs:						
Special Programs for the Aging-Title IV Training, Research, and Discretionary Projects and Programs	93.048	99,997	0	0	8,780	8,780
Linking Community-Based Primary Care, Substance Abuse, HIV/AIDS, and Mental Health Services	93.109	561,000	0	191,979	260,407	68,428
Maternal and Child Health Federal Consolidated Programs (SPRANS)	93.110	565,599	25,658	301,831	331,982	55,809
Acquired Immunodeficiency Syndrome (AIDS) Activity	93.118	1,274,691	29,144	531,409	611,475	109,210
Project Grants for Health Services to the Homeless	93.151	1,754,379	36,280	680,008	871,941	228,213
Demonstration Grants on Model Projects for Pregnant and Postpartum Women and Their Infants (Substance Abuse)	93.169	279,516	28,378	134,361	105,983	0
Integrated Community-Based Primary Care & Drug Abuse Treatment Services	93.177	494,424	81,074	102,359	25,363	4,078
Community Health Centers	93.224	* 5,464,404	227,684	2,504,515	2,732,198	455,367
Community Services Block Grant-Discretionary Awards-Demonstration Partnerships	93.573	209,774	293	43,709	94,506	51,090
Family Support Centers Demonstration Program	93.578	489,193	127,295	292,366	258,258	93,187
Medicare-Supplementary Medical Insurance Grants to Provide Outpatient Early Intervention Services With Respect to HIV Disease	93.774	181,910	17,332	168,916	181,910	30,326
Preventative Health Services-Sexually Transmitted Diseases Research, Demonstrations & Public Information and Education Grants	93.918	1,000,000	49,235	414,881	454,478	88,832
	93.978	515,841	8,224	79,322	71,098	0
Passed Through Oregon Health Sciences University:						
Community Services Block Grant Discretionary Awards-Demonstration Partnerships	93.035	69,004	0	57,503	57,503	0
Passed Through State Department of Human Resources:						
Special Programs for the Aging-Title III, Part G-Prevention of Abuse, Neglect and Exploitation of Older Individuals	93.041	7,497	1,178	1,900	7,497	6,775
Special Programs for the Aging-Title III, Part F-Disease Prevention and Health Promotion Services	93.043	108,384	0	0	59,040	59,040
Special Programs for the Aging-Title III, Part B-Grants for Supportive Services and Senior Centers	93.044	790,786	125,890	687,953	738,597	176,534
Special Programs for the Aging-Title III, Part C-Nutrition Services	93.045	908,445	(99,646)	849,100	848,899	(99,847)
Special Programs for the Aging-Title III, Part D-In Home Services for the Frail Older Individuals	93.046	34,045	(197)	5,810	0	(6,007)
Project Grants & Cooperative Agreements for Tuberculosis Control Programs	93.116	83,398	5,461	77,790	82,398	10,069
Acquired Immunodeficiency Syndrome (AIDS) Activity	93.118	497,754	55,208	481,021	481,867	56,054
Mental Health Planning and Demonstration Projects:	93.125	10,699	0	10,699	10,699	0
Projects for Assistance in Transition From Homelessness (PATH)	93.150	75,533	0	75,533	75,533	0
Model Projects for Pregnant & Postpartum Women & Their Infants (Substance Abuse)	93.169	263,471	41,132	278,458	263,470	26,144
Community Youth Activity Program Block Grants (CYAP)	93.171	31,705	0	31,705	31,705	0
Cooperative Agreements for Drug Abuse Treatment Improvement Projects in Model Cities	93.196	1,007,744	0	1,007,744	1,007,744	0
Childhood Lead Poisoning Prevention Projects-State and Community-Based Childhood Lead Poisoning Prevention Program	93.197	129,996	20,158	103,938	115,250	31,470
Family Planning-Personnel Training	93.260	0	22,129	22,129	0	0
Childhood Immunization Grants:	93.268	137,858	0	137,858	46,011	(91,847)
Emergency Protection Grants-Substance Abuse	93.554	209,523	33,532	116,692	106,657	23,497
Balances carried forward		\$ 17,256,570	\$ 835,442	\$ 9,391,489	\$ 9,941,249	\$ 1,385,202

(continued)

MULTNOMAH COUNTY, OREGON

Schedule of Federal Financial Assistance, Continued

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE) AT JULY 1,		EXPENDITURES	RECEIVABLE
			1993	RECEIPTS		(ADVANCE) AT JUNE 30, 1994
Balances brought forward		\$ 17,256,570	\$ 835,442	\$ 9,391,489	\$ 9,941,249	\$ 1,385,202
Child Support Enforcement	93.563	925,327	269,203	931,024	925,327	263,506
Refugee and Entrant Assistance- State Administered Programs	93.566	443,007	0	368,933	443,007	74,074
Low-Income Home Energy Assistance	93.568	* 3,781,089	94,760	2,948,270	3,277,445	423,935
Community Services Block Grant	93.569	716,811	146,926	757,398	643,256	32,784
Payments to State for Child Care Assistance	93.575	425,823	0	179,633	262,865	83,232
Social Services Block Grant (SSBG)	93.667	469,612	0	469,612	469,612	0
Medical Assistance Program (Medicaid; Title XIX)	93.778	* 12,299,052	620,917	11,459,122	11,535,341	697,136
Model Criminal Justice Drug Abuse Treatment- Incarcerated Populations Non-Incarcerated Populations-Juvenile Justice Populations	93.903	393,135	47,587	401,448	353,861	0
HIV Care Formula Grants	93.917	198,229	14,403	120,816	198,229	91,816
HIV/AIDS (Community Outreach)	93.949	351,850	0	351,850	351,850	0
CMHS Block Grant	93.958	* 3,293,895	0	3,293,895	3,293,895	0
Prevention and Treatment of Substance Abuse (SAPT)	93.959	* 3,081,292	0	3,081,292	3,081,292	0
Preventive Health Services-Sexually Transmitted Diseases Control Grants	93.977	83,215	(725)	92,359	83,215	(9,869)
Health Programs for Refugees	93.987	36,962	3,961	36,817	36,962	4,106
Preventive Health and Health Services Block Grant	93.991	237,534	15,000	232,666	237,534	19,868
Alcohol and Drug Abuse and Mental Health Services Block Grant	93.992	6,801	0	6,801	6,801	0
Maternal and Child Health Services Block Grant	93.994	1,122,932	22,276	1,080,097	1,122,932	65,111
Passed Through National Institute on Drug Abuse: Drug Abuse Research Programs	93.279	834,828	36,703	932,408	787,702	(108,004)
Passed Through City of Portland: Community Partnership Study Demonstration Grant	93.194	383,862	55,916	220,489	343,610	179,037
Passed Through University of Minnesota: Drug Abuse Research Programs:	93.279	46,987	0	0	37,614	37,614
Total Department of Health and Human Services		46,388,813	2,162,369	36,356,419	37,433,599	3,239,548
<b>U.S. DEPT. OF HOUSING &amp; URBAN DEVELOPMENT</b>						
Direct Programs:						
Community Development Block Grants/ Entitlement Grants	14.218	2,000,104	268,270	997,699	943,906	214,477
Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	14.236	250,844	33,238	196,091	229,982	67,129
Passed Through State Department of Human Services: Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	14.236	981	0	981	981	0
Passed Through State Executive Department: Rental Housing Rehabilitation:	14.230	0	110,054	110,054	0	0
Emergency Shelter Grants Program (ESG)	14.231	212,550	3,156	91,156	212,550	124,550
Passed Through City of Portland- Bureau of Community Development: Community Development Block Grants/ Entitlement Grants	14.218	194,735	133,082	285,063	194,735	42,754
Emergency Shelter Grants Program (ESG)	14.231	139,000	0	119,882	139,000	19,118
Passed Through Housing Authority of Portland: Public and Indian Housing- Comprehensive Improvement Assistance Program	14.852	575,400	61,113	279,471	283,450	65,092
Total Department of Housing and Urban Development		3,373,614	608,913	2,080,397	2,004,604	533,120
<b>U.S. DEPARTMENT OF JUSTICE</b>						
Direct Programs:						
Law Enforcement Assistance-Narcotics and Dangerous Drugs-Lab Analysis	16.001	0	(14,378)	0	0	(14,378)
Juvenile Justice and Delinquency Prevention-Allocation to States	16.540	153,365	56,182	126,248	70,066	0
Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	675,000	81,344	492,859	571,431	159,916
Drug Control and System Improvement- Discretionary Grant	16.580	908,388	101,495	238,468	150,288	13,315
Passed Through Oregon Commission on Children and Families: Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	90,950	26,920	71,256	47,463	3,127
Passed Through State Department of Justice: Crime Victim Assistance	16.575	77,948	1,932	18,975	26,733	9,690
Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	772,000	52,618	693,948	813,597	172,267
Total Department of Justice		\$ 2,677,651	\$ 306,113	\$ 1,641,754	\$ 1,679,578	\$ 343,937

**MULTNOMAH COUNTY, OREGON**  
**Schedule of Federal Financial Assistance, Continued**

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE) AT JULY 1, 1993	RECEIPTS	EXPENDITURES	RECEIVABLE (ADVANCE) AT JUNE 30, 1994
<b>U.S. DEPARTMENT OF TRANSPORTATION</b>						
Passed Through Oregon State Marine Board: Boating Safety Financial Assistance	20.005	\$ 380,880	\$ 204,440	\$ 286,036	\$ 190,439	\$ 108,843
Passed Through State Public Utility Commission: Motor Carrier Safety Assistance Program (MCSAP)	20.218	219,510	64,545	130,581	81,929	15,893
Passed Through State Department of Transportation: State Highway and Community Safety	20.600	185,902	22,994	85,921	83,852	20,925
Total Department of Transportation		<u>786,292</u>	<u>291,979</u>	<u>502,538</u>	<u>356,220</u>	<u>145,661</u>
<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>						
Passed through State Department of Human Resources: State Public Water System Supervision	66.432	0	465	465	0	0
Total Environmental Protection Agency		<u>0</u>	<u>465</u>	<u>465</u>	<u>0</u>	<u>0</u>
<b>U.S. DEPARTMENT OF ENERGY</b>						
Passed Through State Department of Human Resources: Weatherization Assistance for Low-Income Persons	81.042	1,184,572	115,187	524,559	619,454	210,082
Total Department of Energy		<u>1,184,572</u>	<u>115,187</u>	<u>524,559</u>	<u>619,454</u>	<u>210,082</u>
<b>FEDERAL EMERGENCY MANAGEMENT AGENCY</b>						
Direct Programs: Emergency Management Institute- Training Assistance	83.527	386	0	386	386	0
Passed Through State Executive Department: Civil Defense-State and Local Emergency Management Assistance	83.503	113,000	17,584	55,798	57,000	18,786
Total Federal Emergency Management Agency		<u>113,386</u>	<u>17,584</u>	<u>56,184</u>	<u>57,386</u>	<u>18,786</u>
<b>U.S. DEPARTMENT OF EDUCATION</b>						
Direct Programs: Literacy for Incarcerated Adults	84.255	498,742	145,664	191,004	122,301	76,961
Passed Through State Department of Human Resources: Public Library Services (LSCA-Title I)	84.034	48,000	0	3,786	3,786	0
Drug Free Schools and Communities-State Grants	84.186	59,887	0	59,887	59,887	0
Passed Through Portland Public Schools: Drug-Free Schools and Communities-Emergency Grants	84.233	0	5,359	5,359	0	0
Total Department of Education		<u>606,629</u>	<u>151,023</u>	<u>260,036</u>	<u>185,974</u>	<u>76,961</u>
<b>OTHER FEDERAL ASSISTANCE</b>						
Department of Agriculture: U.S. Forest Service - Patrol Contract		67,864	10,849	45,001	34,152	0
U.S. Forest Service		23,000	0	23,000	23,000	0
Department of Energy: Youth Employment and Empowerment Project		225,000	(42,437)	75,000	97,289	(20,148)
Department of Interior: O & C Grant		856,592	0	856,592	856,592	0
Sale/Lease Federal Land		2,067	0	2,067	2,067	0
Passed Through State Executive Department: Forest Reserve (PILT)		774,423	0	774,423	774,423	0
Department of Justice: U.S. Marshal - Forfeitures		44,791	0	30,535	44,791	14,256
Department of Transportation: Passed Through State Department of Transportation: FAU Engineering Contracts		613,244	0	611,885	613,244	1,359
Emergency Management Assistance: FEMA/UNITED WAY		546,419	27,750	279,663	401,472	149,559
Total Other Federal Assistance		<u>3,153,400</u>	<u>(3,838)</u>	<u>2,698,166</u>	<u>2,847,030</u>	<u>145,026</u>
Total Federal Assistance		<u>\$ 60,395,452</u>	<u>\$ 3,927,002</u>	<u>\$ 46,473,906</u>	<u>\$ 47,294,940</u>	<u>\$ 4,748,036</u>

\* Represents a major program

# MULTNOMAH COUNTY, OREGON

## Notes to Schedule of Federal Financial Assistance

June 30, 1994

(1) General

The accompanying Schedule of Federal Financial Assistance presents the activity of all Federal Financial Assistance programs of Multnomah County, Oregon (the County) for the year ended June 30, 1994. The County's reporting entity is defined in note 1 to the County's general purpose financial statements.

(2) Basis of Accounting

The accompanying Schedule of Federal Financial Assistance is presented using a basis of accounting which is consistent with the general purpose financial statements, as described in note 1 to the County's general purpose financial statements.

(3) Relationship to General Purpose Financial Statements

As described in note 2 to the general purpose financial statements, federal financial assistance revenues reported in the County's general purpose financial statements are included with Intergovernmental revenues.

(4) Catalog of Federal Financial Assistance

CFDA numbers reported in the accompanying Schedule of Federal Financial Assistance are based on the 1994 Catalog of Federal Financial Assistance.

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

**Independent Auditors' Report on Compliance Based  
on an Audit of the General Purpose Financial Statements  
Performed in Accordance with Government Auditing Standards**

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994.

We conducted our audit in accordance with generally accepted auditing standards and *Government Auditing Standards* (1988 revision) issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement.

Compliance with laws, regulations, contracts, and grants applicable to the County is the responsibility of the County's management. As part of obtaining reasonable assurance about whether the general purpose financial statements are free of material misstatement, we performed tests of the County's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our audit of the general purpose financial statements was not to provide an opinion on overall compliance with such provisions. Accordingly, we do not express such an opinion.

The results of our tests indicate that, with respect to the items tested, the County complied, in all material respects, with the provisions referred to in the preceding paragraph. With respect to items not tested, nothing came to our attention that caused us to believe that the County had not complied, in all material respects, with those provisions.

This report is intended for the information of the Board of Commissioners and the management of the County, its cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

*KPMG Peat Marwick LLP*

December 9, 1994

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

Independent Auditors' Report on Compliance  
with General Requirements Applicable to Federal  
Financial Assistance Programs

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994.

We have applied procedures to test the County's compliance with the following requirements applicable to its federal financial assistance programs, which are identified in the Schedule of Federal Financial Assistance, for the year ended June 30, 1994:

- Political activity
- Davis-Bacon Act
- Civil rights
- Cash management
- Relocation assistance and real property management
- Federal financial reports
- Allowable costs/cost principles
- Drug-free Workplace Act
- Administrative requirements

Our procedures were limited to the applicable procedures described in the Office of Management and Budget's *Compliance Supplement for Single Audits of State and Local Governments*. Our procedures were substantially less in scope than an audit, the objective of which is the expression of an opinion on the County's compliance with the requirements listed in the preceding paragraph. Accordingly, we do not express such an opinion.

**The Board of Commissioners of  
Multnomah County, Oregon**

With respect to the items tested, the results of those procedures disclosed no material instances of noncompliance with the requirements listed in the second paragraph of this report. With respect to items not tested, nothing came to our attention that caused us to believe that the County had not complied, in all material respects, with those requirements. However, the results of our procedures disclosed immaterial instances of noncompliance with those requirements, which are described in the accompanying Schedule of Findings and Questioned Costs.

This report is intended for the information of the Board of Commissioners and management of the County, its cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

*KPMG Peat Marwick LLP*

December 9, 1994

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

**Independent Auditors' Report on Compliance  
with Specific Requirements Applicable to Major  
Federal Financial Assistance Programs**

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994.

We have also audited the County's compliance with the requirements governing types of services allowed or unallowed; eligibility; matching, level of effort, or earmarking; reporting; monitoring of subrecipients; special tests and provisions as identified in the attachment; claims for advances and reimbursements; and amounts claimed or used for matching that are applicable to each of its major federal financial assistance programs, which are identified in the accompanying Schedule of Federal Financial Assistance, for the year ended June 30, 1994. The management of the County is responsible for the County's compliance with those requirements. Our responsibility is to express an opinion on the County's compliance with those requirements based on our audit.

We conducted our audit of the County's compliance with those requirements in accordance with generally accepted auditing standards, *Government Auditing Standards* (1988 revision), issued by the Comptroller General of the United States, and Office of Management and Budget (OMB) Circular A-128, *Audits of State and Local Governments*. Those standards and OMB Circular A-128 require that we plan and perform the audit to obtain reasonable assurance about whether material noncompliance with the requirements referred to above occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements. We believe that our audit provides a reasonable basis for our opinion.

**The Board of Commissioners of  
Multnomah County, Oregon**

The results of our audit procedures disclosed immaterial instances of noncompliance with the requirements referred to above, which are described in the accompanying Schedule of Findings and Questioned Costs. We considered these instances of noncompliance in forming our opinion on compliance, which is expressed in the following paragraph.

In our opinion, the County complied, in all material respects, with the requirements governing types of services allowed or unallowed; eligibility; matching, level of effort, or earmarking; reporting; monitoring of subrecipients; special tests and provisions as identified in the attachment; claims for advances and reimbursements; and amounts claimed or used for matching that are applicable to each of its major federal financial assistance programs for the year ended June 30, 1994.

This report is intended for the information of the Board of Commissioners and management of the County, its cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

*KPMG Peat Marwick LLP*

December 9, 1994

MULTNOMAH COUNTY, OREGON

Special Tests and Provisions

Year ended June 30, 1994

Program: CFDA #93.568 Low-Income Home Energy Assistance

Compliance  
Requirements:

Multnomah County, Oregon (the County), is required to conduct outreach to ensure that eligible households, particularly those with elderly and handicapped individuals, are aware of assistance provided through the program.

The County is required to treat both homeowners and renters equitably.

The County must establish procedures to:

- Notify recipients of the amount of assistance paid on their behalf;
- Ensure home energy suppliers bill the household the difference between the actual costs of energy supplied and payment made by the County on behalf of the recipient;
- Ensure that no household will be treated adversely because of the assistance; and
- Ensure the home energy supplier does not discriminate against the eligible household.

The County must establish procedures to ensure households denied assistance or not receiving prompt assistance have an opportunity for a hearing.

Program: CFDA #10.557 Special Supplemental Food Program for Women, Infants and Children

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.224 Community Health Centers

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.778 Medical Assistance Program (Medicaid: Title XIX)

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.958 CMHS Block Grant

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.959 Prevention and Treatment of Substance Abuse (SAPT)

Compliance  
Requirements:

No special tests and provisions

MULTNOMAH COUNTY, OREGON

Schedule of Findings and Questioned Costs

For the year ended June 30, 1994

**Program:** CFDA #93.778 Medical Assistance Program (Medicaid: Title XIX)

**Finding:** Specific requirements for eligibility determination for the Development Disabilities program states the following:

- The eligibility determination process will begin within ten (10) days following intake; and
- Eligibility will be determined within fifteen (15) working days of receipt of the psychological examination report.

One psychological report did not contain a date, resulting in the inability to ascertain compliance with the aforementioned eligibility requirements.

**Recommendation:** We recommend the Development Disabilities program develop a file checklist including all program criteria and complete pertinent information as client service is rendered. In addition, a review of the file checklist should be completed by an individual independent of those completing the checklist.

**Questioned Cost:** \$ -0-

**Multnomah County Response:**

A date was lacking on one psychological report. Upon investigation, we found that the date on the original report was rendered illegible by fax transmission. However, the information was available when researched and the individual's eligibility would not have been jeopardized.

The Development Disabilities (DD) Program has developed an intake checklist to catch similar errors. This checklist will be implemented for 100% of eligibility determinations and will be monitored by the DD Eligibility Review Team.

(Continued)

MULTNOMAH COUNTY, OREGON

Schedule of Findings and Questioned Costs, Continued

**Program:** CFDA #93.279 Drug Abuse Research Programs

**Finding:** The cash management general requirement prescribes that grantee financial management systems shall include procedures to minimize the time elapsed between the transfer of funds from the U.S. Treasury and the disbursement of funds by the grantee.

During 1994, due to a clerical error, the Health Services Department improperly billed \$190,321 to the federal government. The error resulted in the County owing the federal government \$44,052 at June 30, 1994, and, therefore, resulted in a violation of the aforementioned cash management requirement.

**Recommendation:** The County's Health Services Department should develop and implement procedures to review deposits made to their accounts. Procedures should include comparison of supporting documentation for requested amounts to actual deposits. This procedure will allow the department to better track receipt of requested amounts as well as erroneous deposits to their accounts.

**Excess Reimbursement:** \$ 44,052

**Multnomah County Response:** Under current procedures, the Health Department prepares draw requests which are forwarded to County Finance for processing. County Finance processes draws to assure they do not exceed the grant award. The Health Department later traces draw requests into revenues to confirm that each draw has been received but does not account for additional monies in revenue until completion of the Financial Status Report which occurs at the end of the grant cycle.

The Health Department must account for its grants on the grant cycle and the County's fiscal cycle. It should be noted that total draws for this grant in the grant cycle, were less than the grant award, and less than the federally approved expenditures. The periods in violation of the Cash Management Act of 1990 were temporary and resulted from the erroneous draw.

The County agrees with the finding. The Health Department will be responsible for a monthly reconciliation of all activity in its revenue accounts to grant draws. This procedure, in addition to improvements which have been made in the Health Department's accounting systems, should prevent future violations.

(Continued)

MULTNOMAH COUNTY, OREGON

Schedule of Findings and Questioned Costs, Continued

Program: CFDA #93.224 Community Health Centers

Finding: Federal statutes require grantees receiving federal funds to comply with the administrative requirements of the "Common Rule". The "Common Rule" requires a grantee of federal funds to adopt procedures that permit the tracing of funds to a level sufficient to establish that funds have not been used in violation of restrictions and prohibitions of applicable statutes. Procedures adopted must provide for records to be maintained which adequately identify the source and application of funds provided for financially assisted activities.

Federal expenditures as reported in the Financial Status Report (FSR) by the County Division of Health (Division) to the U.S. Department of Health and Human Services are not supported in sufficient detail to determine federally assisted expenditures from non-federally assisted expenditures. Federal expenditures are not specifically identified within the Division's accounting system. For purposes of preparing the FSR, federal expenditures are deemed to be equal to federal receipts.

Recommendation: The Health Division should implement procedures that would enable the Division to adequately distinguish between expenditures made from federal sources and those made from non-federal sources. This recommendation is a repeat item from the prior year.

Questioned Cost: \$-0-

(Continued)

MULTNOMAH COUNTY, OREGON

Schedule of Findings and Questioned Costs, Continued

Multnomah County  
Response:

The Community Health Center project is funded by a variety of resources. The three largest sources of support are local funds, Medicaid Fee For Service revenue, and the Public Health Services Community Health Center (CHC) grant. The CHC grant makes up approximately 12% of the project.

The County Division of Health believes it would serve no programmatic, financial, or managerial purpose to create a segregated accounting of these expenditures. Assignment of these expenditures to the CHC, the County, or to fees generated by the CHC and/or the County, would only serve the purpose of compliance with the Common Rule.

The Division has responded to the auditors' prior period recommendation and modified its FSR accounting procedures to now allow the tracing of expenditures from the FSR to line item detail in the County's general ledger system. The Division believes this modification allows a level of detail sufficient to establish that funds have not been used in violation of any applicable statutes or grant requirements.

The Division will seek clarification from Region X of the Public Health Service regarding the federal government's expectations of a proper accounting of the CHC project.

MULTNOMAH COUNTY, OREGON

Update of the Schedule of Findings  
and Questioned Costs

For the year ended June 30, 1993  
Relating to Programs Audited for the year ended June 30, 1994

**Program:** CFDA #93.958 CMHS Block Grant  
CFDA #93.959 Substance Abuse Prevention and Treatment

**Finding:** A specific requirement of the types of services allowed or unallowed for these programs are that funds may not be used to provide financial assistance to any entity other than a public or nonprofit entity. We noted no control procedures in place for the fiscal year ended June 30, 1993 that would prohibit a for-profit entity from receiving financial assistance. However, no instances of noncompliance were noted.

**Recommendation:** Due to the funding arrangement between the County and the State of Oregon, the County's current internal control is only effective in detecting noncompliance after the end of the fiscal year, and would not prevent a subcontractor from receiving funds under these programs during the year. We recommend that the County implement procedures that would identify which providers will be receiving funds under these programs before funds are expended to ensure that there are no for-profit entities included.

**Questioned Cost:** \$-0-

**Multnomah County Response:** The County agrees with the finding and requires all Alcohol and Drug subcontractors providing assistance under service elements which include federal money to be not-for-profit providers. In addition, the restriction against for-profits participation has been included in all Alcohol and Drug requests for proposals.

**1994 Update:** The County has implemented preventative internal control procedures. No violations of the for-profit restriction were noted in the current year. Finding will not be repeated in the current year's Schedule of Findings and Questioned Costs.

(Continued)

MULTNOMAH COUNTY, OREGON

Update of the Schedule of Findings  
and Questioned Costs, Continued

Program: CFDA #93.958 CMHS Block Grant  
CFDA #93.959 Substance Abuse Prevention and Treatment

Finding: In instances where primary recipients distribute federal money to a subrecipient, OMB Circular A-128 requires the primary recipient to "ensure that within six months after receipt of the subrecipient audit report on reported instances of noncompliance with federal laws and regulations, appropriate corrective action is taken", as well as "consider whether subrecipient audits necessitate adjustment of their own records". During testwork over these federal programs, we noted no control procedures in place that fully comply with these requirements.

Recommendation: The County should adopt and implement procedures that would identify all instances of subrecipient noncompliance and ensure that appropriate corrective action is taken within the required time period. Furthermore, the County needs to determine what, if any, effect the reported noncompliance has on its records.

Questioned Cost: Not determinable.

Multnomah County Response: The County agrees with the finding and has implemented procedures to follow-up on instances of subrecipient non-compliance with federal laws and regulations and to evaluate whether subrecipient audits necessitate adjustment to its own records.

1994 Update: The County has implemented the control procedures referred to in their prior year's response. Current year procedures indicated follow-up on instances of non-compliance, and review for possible adjustment to County records. Finding will not be repeated in the current year's Schedule of Findings and Questioned Costs.

(Continued)

MULTNOMAH COUNTY, OREGON

Update of the Schedule of Findings  
and Questioned Costs, Continued

**Program:** CFDA #93.224 Community Health Centers

**Finding:** Federal statutes require grantees receiving federal funds to comply with the administrative requirements of the "Common Rule". The "Common Rule" requires a grantee of federal funds to adopt procedures that permit the tracing of funds to a level sufficient to establish that funds have not been used in violation of restrictions and prohibitions of applicable statutes. Procedures adopted must provide for records to be maintained which adequately identify the source and application of funds provided for financially assisted activities.

Federal expenditures as reported in the Financial Status Report (FSR) by the County Division of Health (Division) to the U.S. Department of Health and Human Services are not supported in sufficient detail to determine federally assisted expenditures from non-federally assisted expenditures. Federal expenditures are not specifically identified within the Division's accounting system. For purposes of preparing the FSR, federal expenditures are deemed to be equal to federal receipts.

**Recommendation:** The Health Division should implement procedures that would enable the division to adequately distinguish between expenditures made from federal sources and those made from non-federal sources. This repeats a recommendation from the prior year.

**Questioned Cost:** \$-0-

**1994 Update:** This finding is repeated in the current year's Schedule of Findings and Questioned Costs.

(Continued)

MULTNOMAH COUNTY, OREGON

Update of the Schedule of Findings  
and Questioned Costs, Continued

Program: CFDA #93.224 Community Health Centers

Finding: In reviewing the Financial Status Report (FSR) submitted for the twelve-month period ended November 30, 1992, we noted that materials and services expenditures in the amount of \$15,863 were excluded from the Recipient Share of Net Outlays. This reporting error does not impact the federal expenditures reported in the FSR. The County's report preparation process failed to provide adequate controls to prevent or identify this error.

Recommendation: A thorough review of the FSR, as well as an examination of spreadsheet equations and other supporting documentation, should be performed by the Program Director prior to filing.

Questioned Cost: \$-0-

Multnomah County Response: The County Division of Health believes its FSR review procedures are adequate and provide a more consistent review and higher quality standard through centralized preparation by the Business Services Director.

1994 Update: Current year procedures identified no discrepancies in preparation of the FSR. Preparation and review procedures discussed above appear to be operating as prescribed. Finding will not be repeated in the current year's Schedule of Findings and Questioned Costs.

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

Independent Auditors' Report on the Internal Control  
Structure Based on an Audit of the General Purpose  
Financial Statements Performed in Accordance  
with Government Auditing Standards

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994.

We conducted our audit in accordance with generally accepted auditing standards and *Government Auditing Standards* (1988 revision), issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement.

In planning and performing our audit of the general purpose financial statements of the County, as of and for the year ended June 30, 1994, we considered its internal control structure in order to determine our auditing procedures for the purpose of expressing our opinion on the general purpose financial statements and not to provide assurance on the internal control structure.

The management of the County is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures. The objectives of an internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of general purpose financial statements in accordance with generally accepted accounting principles. Because of inherent limitations in any internal control structure, errors or irregularities may nevertheless occur and not be detected. Also, projection of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

The Board of Commissioners of  
Multnomah County, Oregon

For the purpose of this report, we have classified the significant internal control structure policies and procedures in the following categories:

Accounting Applications

- Grant revenues and receipts
- Accounts payable and cash disbursements
- Payroll

For all of the internal control structure categories listed above, we obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation, and we assessed control risk.

Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of one or more of the internal control structure elements does not reduce to a relatively low level the risk that errors or irregularities in amounts that would be material in relation to the general purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control structure and its operation that we consider to be material weaknesses as defined above.

However, we noted other matters involving the internal control structure and its operation that we have reported to the management of the County in a separate letter dated December 9, 1994.

This report is intended for the information of the Board of Commissioners and management of the County, its cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

*KPMG Peat Marwick LLP*

December 9, 1994

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

**Independent Auditors' Report on the Internal  
Control Structure Used in Administering  
Federal Financial Assistance Programs**

The Board of Commissioners of  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994. We have also audited the County's compliance with requirements applicable to major federal financial assistance programs and have issued our report thereon dated December 9, 1994.

We conducted our audits in accordance with generally accepted auditing standards; *Government Auditing Standards* (1988 revision), issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Circular A-128, *Audits of State and Local Governments*. Those standards and OMB Circular A-128 require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement and about whether the County complied with laws and regulations, noncompliance with which would be material to a major federal financial assistance program.

In planning and performing our audits for the year ended June 30, 1994, we considered the internal control structure of the County in order to determine our auditing procedures for the purpose of expressing our opinions on the general purpose financial statements of the County and on the compliance of the County with requirements applicable to major programs, and to report on the internal control structure in accordance with OMB Circular A-128. This report addresses our consideration of internal control structure policies and procedures relevant to compliance with requirements applicable to federal financial assistance programs. We have addressed internal control structure policies and procedures relevant to our audit of the general purpose financial statements in a separate report dated December 9, 1994.

**The Board of Commissioners of  
Multnomah County, Oregon**

The management of the County is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures. The objectives of an internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of financial statements in accordance with generally accepted accounting principles, and that federal financial assistance programs are managed in compliance with applicable laws and regulations. Because of inherent limitations in any internal control structure, errors, irregularities, or instances of noncompliance may nevertheless occur and not be detected. Also, projection of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

For the purpose of this report, we have classified the significant internal control structure policies and procedures used in administering federal financial assistance programs into the following categories:

**Accounting Applications**

- Grant revenues and receipts
- Accounts payable and cash disbursements
- Payroll

**General Requirements**

- Political activity
- Davis-Bacon Act
- Civil rights
- Cash management
- Relocation assistance and real property management
- Federal financial reports
- Allowable costs/cost principles
- Drug-free Workplace
- Administrative requirements

**Specific Requirements**

- Types of services allowed or unallowed
- Eligibility
- Matching, level of effort, or earmarking
- Reporting
- Monitoring subrecipients
- Special tests and provisions as identified in the attachment

**Claims for Advances and Reimbursements**

**Amounts Claimed or Used for Matching**

**The Board of Commissioners of  
Multnomah County, Oregon**

For all of the internal control structure categories listed above, we obtained an understanding of the design of relevant policies and procedures and determined whether they have been placed in operation, and we assessed control risk.

During the year ended June 30, 1994, the County expended 54 percent of its total federal financial assistance under major federal financial assistance programs.

We performed tests of controls, as required by OMB Circular A-128, to evaluate the effectiveness of the design and operation of internal control structure policies and procedures that we considered relevant to preventing or detecting material noncompliance with specific requirements, general requirements, and requirements governing claims for advances and reimbursements and amounts claimed or used for matching that are applicable to each of the major federal financial assistance programs of the County which are identified in the accompanying Schedule of Federal Financial Assistance. Our procedures were less in scope than would be necessary to render an opinion on these internal control structure policies and procedures. Accordingly, we do not express such an opinion.

Our consideration of the internal control structure policies and procedures used in administering federal financial assistance would not necessarily disclose all matters in the internal control structure that might constitute material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of one or more of the internal control structure elements does not reduce to a relatively low level the risk that noncompliance with laws and regulations that would be material to a federal financial assistance program may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control structure and its operation that we consider to be material weaknesses as defined above.

However, we noted certain matters involving the internal control structure and its operation that we have reported to management of the County in a separate letter dated December 9, 1994.

This report is intended for the information of the Board of Commissioners and management of the County, its cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

*KPMG Peat Marwick LLP*

December 9, 1994

MULTNOMAH COUNTY, OREGON

Special Tests and Provisions

Year ended June 30, 1994

Program: CFDA #93.568 Low-Income Home Energy Assistance

Compliance  
Requirements:

Multnomah County, Oregon (the County), is required to conduct outreach to ensure that eligible households, particularly those with elderly and handicapped individuals, are aware of assistance provided through the program.

The County is required to treat both homeowners and renters equitably.

The County must establish procedures to:

- Notify recipients of the amount of assistance paid on their behalf;
- Ensure home energy suppliers bill the household the difference between the actual costs of energy supplied and payment made by the County on behalf of the recipient;
- Ensure that no household will be treated adversely because of the assistance; and
- Ensure the home energy supplier does not discriminate against the eligible household.

The County must establish procedures to ensure households denied assistance or not receiving prompt assistance have an opportunity for a hearing.

Program: CFDA #10.557 Special Supplemental Food Program for Women, Infants and Children

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.224 Community Health Centers

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.778 Medical Assistance Program (Medicaid: Title XIX)

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.958 CMHS Block Grant

Compliance  
Requirements:

No special tests and provisions

Program: CFDA #93.959 Prevention and Treatment of Substance Abuse (SAPT)

Compliance  
Requirements:

No special tests and provisions



**MULTNOMAH COUNTY OREGON**

**COMPREHENSIVE ANNUAL FINANCIAL REPORT**  
**Fiscal Year Ended June 30, 1994**

**MULTNOMAH COUNTY, OREGON**

**COMPREHENSIVE ANNUAL FINANCIAL REPORT**

**For the fiscal year ended June 30, 1994**

**Prepared by:**

**Finance Division**  
**David A. Boyer, Finance Director**  
**1120 SW Fifth Avenue, Suite 1430**  
**P.O. Box 14700**  
**Portland, Oregon 97214-0700**

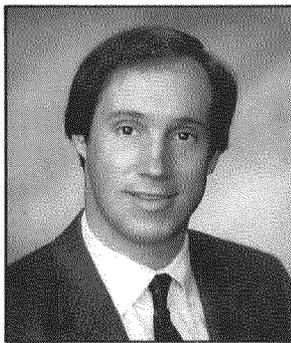
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ELECTED OFFICIALS - MULTNOMAH COUNTY OREGON

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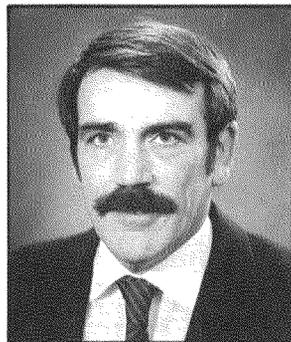
*BEVERLY STEIN*  
*Chair*



*DAN SALTZMAN*  
*Commissioner*



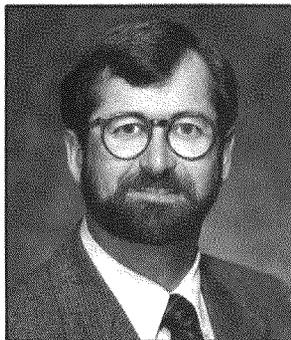
*SHARRON KELLEY*  
*Commissioner*



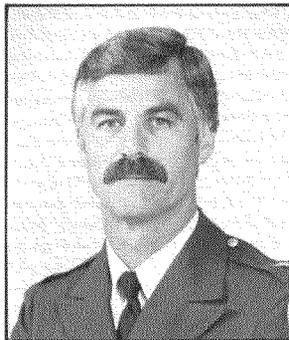
*GARY HANSEN*  
*Commissioner*



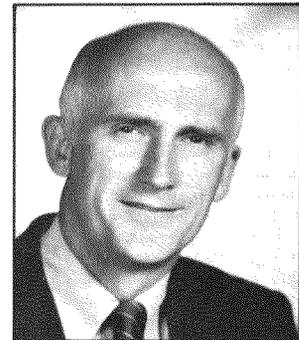
*TANYA COLLIER*  
*Commissioner*



*GARY BLACKMER*  
*Auditor*



*ROBERT SKIPPER*  
*Sheriff*



*MICHAEL SCHRUNK*  
*District Attorney*

**MULTNOMAH COUNTY, OREGON**  
**COMPREHENSIVE ANNUAL FINANCIAL REPORT**  
**For the fiscal year ended June 30, 1994**

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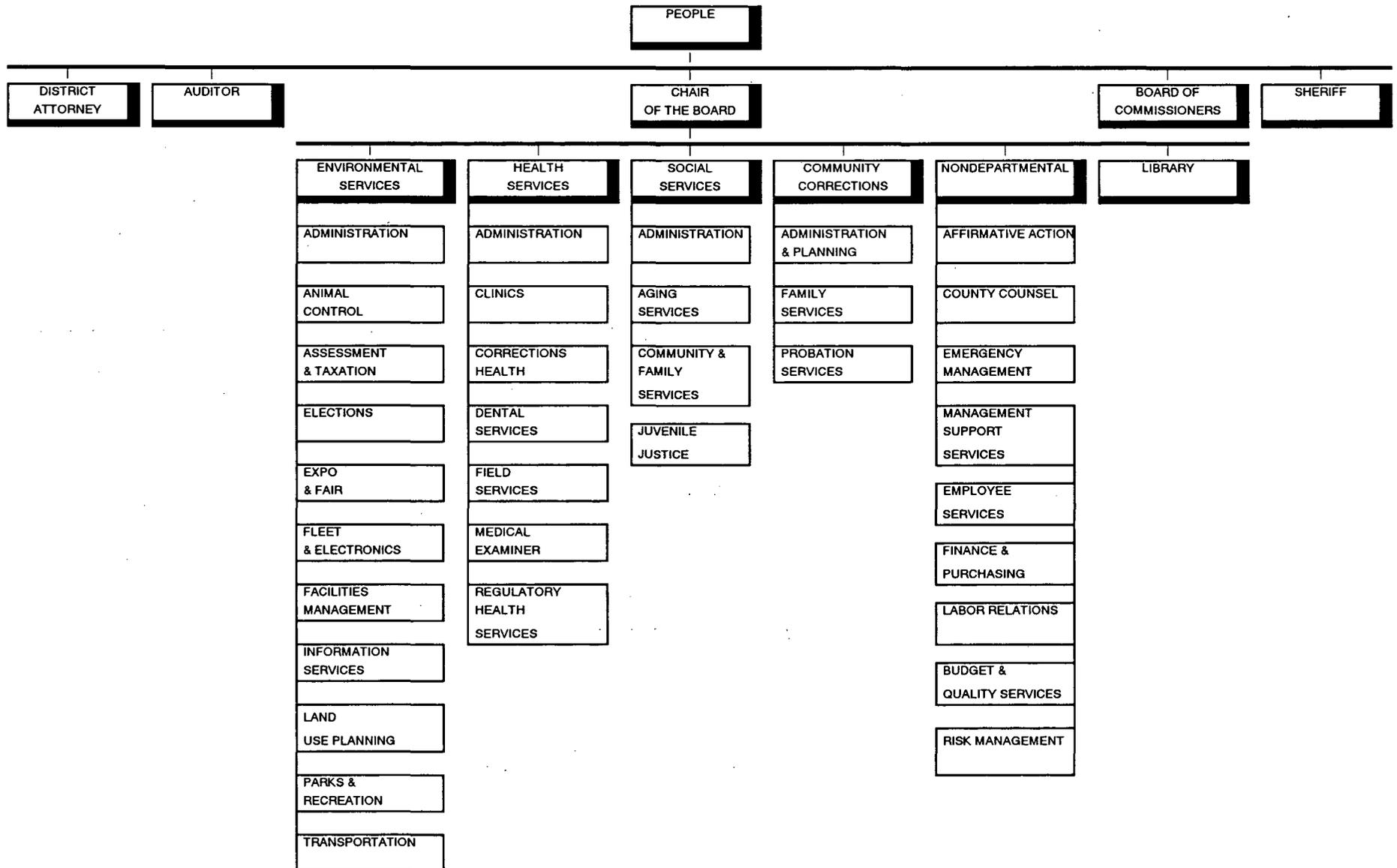
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**INTRODUCTORY SECTION**

# MULTNOMAH COUNTY, OREGON



MULTNOMAH COUNTY, OREGON

FINANCE DIVISION

FINANCE  
DIRECTOR  
DAVE BOYER

2

ACCOUNTING  
JEAN UZELAC  
MANAGER

ACCOUNTS  
PAYABLE  
PATRICK BRUN  
SUPERVISOR

PURCHASING  
STORES  
LILLIE WALKER  
MANAGER

PAYROLL  
MINDY HARRIS  
SUPERVISOR

TREASURY  
HARRY MORTON  
MANAGER



**MULTNOMAH COUNTY, OREGON  
PRINCIPAL OFFICERS  
JUNE 30, 1994**

<u>Title</u>	<u>Name</u>	<u>Term Expires</u>
<u>Board of County Commissioners</u>		
Chair of Board	Beverly Stein 1120 SW Fifth Ave., Suite 1410 Portland, OR 97204-1976	12/31/94
District No. 1	Dan Saltzman 1120 SW Fifth Ave., Suite 1500 Portland, OR 97204-1976	12/31/96
District No. 2	Gary Hansen 1120 SW Fifth Ave., Suite 1500 Portland, OR 97204-1976	12/31/94
District No. 3	Tanya Collier 1120 SW Fifth Ave., Suite 1500 Portland, OR 97204-1976	12/31/96
District No. 4	Sharron E. Kelley 1120 SW Fifth Ave., Suite 1500 Portland, OR 97204-1976	12/31/96
<u>Other Elected Officers</u>		
County Auditor	Gary Blackmer 1021 SW Fourth Avenue Portland, OR 97204-1976	12/31/94
County District Attorney	Michael D. Schrunk 1021 SW Fourth Avenue Portland, OR 97204-1976	12/31/96
County Sheriff	Robert G. Skipper 12240 NE Glisan Street Portland, OR 97230	12/31/94
<u>Other Appointed Officers</u>		
Finance Director	David A. Boyer, CCM	Not elected
Accounting Manager	Jean M. Uzelac	Not elected
County Counsel	Laurence Kressel	Not elected

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# MULTNOMAH COUNTY OREGON

BEVERLY STEIN  
COUNTY CHAIR

EMPLOYEE SERVICES  
FINANCE  
LABOR RELATIONS  
PLANNING & BUDGET  
RISK MANAGEMENT

(503) 248-5015  
(503) 248-3312  
(503) 248-5135  
(503) 248-3883  
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING  
1120 S.W. FIFTH, 14TH FLOOR  
P.O. BOX 14700  
PORTLAND, OREGON 97214

PURCHASING, CONTRACTS  
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR  
PORTLAND, OREGON 97202

December 9, 1994

Honorable County Chair, Board of County Commissioners  
and Citizens of Multnomah County, Oregon

We are pleased to submit the Comprehensive Annual Financial Report of Multnomah County, Oregon, for the fiscal year ended June 30, 1994, together with the unqualified opinion thereon of our independent certified public accountants, KPMG Peat Marwick LLP.

This report, required by State law, ORS 297.425, is prepared by the Finance Division and is organized into three primary sections: Introductory, Financial and Statistical. The Introductory Section includes this letter of transmittal, the County's organizational chart and list of principal officers. This section is intended to inform the reader of the organization, services, scope and financial activities of the County. The Financial Section includes the General Purpose Financial Statements, the related notes, and additional information. The additional information contains the combining and individual fund and account group statements and schedules, and other schedules. This section provides summary and more detailed financial statements and schedules of County activities. The Statistical Section contains historical financial and statistical information, generally presented on a multi-year basis. The Statistical Section provides broader financial data for a more comprehensive understanding of the County.

This report also includes Audit Comments and Disclosures, including comments required under the Minimum Standards for Audits of Oregon Municipal Corporations Section of the Oregon Administrative Rules.

In addition, the County is required to have a comprehensive single audit of its Federal Assistance Programs in accordance with the Single Audit Act of 1984, OMB Circular A-128 and the provisions of Government Auditing Standards (1988 Revision) promulgated by the U.S. Comptroller General as they pertain to financial and compliance audits. A report on the County's compliance with applicable Federal laws and regulations has been issued under separate cover.

Multnomah County management is responsible for the information in this report and we believe that the information presented is accurate in all material respects and is organized in a manner to clearly present the financial position and results of operations of the County's various funds and account groups. Further, all necessary disclosures have been included to enable the reader to gain maximum understanding of the financial affairs of the County.

The dollar amounts shown in this transmittal letter and the dollar amounts in the financial report, unless indicated otherwise, are expressed in thousands.

## ECONOMY AND FINANCIAL OUTLOOK

### Economy

Multnomah County is located in northwestern Oregon at the confluence of the Columbia and Willamette rivers, approximately 110 river miles and 80 highway miles from the Pacific Ocean. The County covers 457 square miles, most of which lies in the Willamette Valley, between the Tualatin Mountains west of the Willamette River and the Cascade Mountains to the East.

Multnomah County is the most populous county in the state with a 1993 population of 615,000. The cities of Portland, with a population of 471,325, and Gresham, with a population of 73,185, are the largest incorporated cities located in the County.

The Portland metropolitan area is the financial, trade, transportation and service center for Oregon, southwest Washington state and the Columbia River basin. Its manufacturing base includes electronics, machinery, transportation equipment and fabricated metals. This diversification makes the metropolitan area far less dependent on the forest and food product industries than the rest of the state.

The Portland-Vancouver, OR-WA PMSA's (Primary Metropolitan Statistical Area, which includes Multnomah, Clackamas, Washington, Columbia and Yamhill counties in Oregon and Clark County in Washington), economy remained relatively strong during fiscal year 1993-94. Total wage and salary employment rose with most of the increase coming in the non-manufacturing sector. The Portland PMSA's total employment rose from 857,900 employees at June 30, 1993 to 904,000 employees at June 30, 1994. The number of jobless workers in the PMSA's labor market decreased by 10,100 during the period June 30, 1993 to June 30, 1994. The area's preliminary unemployment rate was 4.8% at June 30, 1994 compared to 6.0% at June 30, 1993.

The Portland-Vancouver Consumer Price Index (CPI) (1982-84 = 100) was 148.0 for the period July 1993 through June 1994. This represents an increase of 2.5% for the period.

### Financial outlook

Since the passage of the property tax limitation Ballot Measure 5 in 1990, the County has reduced its budget by 13% in real dollars adjusted for inflation. The County has met the challenges presented by Ballot Measure 5 and the 1994-95 budget is expecting property tax revenue to grow about 8% due to rising property tax values. Business Income Tax receipts are also expected to increase about 6%. The increase in Business Income Taxes reflects the continued relatively strong economic growth.

During the 1995 State legislative session the State must balance its budget and fund the final phase-in of the local school district's property tax revenue shortfall that resulted from Measure 5. In preparing for its 1994-95 budget, the County is planning strategies for possible funding reductions from the State.

## COUNTY STRUCTURE AND SERVICES PROVIDED

Multnomah County, Oregon, was incorporated in 1854 and is governed according to its Home Rule Charter, which became effective in January 1967. The County's Charter adopted in 1967 has had several subsequent amendments. The County is governed by a Board of County Commissioners consisting of four non-partisan members elected from designated districts within the County and the Chair of the Board, elected at large. The Board of County Commissioners conducts all legislative business of the County in one formal Board meeting per week. It also holds informal meetings during the week for the purpose of hearing information briefings from staff, departments and outside agencies. Some meetings are held outside County offices for greater citizen input.

The County organization and the basic services provided are:

Department of Health Services - Responsible for promotion, prevention, protection, and provision of health services paid by Multnomah County.

Social Services - Responsible for Community and Family Services, Aging Services and Juvenile Justice Divisions. These Divisions report to the County Chair.

Department of Community Corrections - Responsible for managing Community Correction programs and treating and monitoring adult offenders placed on probation.

Sheriff- Responsible for providing public safety services and operations of County jails.

District Attorney- Responsible for prosecuting felony, misdemeanor, and local ordinance violations occurring within the County.

Library- Responsible for the operation of the Multnomah County Library system.

Department of Environmental Services- Responsible for land use and transportation planning, road and bridge maintenance, animal control, managing the County's physical property and vehicles, data processing, elections, and assessment and taxation.

Nondepartmental- Functions which are outside the scope of the aforementioned departments are categorized as nondepartmental. They include the Office of the County Chair, the Board of County Commissioners, the County Auditor, Tax Supervising and Conservation Commission, and a forum for citizens' input. Management Support Services, which is included in Nondepartmental, is responsible for the internal management of finance and purchasing, budget and quality services, employee services, labor negotiations, risk management, and legal counsel.

At June 30, 1994, the County had approximately 3,634 employees not including temporary employees. There are nine bargaining units representing 3,129 employees as listed below. The County is represented by its Labor Relations Division in all negotiations. Not represented are 505 management and exempt employees.

<u>Bargaining Unit</u>	<u>Number of Employees</u>
General Employees (Local 88)	2,218
Electricians (Local 48)	18
Operating Engineers (Local 87)	12
Paint Makers (Local 55)	2
Corrections (Teamsters 223)	342
Deputy Sheriffs Association	131
Oregon Nurses Association	269
Juvenile Group Workers (Local 86)	65
Prosecuting Attorneys Association	<u>72</u>
Total	<u>3,129</u>

## MAJOR INITIATIVES

### For the year

On August 24, 1993 Beverly Stein was sworn in as the new Chair of the Multnomah County Board of County Commissioners.

During the fiscal year the County issued \$22,000 in General Obligation Bonds to begin renovating the historic Central Library and begin reconstruction on the Midland Branch Library.

During the fiscal year the County completed a five year Capital Improvement Budget and is beginning the second phase of a project to define its space needs.

The County completed negotiations with Metro that gave Metro responsibility for the operations of the Expo Center and park operations. The transfer of operations was effective January 1, 1994 and certain assets, and all liabilities were transferred to Metro. The real property associated with the operations of Expo and the parks will be transferred on January 1, 1996.

The County completed negotiations with the City of Portland to transfer 23 deputy sheriffs to the City as a result of annexations by the City. On July 1, 1994 these deputy sheriffs became City employees.

During the fiscal year the County adopted benchmark goals that are connected to the Oregon Benchmarks and the community benchmarks adopted by the Portland/Multnomah County Progress Board. Of the 85 Multnomah County benchmarks, the leadership team of the County chose 12 as focal points for urgent action in fiscal year 1994-95. To track and measure the progress of reaching the established benchmarks, the 1994-95 budget includes performance measures for departments and key results for programs.

### For the future

A number of intergovernmental and service issues continue to face Multnomah County. The County is working with other jurisdictions to determine the best allocation of responsibilities and resources for possible consolidation of services or shifts of programs to other jurisdictions.

The County has initiated the RESULTS campaign. RESULTS stands for Reaching Excellent Service Using Leadership and Team Strategies and is Multnomah County's program for reinventing and redesigning government. The goals of RESULTS are to build our capacity to meet our community and county benchmarks, to make sure we use tax dollars efficiently and to guarantee quality service.

## FINANCIAL AND ACCOUNTING POLICIES

This report is prepared in conformance with the guidelines for financial reporting developed by the Government Finance Officers Association of the United States and Canada and the principles established by Governmental Accounting Standards Board (GASB), including all effective GASB pronouncements. It presents fairly the financial position of the various funds and account groups of the County at June 30, 1994 and the results of operations of such funds and the cash flows of the proprietary fund types for the year then ended in conformity with generally accepted accounting principles (GAAP).

The County budgets a total of thirty-six funds of which twenty-six are governmental fund types, and ten are proprietary fund types. The County also maintains six fiduciary fund types.

At the beginning of the fiscal year, the Justice Services Special Operations Fund, a Special Revenue Fund, was established. This fund accounts for the revenues and expenditures dedicated to Justice

Services in the Community Corrections Department, Sheriff's Office and District Attorney's Office.

At the beginning of the fiscal year, the Library Bond Sinking Fund, a Debt Service Fund, was established to account for retirement of the Library General Obligation Bonds approved by the voters in May 1993.

At the beginning of the fiscal year, the Library Construction Fund, a Capital Projects Fund was created to account for the expenditures of the Midland Library and Central Library capital construction projects. General Obligation Bonds were approved by the voters in May 1993 and a portion of the bonds were issued in March 1994 to finance these projects.

During the fiscal year, the CareOregon Fund, an Enterprise Fund, was created to account for the administrative and operational expenses of providing medical services under the Oregon Health Plan.

During the fiscal year, the Library Enterprise Fund, an Enterprise Fund, was created to account for revenues for increases in library service charges and expenses made for improved Library services as a result of the increased revenues.

### **REPORTING ENTITY**

This report includes all of the funds, account groups, agencies, boards, commissions and authorities that are controlled by, or dependent on, the County as defined by GASB. The financial statements include the Dunthorpe-Riverdale Service District No. 1 and Mid County Service District No. 14. The Board of County Commissioners is the governing board of these entities and Multnomah County is responsible for their financial activities. These districts provide sewer and lighting services, are reported as enterprise activities and presented as blended component units.

### **INTERNAL ACCOUNTING CONTROLS AND BUDGETARY PROCESS**

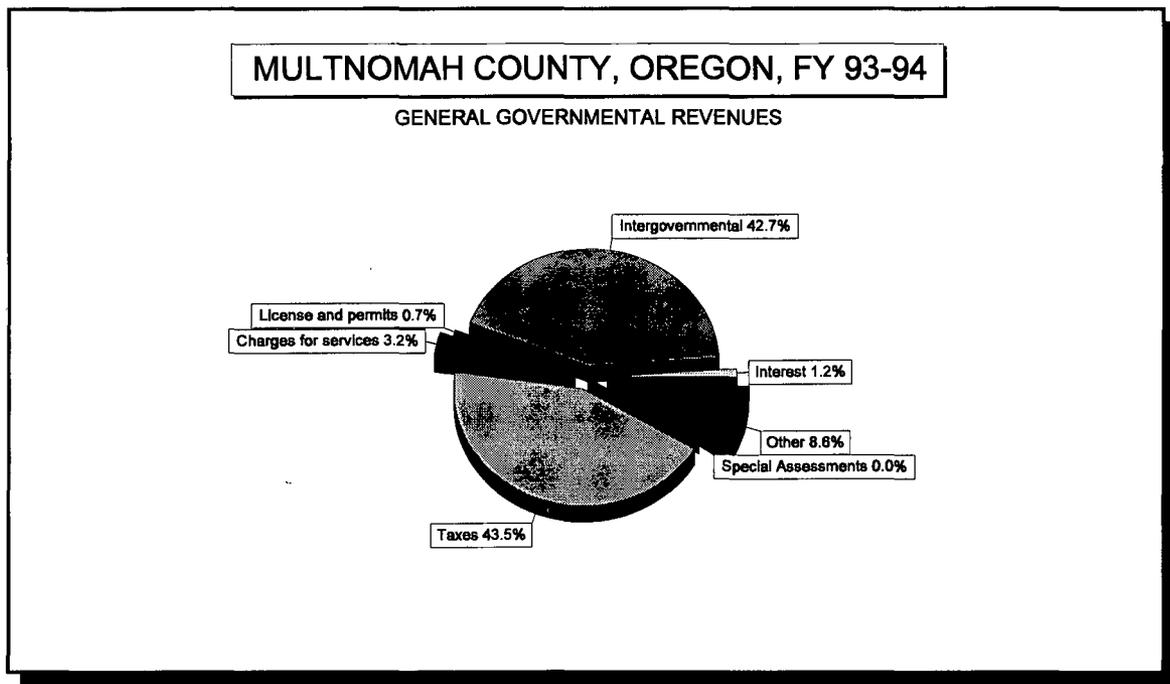
Multnomah County maintains, and management relies upon, a system of internal controls designed to provide reasonable assurance that assets are safeguarded, that accounting transactions are executed and properly recorded so that financial statements can be prepared in accordance with GAAP and the County's budgetary requirements. The internal control structure also ensures that federal and state financial assistance funds are expended in compliance with applicable laws and regulations related to those programs. In establishing the internal control system, management considers the inherent limitations of various control procedures and weighs their cost against the benefit derived. To assure that reliable and timely information is prepared in the most efficient manner possible, accounting policies, procedures and systems, together with related internal controls, are constantly monitored and revised, where necessary, to meet changing requirements.

The County's budget is prepared on the modified accrual basis of accounting. In accordance with State statutes, the County budgets all funds except trust and agency funds. The County budget is adopted by the Board of County Commissioners by expenditure categories, i.e., personal services, materials and services, capital outlay, cash transfers and contingency by department for each fund. The expenditure appropriations lapse at the end of the fiscal year. Additional resources and corresponding appropriations may be added to the budget during the fiscal year through a supplemental budget process. The original and supplemental budgets require budget hearings before the public, publications in newspapers and final adoption by the Board of County Commissioners. Original and supplemental budgets may be modified during the fiscal year by the use of appropriation transfers between the legal categories. The appropriation transfers must be approved by the Board of County Commissioners in public meetings. During the fiscal year, two supplemental budgets were adopted.

## FINANCIAL SUMMARY OF GENERAL GOVERNMENT FUNCTIONS

The following financial data is summarized from the more detailed information included in this financial report.

Revenues accounted for in the Governmental Fund Types totaled \$348,636 for fiscal year 1994, an increase of \$30,338 over fiscal year 1993. The revenues, percent of total revenue by source and changes from 1993 are shown in the following chart and table:



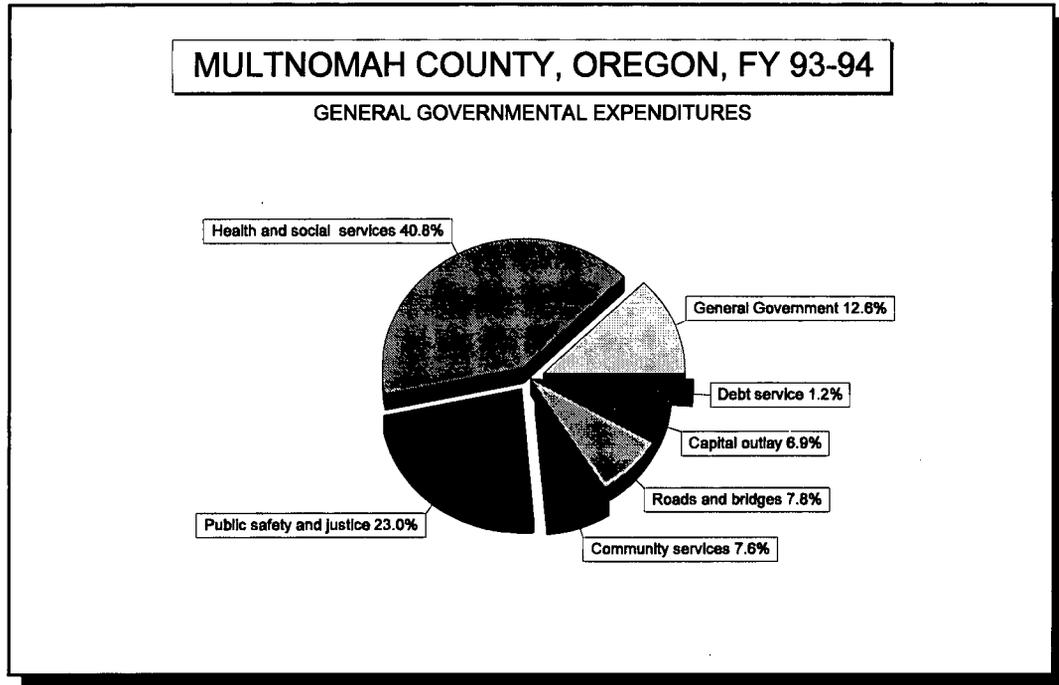
	1994	1993	Amount Increase	Percent Increase
	<u>Amount</u>	<u>Amount</u>	<u>(Decrease)</u>	<u>(Decrease)</u>
Taxes	\$151,61	\$142,569	\$ 9,048	6.4%
Intergovernmental	149,009	134,774	14,235	10.6
Licenses and permits	2,591	2,833	(242)	(8.5)
Charges for services	11,280	10,763	517	4.8
Interest	4,143	3,468	675	19.4
Special assessments	21	45	(24)	(53.3)
Other	<u>29,975</u>	<u>23,846</u>	<u>6,129</u>	<u>25.7</u>
Total	<u>\$348,636</u>	<u>\$318,298</u>	<u>\$ 30,338</u>	<u>9.5%</u>

Overall revenues increased 9.5% from the previous year. The major increases/decreases are:

- The increase of taxes is due to the increase in assessed values of property taxes.

- The increase of intergovernmental revenues is due to an increase in Federal and State funded programs.
- "Other" revenues increased due to increased internal service reimbursements.

Expenditures accounted for in the Governmental Fund Types totaled \$ 361,212 for fiscal year 1994, an increase of \$33,967 over fiscal year 1993. The expenditures, percent of total by function and changes from the previous year are shown in the following chart and table:



	1994	1993	Amount	Percent
	<u>Amount</u>	<u>Amount</u>	<u>Increase</u>	<u>Increase</u>
			<u>(Decrease)</u>	<u>(Decrease)</u>
General government	\$ 45,648	\$ 43,612	\$ 2,036	4.7%
Health and social services	147,372	133,653	13,719	10.3
Public safety and justice	82,938	76,324	6,614	8.7
Community services	27,481	26,315	1,166	4.4
Road and bridges	28,220	27,323	897	3.3
Capital outlay	25,081	14,872	10,209	68.7
Debt service	<u>4,472</u>	<u>5,146</u>	<u>(674)</u>	<u>13.1</u>
Total	<u>\$361,212</u>	<u>\$327,245</u>	<u>\$33,967</u>	<u>10.4%</u>

Expenditures increased 10.4% from the previous year. Some of the larger increases/decreases are:

- General government increased primarily due to the cost of living increases and increase in the Consumer Price Index.

- Health and social services increased as a result of an increase in Federal and State funded programs.
- Public safety and justice increased primarily due to the cost of living increases and increase in the Consumer Price Index.
- Capital outlay increased primarily due to the construction of the juvenile justice complex.

### **PROPRIETARY OPERATIONS**

Operating revenues accounted for in the Proprietary Funds, exclusive of the pension trust fund, for the fiscal year ended June 30, 1994 were \$42,646, an increase of \$8,523 over fiscal year 1993. This represents an increase of 25% and is primarily due to the first year operations of CareOregon. Operating expenses totaled \$42,917 for fiscal year ended June 30, 1994, an increase of \$9,161 or 27.1% from fiscal year 1993. The net income for the year ended June 30, 1994 was \$328 compared to net income of \$619 in fiscal year 1993.

### **FIDUCIARY OPERATIONS**

Multnomah County manages and accounts for monies received from various sources in a fiduciary capacity. Such monies are reported in the Agency Funds within the Fiduciary Fund Types. Disbursements are made in accordance with the agreement or applicable legislative enactment for each fund.

The County also administers the Library Retirement Fund, a pension trust fund. This fund was created as a result of the Library Association of Portland and County Transfer Agreement effective July 1, 1990. This pension plan was frozen as a result of the transfer agreement and is fully funded.

### **RISK MANAGEMENT**

The County is partially self-insured for employee medical, dental and vision benefits, workers' compensation, property, unemployment, tort and general liability claims. The Insurance Fund, an Internal Service Fund, is governed by an ordinance adopted by the Board of County Commissioners. The ordinance requires that a financial status report be submitted to the Board of County Commissioners on an annual basis. During fiscal year 1993-94, an actuarial valuation was performed on the workers' compensation and liability programs to re-evaluate the County's incurred but not reported "IBNR" claims. The medical and dental IBNR claim is based on projected monthly claims cost, projected enrollment and the number of days it takes an average claim to clear the claims paying system.

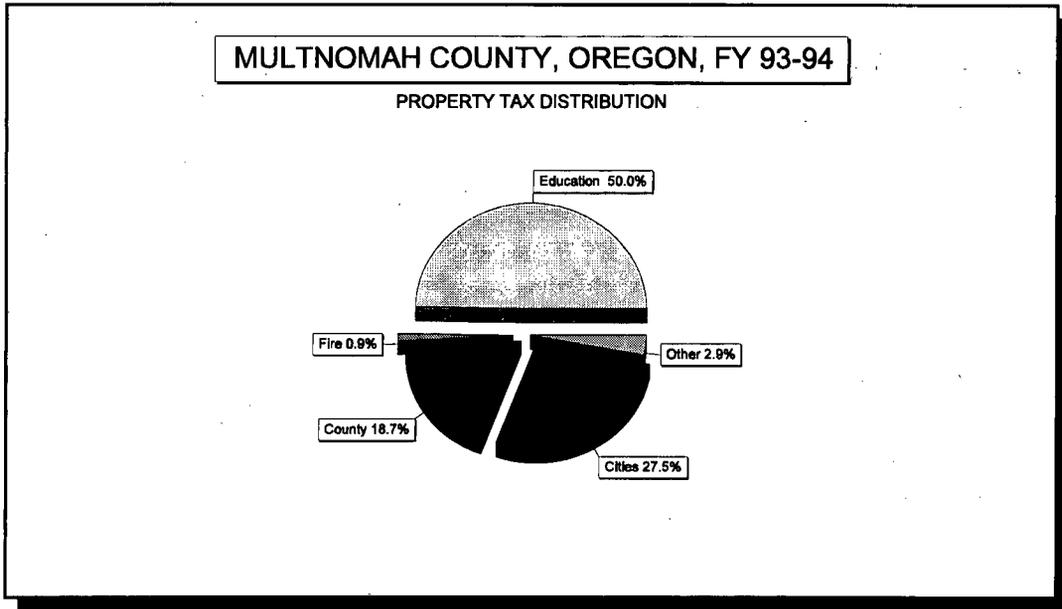
The County also funds post retirement benefits for a portion of medical insurance benefits for retirees between age 58 and age 65. As of June 30, 1994, the County has funded \$4,938 or 50.8% of the total liability of \$9,724. During fiscal year 1993-94, an actuarial valuation was performed on the program to re-evaluate the unfunded liability and funding requirements.

### **GENERAL FIXED ASSETS**

The general fixed assets of the County are those fixed assets used in the performance of general governmental functions and exclude the fixed assets of the Enterprise and Internal Service Funds. As of June 30, 1994, the general fixed assets of the County amounted to \$187,663. This amount represents the original or estimated cost of the assets and is considerably less than the estimated replacement value.

## PROPERTY TAXES

Multnomah County serves as the property tax assessor and collector for all taxing bodies located in the County. The total levy for all entities within the County, as extended by the assessor, was \$591,997 for fiscal year 1993-94. The major levying entities and amounts are displayed in the following chart and table:



	<u>Amount</u>
Education Districts	\$ 295,852
Cities	162,870
Multnomah County	110,598
Water and Special Districts	17,379
Fire Districts	<u>5,298</u>
Total	<u>\$ 591,997</u>

## CASH AND INVESTMENT MANAGEMENT

To obtain maximum return on investments, Multnomah County pools most funds for investment purposes and uses an automated cash flow management and investment system.

Multnomah County's investment transactions are governed by a written Investment Policy. The Investment Policy, which is reviewed and adopted annually by the Board of County Commissioners, regulates the County's investment objectives, diversification, limitations and reporting requirements. The County also utilizes an independent Investment Advisory Board to review the County's investment plan and investment performance.

The average daily balance of investments for fiscal year 1994 was \$98,332 and the average yield on these investments was 3.44%, as compared to fiscal year 1993 average balance of \$77,198 and

average yield of 3.84 %. Investment interest earnings on all funds, excluding trust funds, for fiscal year 1994 was \$4,143 as compared to \$3,468 in fiscal year 1993. Cash and Investments at June 30, 1994 totalled \$162,905 as compared to \$137,776 at June 30, 1993.

The investments are displayed in a note to the financial statements disclosing the carrying amounts and market values both by investment type and in total. The note also discloses the "level of credit risk" associated with the investment types.

### **DEBT ADMINISTRATION**

Under Oregon Revised Statutes the County's general obligation bonded debt issuances are subject to a legal limitation of 2% of total true cash value of taxable property. At June 30, 1994, Multnomah County had \$22,000 in voter approved General Obligation Bonds outstanding. The bonds were issued to renovate the Central Library and reconstruct the Midland Branch Library. The debt service is paid from the proceeds of the property tax levy. Multnomah County has an Aa1 rating from Moody's Investors Service on these bonds. The County does not have any Revenue Bonds outstanding.

#### Tax Anticipation Notes

On July 1, 1993, the County issued \$11,500 in Tax Anticipation Notes (TANS). The notes had a stated interest rate of 3.25% with a yield of 2.70%. The notes matured on June 30, 1994. The County maintained its MIG 1 rating from Moody's Investors Service.

### **CAPITAL LEASES**

Multnomah County has entered into various lease/purchase and intergovernmental agreements to acquire facilities and equipment. These acquisitions have been capitalized in the Data Processing Fund, an Internal Service Fund, or the General Fixed Assets Account Group. The total capital leases payable at June 30, 1994 in the General Long-Term Obligations Account Group is \$58,379 and in the Data Processing Fund is \$501. The following is a summary of the various types of lease/purchase transactions the County has entered into.

#### Intergovernmental Agreement

On January 22, 1981, the County entered into an intergovernmental agreement in the amount of \$3,475 with the City of Portland for the purchase of two floors in the Portland Building. This agreement will be paid in full in fiscal year 2007-08. As of June 30, 1994, \$2,647 is outstanding.

#### Lease Purchase Contracts

On May 15, 1990, the County entered into a lease/purchase contract in the amount of \$166 with Security Pacific Bank to purchase data processing equipment. The contract will be paid in full in fiscal year 1994-95. As of June 30, 1994, \$38 is outstanding.

On September 4, 1990, the County entered into a lease/purchase contract in the amount of \$115 with Wang Credit Corporation to purchase word processing equipment for the Sheriff's Office. The contract will be paid in full in fiscal year 1995-96. As of June 30, 1994, \$33 is outstanding.

On August 1, 1989, the County entered into a lease/purchase contract in the amount of \$168 with IBM to purchase data processing equipment. As of June 30, 1994, \$5 is outstanding. The contract will be paid in full in fiscal year 1994-95.

On December 15, 1988, the County entered into a lease/purchase contract in the amount of \$194 with Xerox for data processing equipment. The contract was paid in full during the fiscal year.

On November 19, 1990, the County entered into a lease/purchase contract in the amount of \$403 with U.S. National Bank to purchase data processing equipment. The contract will be paid in full in fiscal year 1995-96. As of June 30, 1994, \$178 is outstanding.

On December 14, 1992 the County entered into a lease/purchase contract in the amount of \$319 with IBM to purchase data processing equipment. The contract will be paid in full in fiscal year 1996-97. As of June 30, 1994, \$158 is outstanding.

On June 15, 1993, the County entered into a lease/purchase contract in the amount of \$149 with U.S. National Bank to purchase data processing equipment. The contract will be paid in full in fiscal year 1997-98. As of June 30, 1994, \$122 is outstanding.

On February 1, 1994, the County entered into a lease/purchase contract in the amount of \$534 with U.S. National Bank to purchase data processing equipment. The contract will be paid in full in fiscal year 1998-99. As of June 30, 1994, \$534 is outstanding.

#### Certificates of Participation

Certificates of Participation represent a long-term lease under an optional contract for purchase between Multnomah County and a bank's trust department. The County obtains the initial financing and then assigns the ownership of the assets to the trustee to whom the County makes lease payments. The following Certificate of Participation issues were entered into to replace straight leases with no option to purchase. The County has maintained its Aa rating from Moody's Investors Service on the following Certificates of Participation issues.

On July 1, 1990, the County purchased an office for the County's probation program by issuing \$455 in Certificates of Participation. As of June 30, 1994, \$345 is outstanding. The certificates mature each July through July 2000.

On August 1, 1992, the County issued Certificates of Participation in the amount of \$36,000 to construct the Juvenile Justice Complex. As of June 30, 1994, \$34,930 is outstanding on this issue. The certificates mature each August through August 2012. The certificates are rated Aa by Moody's Investors Service and A by Standard & Poor's.

On May 1, 1993 the County advance refunded the July 1, 1988, August 1, 1989, and January 1, 1990, Certificates of Participation and issued additional certificates for the purpose of refinancing and financing the acquisition, construction and improvements of certain health care facilities. The Certificates were issued in two series. The Series 1993A was issued in the amount of \$17,845 and the Series 1993B, taxable, was issued in the amount of \$2,045. As of June 30, 1994, \$19,890 is outstanding. These certificates mature each July through July 2013.

#### **SUBSEQUENT EVENTS**

On July 1, 1994, the County issued \$11,000 in Tax Anticipation Notes to meet anticipated cash-flow requirements prior to the collection of property taxes in November. The effective yield is 3.45% and the notes mature on June 30, 1995. The notes are rated MIG 1 by Moody's Investors Service.

On October 1, 1994, the County issued the remaining \$9,000 in General Obligation Bonds that were authorized for the renovation of the Central Library and reconstruction of the Midland Branch Library. The bonds were rate Aa1 by Moody's and the effective yield was 5.91%.

## INDEPENDENT AUDIT

Oregon State law requires an annual audit of the financial records and transactions of all County functions by independent certified public accountants. This requirement has been complied with and the combined financial statements have been audited and have received an "unqualified opinion" from KPMG Peat Marwick LLP, our independent accountants. See the Financial Section for the full text of our auditors' report.

### CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

The Government Finance Officers Association of the United States and Canada (GFOA) awarded the Certificate of Achievement for Excellence in Financial Reporting to Multnomah County, Oregon for its comprehensive annual financial report for the fiscal year ended June 30, 1993. The Certificate of Achievement is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government financial reports. Multnomah County has received a Certificate of Achievement award for ten consecutive years.

In order to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized comprehensive annual financial report, whose contents conform to program standards. Such reports must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe our current report continues to conform to the Certificate of Achievement program's requirements, and we are submitting it to GFOA to determine its eligibility for another certificate.

### SUMMARY

Multnomah County's financial position continues to remain strong. As of June 30, 1994, the fund balances in the Governmental Fund Types was \$71,996, an increase of 13.8% from the June 30, 1993 balances of \$62,069, \$9,067 of the fund balances at June 30, 1994 is reserved for debt retirement, \$36,287 is reserved for capital projects, \$1,206 is reserved for inventories, \$811 is reserved for foreclosed properties, and \$472 is reserved for prepaid items.

### ACKNOWLEDGMENTS

As a final note, I wish to express my appreciation to the employees in the Finance Division who maintained the records and assisted in the preparation of this report. Special thanks is extended to Jean Uzelac, Accounting Manager, who was instrumental in preparing this report. Appreciation is also extended to the Chair of the Board, Board of County Commissioners, Department Managers, Budget & Quality Office, and other County personnel for their assistance and support regarding the financial operations of the County.

Respectfully Submitted,



David A. Boyer, CCM  
Finance Director

# Certificate of Achievement for Excellence in Financial Reporting

Presented to

Multnomah County,  
Oregon

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended  
June 30, 1993

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.



President

Executive Director

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**FINANCIAL SECTION**

Suite 2000  
1211 South West Fifth Avenue  
Portland, OR 97204

Independent Auditors' Report

The Board of County Commissioners  
Multnomah County, Oregon  
Portland, Oregon:

We have audited the general purpose financial statements of Multnomah County, Oregon (the County) as of and for the year ended June 30, 1994, as listed in the accompanying table of contents. These general purpose financial statements are the responsibility of the County's management. Our responsibility is to express an opinion on these general purpose financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards (1988 Revision), issued by the Comptroller General of the United States and the Minimum Standards for Audits of Oregon Municipal Corporations. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the general purpose financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

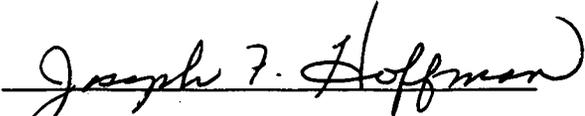
In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of Multnomah County, Oregon at June 30, 1994, and the results of its operations and cash flows of its proprietary fund types for the year then ended in conformity with generally accepted accounting principles.

Our audit was made for the purpose of forming an opinion on the general purpose financial statements taken as a whole. The combining, individual fund, and account group financial statements and schedules listed in the table of contents and the "other schedules" are presented for purposes of additional analysis and are not a required part of the general purpose financial statements of Multnomah County, Oregon. Such information has been subjected to the auditing procedures applied in the audit of the general purpose financial statements and, in our opinion, is fairly presented in all material respects in relation to the general purpose financial statements taken as a whole.

The other data included in this report, designated as the "Statistical Section" in the table of contents, has not been audited by us and, accordingly, we express no opinion on such data.

KPMG PEAT MARWICK LLP

By:



Joseph F. Hoffman, Partner

December 9, 1994



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**GENERAL PURPOSE FINANCIAL STATEMENTS**  
**("Liftable" Combined Financial Statements)**

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**MULTNOMAH COUNTY, OREGON  
COMBINED BALANCE SHEET  
ALL FUND TYPES AND ACCOUNT GROUPS  
June 30, 1994  
(amounts expressed in thousands)**

	Governmental Fund Types			
	General	Special Revenue	Debt Service	Capital Projects
<b>ASSETS AND OTHER DEBITS:</b>				
Assets:				
Cash and investments	\$ 9,165	\$ 19,211	\$ 9,055	\$ 39,617
Receivables:				
Taxes	7,886	2,069	80	
Accounts	3,831	16,687	1	
Loans		2,163		
Notes				
Interest	344	3		
Special assessments	21	48		
Contracts	8	3,305		2,757
Due from other funds		135		
Inventories	689	517		
Prepaid items	124	348		
Foreclosed properties		811		
Fixed assets (net, where applicable, of accumulated depreciation )				
Other debits:				
Amount available for retirement of long-term obligations				
Amount to be provided for retirement of long-term obligations				
Total assets and other debits	<u>\$ 22,068</u>	<u>\$ 45,297</u>	<u>\$ 9,136</u>	<u>\$ 42,374</u>
<b>LIABILITIES, EQUITY AND OTHER CREDITS:</b>				
Liabilities:				
Payrolls payable	\$ 1,977	\$ 12,356	\$	\$ 2,679
Accounts payable		726		
Due to other funds		3,792		
Assistance receipts unapplied		3,921		
Compensated absences	2,768	8,316		
Deferred revenue	6,867		69	3,408
Due to other governmental units				
Amounts held in trust				
General obligation bonds payable				
Capitalized leases				
Deferred compensation				
Total liabilities	<u>11,612</u>	<u>29,111</u>	<u>69</u>	<u>6,087</u>
Equity and other credits:				
Investment in general fixed assets				
Contributed capital				
Retained earnings (deficit):				
Unreserved, undesignated				
Fund balances:				
Reserved for capital projects				36,287
Reserved for debt service			9,067	
Reserved for employees' retirement benefits				
Reserved for inventories	689	517		
Reserved for foreclosed properties		811		
Reserved for prepaid items	124	348		
Unreserved, undesignated	9,643	14,510		
Total equity and other credits	<u>10,456</u>	<u>16,186</u>	<u>9,067</u>	<u>36,287</u>
Total liabilities, equity and other credits	<u>\$ 22,068</u>	<u>\$ 45,297</u>	<u>\$ 9,136</u>	<u>\$ 42,374</u>

The accompanying notes are an integral part of the combined financial statements.

Proprietary Fund Types		Fiduciary Fund Types	Account Groups		Totals (Memorandum only)
Enterprise	Internal Service	Trust and Agency	General Fixed Assets	General Long-term Obligations	
\$ 6,258	\$ 15,748	\$ 63,851	\$	\$	\$ 162,905
		50,456			60,491
578	112	289			21,498
41					2,163
46					41
					347
					115
					6,070
	726				861
	438				1,644
	99				571
					811
11,346	5,539		187,663		204,548
				9,067	9,067
				73,182	73,182
<u>\$ 18,269</u>	<u>\$ 22,662</u>	<u>\$ 114,596</u>	<u>\$ 187,663</u>	<u>\$ 82,249</u>	<u>\$ 544,314</u>
\$	\$	\$	\$	\$	\$
6,046	8,833	8,534			8,534
135		4,111			36,002
					861
36	404			1,870	3,792
41					8,999
		50,456			18,701
		10,820			50,456
				22,000	10,820
	501			58,379	22,000
		31,087			58,880
<u>6,258</u>	<u>9,738</u>	<u>105,008</u>		<u>82,249</u>	<u>31,087</u>
13,412	6,725		187,663		187,663
(1,401)	6,199				20,137
					4,798
					36,287
					9,067
		9,588			9,588
					1,206
					811
					472
					24,153
<u>12,011</u>	<u>12,924</u>	<u>9,588</u>	<u>187,663</u>		<u>294,182</u>
<u>\$ 18,269</u>	<u>\$ 22,662</u>	<u>\$ 114,596</u>	<u>\$ 187,663</u>	<u>\$ 82,249</u>	<u>\$ 544,314</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**ALL GOVERNMENTAL FUND TYPES**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	General	Special Revenue	Debt Service	Capital Projects	Totals (memorandum only)
<b>REVENUES:</b>					
Taxes	\$ 114,152	\$ 35,593	\$ 1,872	\$	\$ 151,617
Intergovernmental	9,804	139,205			149,009
Licenses and permits	1,404	1,187			2,591
Charges for services	6,042	5,152		86	11,280
Interest	1,419	991	1,321	412	4,143
Special assessments		14	7		21
Other	17,655	6,873	4,686	761	29,975
Total revenues	<u>150,476</u>	<u>189,015</u>	<u>7,886</u>	<u>1,259</u>	<u>348,636</u>
<b>EXPENDITURES:</b>					
Current:					
General government	34,390	10,919	47	292	45,648
Health and social services	15,257	132,115			147,372
Public safety and justice	47,236	35,702			82,938
Community services	1,449	25,450		582	27,481
Roads and bridges		28,220			28,220
Capital outlay	996	9,712		14,373	25,081
Debt service:					
Principal			1,231		1,231
Interest	373		2,868		3,241
Total expenditures	<u>99,701</u>	<u>242,118</u>	<u>4,146</u>	<u>15,247</u>	<u>361,212</u>
Excess of revenues over (under) expenditures	<u>50,775</u>	<u>(53,103)</u>	<u>3,740</u>	<u>(13,988)</u>	<u>(12,576)</u>
<b>OTHER FINANCING SOURCES (USES):</b>					
Certificates of participation proceeds				534	534
Bond sales				22,000	22,000
Operating transfers in	1,744	56,285			58,029
Operating transfers out	<u>(52,854)</u>	<u>(4,844)</u>	<u>(362)</u>		<u>(58,060)</u>
Total other financing sources (uses)	<u>(51,110)</u>	<u>51,441</u>	<u>(362)</u>	<u>22,534</u>	<u>22,503</u>
Excess of revenues and other sources over(under)expenditures and other uses	<u>(335)</u>	<u>(1,662)</u>	<u>3,378</u>	<u>8,546</u>	<u>9,927</u>
FUND BALANCES, JUNE 30, 1993	<u>10,791</u>	<u>17,848</u>	<u>5,689</u>	<u>27,741</u>	<u>62,069</u>
FUND BALANCES, JUNE 30, 1994	<u>\$ 10,456</u>	<u>\$ 16,186</u>	<u>\$ 9,067</u>	<u>\$ 36,287</u>	<u>\$ 71,996</u>

The accompanying notes are an integral part of the combined financial statements.

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**MULTNOMAH COUNTY, OREGON**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**BUDGET AND ACTUAL**  
**ALL GOVERNMENTAL FUND TYPES**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	General Fund			Special Revenue Funds		
	Budget	Actual	Variance favorable (unfavorable)	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>						
Taxes	\$ 113,138	\$ 114,152	\$ 1,014	\$ 37,186	\$ 35,593	\$ (1,593)
Intergovernmental	11,078	9,804	(1,274)	146,421	139,205	(7,216)
Licenses and permits	1,472	1,404	(68)	1,088	1,187	99
Charges for services	5,453	6,042	589	5,208	5,152	(56)
Interest	1,054	1,419	365	982	991	9
Special assessments					14	14
Other	19,773	17,655	(2,118)	9,696	6,873	(2,823)
Total revenues	<u>151,968</u>	<u>150,476</u>	<u>(1,492)</u>	<u>200,581</u>	<u>189,015</u>	<u>(11,566)</u>
<b>EXPENDITURES:</b>						
Current:						
General government	35,092	34,390	702	12,538	10,919	1,619
Health and social services	15,351	15,257	94	141,570	132,115	9,455
Public safety and justice	48,089	47,236	853	39,812	35,702	4,110
Community services	1,837	1,449	388	26,788	25,450	1,338
Roads and bridges				29,568	28,220	1,348
Capital outlay	3,221	996	2,225	18,093	9,712	8,381
Debt service:						
Principal						
Interest	518	373	145			
Contingency	371		371	836		836
Total expenditures	<u>104,479</u>	<u>99,701</u>	<u>4,778</u>	<u>269,205</u>	<u>242,118</u>	<u>27,087</u>
Excess of revenues over (under) expenditures	<u>47,489</u>	<u>50,775</u>	<u>3,286</u>	<u>(68,624)</u>	<u>(53,103)</u>	<u>15,521</u>
<b>OTHER FINANCING SOURCES (USES):</b>						
Certificates of participation proceeds						
Bond sales						
Operating transfers in	1,991	1,744	(247)	58,870	56,285	(2,585)
Operating transfers out	(55,381)	(52,854)	2,527	(5,146)	(4,844)	302
Total other financing sources (uses)	<u>(53,390)</u>	<u>(51,110)</u>	<u>2,280</u>	<u>53,724</u>	<u>51,441</u>	<u>(2,283)</u>
Excess of revenues and other sources over (under) expenditures and other uses	<u>(5,901)</u>	<u>(335)</u>	<u>5,566</u>	<u>(14,900)</u>	<u>(1,662)</u>	<u>13,238</u>
<b>FUND BALANCES, JUNE 30, 1993</b>	<u>7,951</u>	<u>10,791</u>	<u>2,840</u>	<u>14,900</u>	<u>17,848</u>	<u>2,948</u>
<b>FUND BALANCES, JUNE 30, 1994</b>	<u>\$ 2,050</u>	<u>\$ 10,456</u>	<u>\$ 8,406</u>	<u>\$</u>	<u>\$ 16,186</u>	<u>\$ 16,186</u>

The accompanying notes are an integral part of the combined financial statements.

Debt Service Funds			Capital Projects Funds			Totals (Memorandum only)		
Budget	Actual	Variance favorable (unfavorable)	Budget	Actual	Variance favorable (unfavorable)	Budget	Actual	Variance favorable (unfavorable)
\$ 1,796	\$ 1,872	\$ 76	\$	\$	\$	\$ 152,120	\$ 151,617	\$ (503)
						157,499	149,009	(8,490)
				86	86	2,560	2,591	31
873	1,321	448	28	412	384	10,661	11,280	619
	7	7				2,937	4,143	1,206
4,691	4,686	(5)	252	761	509		21	21
<u>7,360</u>	<u>7,886</u>	<u>526</u>	<u>280</u>	<u>1,259</u>	<u>979</u>	<u>360,189</u>	<u>348,636</u>	<u>(11,553)</u>
35	47	(12)	2,251	292	1,959	49,916	45,648	4,268
						156,921	147,372	9,549
						87,901	82,938	4,963
10		10	5,744	582	5,162	34,379	27,481	6,898
						29,568	28,220	1,348
			54,561	14,373	40,188	75,875	25,081	50,794
3,212	1,231	1,981				3,212	1,231	1,981
4,079	2,868	1,211				4,597	3,241	1,356
5,359		5,359	37		37	6,603		6,603
<u>12,695</u>	<u>4,146</u>	<u>8,549</u>	<u>62,593</u>	<u>15,247</u>	<u>47,346</u>	<u>448,972</u>	<u>361,212</u>	<u>87,760</u>
<u>(5,335)</u>	<u>3,740</u>	<u>9,075</u>	<u>(62,313)</u>	<u>(13,988)</u>	<u>48,325</u>	<u>(88,783)</u>	<u>(12,576)</u>	<u>76,207</u>
			461	534	73	461	534	73
			31,000	22,000	(9,000)	31,000	22,000	(9,000)
						60,861	58,029	(2,832)
(365)	(362)	3				(60,892)	(58,060)	2,832
<u>(365)</u>	<u>(362)</u>	<u>3</u>	<u>31,461</u>	<u>22,534</u>	<u>(8,927)</u>	<u>31,430</u>	<u>22,503</u>	<u>(8,927)</u>
(5,700)	3,378	9,078	(30,852)	8,546	39,398	(57,353)	9,927	67,280
5,700	5,689	(11)	30,852	27,741	(3,111)	59,403	62,069	2,666
<u>\$</u>	<u>\$ 9,067</u>	<u>\$ 9,067</u>	<u>\$</u>	<u>\$ 36,287</u>	<u>\$ 36,287</u>	<u>\$ 2,050</u>	<u>\$ 71,996</u>	<u>\$ 69,946</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINED STATEMENT OF REVENUES, EXPENSES AND CHANGES IN RETAINED EARNINGS (DEFICIT)/FUND BALANCE**  
**ALL PROPRIETARY FUND TYPES AND SIMILAR TRUST FUNDS**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	Proprietary Fund Types		Fiduciary Fund Type	Totals (Memorandum only)
	Enterprise	Internal Service	Pension Trust	
<b>OPERATING REVENUES:</b>				
Charges for sales and services	\$ 9,577	\$ 32,386		\$ 41,963
Interest			802	802
Miscellaneous			6	6
Insurance premiums		643		643
Experience ratings and refunds		40		40
Employer contributions			79	79
Total operating revenues	<u>9,577</u>	<u>33,069</u>	<u>887</u>	<u>43,533</u>
<b>OPERATING EXPENSES:</b>				
Salaries and wages	859	4,594		5,453
Employee benefits	345	1,877		2,222
Repairs and maintenance	80	1,274		1,354
Utilities	558	81		639
Equipment rental	15	86		101
Facility rental		365		365
Professional services	456	1,881	27	2,364
Communications	5	829		834
Operating supplies	76	1,714		1,790
Medical claims	6,297			6,297
Insurance claims and premiums		16,977		16,977
Administrative	593			593
Internal support	168	325		493
Depreciation	534	1,990		2,524
Benefit payments			445	445
Refunds			32	32
Other expenses	330	608		938
Total operating expenses	<u>10,316</u>	<u>32,601</u>	<u>504</u>	<u>43,421</u>
Operating income (loss)	<u>(739)</u>	<u>468</u>	<u>383</u>	<u>112</u>
<b>NONOPERATING REVENUES (EXPENSES):</b>				
Interest revenue	101	534		635
Interest expense		(45)		(45)
Loss on disposal of fixed assets		(17)		(17)
Loss on sale of equipment		(5)		(5)
Total nonoperating revenues	<u>101</u>	<u>467</u>		<u>568</u>
Net income (loss) before operating transfers	<u>(638)</u>	<u>935</u>	<u>383</u>	<u>680</u>
<b>OPERATING TRANSFERS IN</b>	<u>31</u>			<u>31</u>
Net income (loss)	<u>(607)</u>	<u>935</u>	<u>383</u>	<u>711</u>
<b>RETAINED EARNINGS/FUND BALANCE, JUNE 30, 1993</b>	<u>139</u>	<u>5,264</u>	<u>9,205</u>	<u>14,608</u>
<b>EQUITY TRANSFER OUT</b>	<u>(933)</u>			<u>(933)</u>
<b>RETAINED EARNINGS (DEFICIT)/FUND BALANCE, JUNE 30, 1994</b>	<u>\$ (1,401)</u>	<u>\$ 6,199</u>	<u>\$ 9,588</u>	<u>\$ 14,386</u>

The accompanying notes are an integral part of the combined financial statements.

**MULTNOMAH COUNTY, OREGON  
COMBINED STATEMENT OF CASH FLOWS  
ALL PROPRIETARY FUND TYPES  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)**

	<u>Enterprise</u>	<u>Internal Service</u>	<u>Totals (Memorandum only)</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>			
Operating income (loss)	\$ (739)	\$ 468	\$ (271)
Adjustments to reconcile operating income (loss) to cash and cash equivalents provided by operating activities:			
Depreciation	534	1,990	2,524
Changes in assets and liabilities:			
Increase in accounts receivable	(414)	(31)	(445)
Decrease in notes receivable	17		17
Decrease in due from other funds		1,019	1,019
Decrease in special assessments receivable	11		11
Increase in inventories		(38)	(38)
(Increase) decrease in prepaid items	3	(38)	(35)
Increase in accounts payable	5,671	1,173	6,844
Increase in due to other funds	135		135
Decrease in deferred revenue	(72)		(72)
Increase (decrease) in compensated absences	(45)	100	55
Net cash provided by operating activities	<u>5,101</u>	<u>4,643</u>	<u>9,744</u>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:</b>			
Operating transfers in	31		31
Equity transfer out	(933)		(933)
Net cash used by noncapital financing activities	<u>(902)</u>		<u>(902)</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>			
Acquisition of fixed assets	(247)	(1,834)	(2,081)
Principal paid on capitalized leases		(316)	(316)
Interest paid on capitalized leases		(45)	(45)
Capital contributed by customers and others	116		116
Net cash used by capital and related financing activities	<u>(131)</u>	<u>(2,195)</u>	<u>(2,326)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>			
Interest on investments	101	534	635
Net cash provided by investing activities	<u>101</u>	<u>534</u>	<u>635</u>
Net increase in cash and cash equivalents	4,169	2,982	7,151
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1993</b>	<b>2,089</b>	<b>12,766</b>	<b>14,855</b>
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1994</b>	<b><u>\$ 6,258</u></b>	<b><u>\$ 15,748</u></b>	<b><u>\$ 22,006</u></b>
<b>NONCASH INVESTING, CAPITAL AND FINANCING ACTIVITIES:</b>			
Disposal of fixed assets, net book value	<u>\$ (56)</u>	<u>\$ (30)</u>	<u>\$ (86)</u>
Transfer of equipment, net book value, to Metro	<u>\$ (59)</u>	<u>\$</u>	<u>\$ (59)</u>
Transfer of fixed assets from General Fixed Assets Account Group, net book value	<u>\$</u>	<u>\$ 99</u>	<u>\$ 99</u>

The accompanying notes are an integral part of the combined financial statements.

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**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**  
**JUNE 30, 1994**  
**(amounts expressed in thousands)**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:**

The financial statements of Multnomah County have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The following is a summary of significant accounting policies used by the County in the preparation of the accompanying financial statements:

**Basis of Accounting**

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus.

The governmental and agency fund types are accounted for and presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available. "Measurable" means the amount of the transaction can be determined, and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when related fund liabilities are incurred.

Significant revenues which are measurable and available under the modified accrual basis of accounting are as follows:

- Property taxes collected within sixty days of year end.
- Federal and state financial assistance (to the extent that related expenditures which are eligible for reimbursement have been incurred).
- Intergovernmental revenues.
- Motor vehicle rental taxes.
- Current special assessments receivable.

The measurement focus for all governmental fund types is on current financial resources. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets.

The proprietary fund types and the pension trust fund are accounted for and presented on the accrual basis of accounting. Under the accrual basis of accounting, revenues are recorded at the time they are earned and expenses are recorded at the time liabilities are incurred. The measurement focus of the proprietary funds and the pension trust fund is on a flow of economic resources. With this measurement focus, all assets and all liabilities associated with the operation of these funds are included on the balance sheet. Fund equity (i.e., net total assets) is segregated into contributed capital and retained earnings components. Proprietary fund-type operating statements present increases (e.g., revenues) and decreases (e.g., expenses) in net total assets.

The County's agency funds are purely custodial (assets equal liabilities) and do not involve the measurement of operations. These funds are used to account for assets that the County holds for others in an agency capacity.

**Governmental Reporting Entity**

Based on Governmental Accounting Standards Board Statement No. 14, the financial statements of the reporting entity include those of the County (primary government) and its component units. Based upon

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued):**

criteria set forth in GASB No. 14, the component units are included in the reporting entity because of the significance of their operational or financial relationships with the County.

The County believes the financial data of all component units included in the financial reporting entity meet the criteria for blended presentation due to the fact that the Multnomah County Board of Commissioners is the governing body of each of the component units.

Brief descriptions of blended component units are as follows:

Dunthorpe-Riverdale Service District No.1 was organized in 1964 under the provisions of ORS 451. The District's purpose was to finance the construction and operation of sanitary sewer systems in the southwest areas of the County, bordering the Willamette River, and a small portion of northern Clackamas County. Principal funding source is charges for sanitary services provided.

Mid County Service District No. 14 was organized in 1968 as Tulip Acres Lighting District under the provisions of ORS Chapter 451. The District now provides street lighting to the unincorporated urban areas of Multnomah County and the cities of Maywood Park, Troutdale, and Fairview. The principal funding source is charges for lighting services provided.

Complete financial statements for each of the individual components may be obtained at the following address:

Multnomah County  
Finance Division  
PO Box 14700  
Portland, OR 97214-0700

There are many other governmental agencies, including certain school districts and various special service districts, which provide services within Multnomah County. These agencies have independently elected governing boards and are fiscally independent of the County. Therefore, financial information for these agencies is not included in the accompanying general purpose financial statements.

**Cash and Investments**

General County investments, included in cash and investments in the combined balance sheet, are carried at amortized cost except for investments in the deferred compensation agency fund, and Library Retirement Pension Trust Fund, which are reported at market value. The composition of the County's investments is controlled by the County's investment policy which is adopted by the County Commissioners.

For purposes of the statement of cash flows for the proprietary fund types, cash and cash equivalents include all assets in the cash and investment pool. The cash and investment pool has the general characteristic of a demand deposit account for the Enterprise and Internal Service Funds in that these funds may deposit additional cash at any time and also effectively may withdraw cash at any time without prior notice or penalty. In general, interest earned from pooled investments is allocated to each fund based on the average earnings rate and daily cash balance of each fund.

**Receivables**

Uncollected property taxes receivable for the governmental fund types which are collected within sixty days following year-end are considered measurable and available and are recognized as revenues in the funds. All other uncollected property taxes receivable for the governmental fund types are offset by deferred

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued):**

revenues and, accordingly, have not been recorded as revenue. Property taxes receivable in the Agency Funds are recorded as assets and liabilities.

Assessments receivable which are collected within sixty days following year-end in the Assessment District Operating Fund, a Special Revenue Fund, are recognized as revenues. Assessments receivable not considered measurable and available are offset by deferred revenues and, accordingly, have not been recorded as revenue.

Receivables for federal and state financial assistance are recorded as revenue in all funds as earned.

Receivables of the Enterprise Funds are recorded as revenue when earned, including charges for services rendered but not billed, net of any required allowance for doubtful accounts.

**Inventories**

Inventories of materials and supplies in the General Fund and Special Revenue (Road and Federal and State Program) Funds are valued at average cost and are offset by a reservation of fund balance. Expenditures are recorded as inventories are used.

Internal Service Fund inventories are valued at the lower of average cost or market and are expensed when used.

**Prepaid Items**

Payments made to vendors for items or services that will benefit periods beyond June 30 are recorded as prepaid items. The fund balances in the governmental fund types have been reserved for amounts equal to the prepaid expenditures.

Insurance premiums paid for insurance coverage beyond June 30 and prepayments made to vendors are recorded as prepaid items in the Internal Service (Insurance) Fund.

**Foreclosed Properties**

Foreclosed property is recorded at the value of the assessments for which it was foreclosed, or fair market value as indicated by the County's Assessment and Taxation Division at the date of foreclosure, whichever is less and is offset by a reservation of fund balance. Any interest on foreclosed taxes, that may be collected upon the ultimate disposal of the foreclosed property, is recognized at the time of sale or as received, whichever is later.

**Fixed Assets**

General fixed assets are stated at cost or estimated historical cost. Fixed assets valued at estimated historical cost are minor. Donated fixed assets are recorded at the estimated fair market value at the date of donation. Fixed assets are charged to expenditures in the governmental fund types as purchased and capitalized in the General Fixed Assets Account Group. Minor expenditures below established limits, most routine remodeling costs and infrastructure assets such as road, curb, gutter, sidewalk, drainage and lighting systems are not capitalized. Upon disposal of fixed assets, the cost or estimated cost is removed from the General Fixed Assets Account Group and any proceeds are recorded as other financing sources in the appropriate fund. Depreciation is not computed on fixed assets in the General Fixed Assets Account Group.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued):**

Fixed assets of the Enterprise and Internal Service Funds are stated at cost, net of accumulated depreciation, computed using the straight-line method over the estimated useful lives as follows:

- Motor vehicles - 3 years
- Equipment - 3 to 10 years
- Sewer systems - 40 to 50 years
- Building and improvements - 50 years
- Street lighting - 10 to 30 years

Six months depreciation is taken in the year the assets are acquired or retired. Normal maintenance and repairs are charged to operations as incurred. Outlays for major additions, improvements and replacements are capitalized. Transfers of fixed assets from the General Fixed Assets Account Group are recorded at the net book value calculated as if depreciation had been recognized on the asset since acquisition. Gains or losses from sales or retirements are included as non-operating revenues or expenses.

**Long-term Obligations**

Long-term obligations, including capital lease obligations, general obligation bonds, and vacation pay liabilities, are accounted for in the General Long-term Obligations Account Group. Long-term obligations of proprietary fund types are accounted for in the respective funds.

For governmental fund types, bond premiums and discounts, as well as issuance costs, are recognized during the current period. Bond proceeds are reported as other financing sources net of the applicable premium or discount. Issuance costs, whether or not withheld from the actual net proceeds received, are reported as debt service expenditures.

**Self Insurance**

The County is partially self-insured for employee medical, dental and vision benefits, workers' compensation, property, tort and general liability claims. The County purchases stop loss insurance protection for medical claims, per individual, that exceed \$100. Tort and general liability claims are limited to \$500 per occurrence by State statute. The County has excess coverage insurance policies that cover individual claims in excess of \$50 for other perils and \$250 for flood, extra expense and \$100 for earthquakes. The County also has an excess coverage insurance policy for individual workers' compensation claims over \$500. The County currently provides for estimated losses to be incurred from pending claims and for incurred but not reported (IBNR) claims for medical, dental, vision, tort and general liability and workers' compensation claims, based on actuarial valuations. IBNR claims are claims that are incurred through the end of the fiscal year but not reported until after that date.

The operations and activities of the self insurance program are accounted for in the Insurance Fund, an Internal Service Fund. Premiums are charged to various County funds based on periodically adjusted rates.

**Contributed Capital**

The following transactions are recorded as contributed capital in the proprietary fund types:

- Receipts from federal and state financial assistance restricted to acquiring fixed assets.
- Fixed assets contributed from other funds or the General Fixed Assets Account Group.
- Contributions from customers for the acquisition of fixed assets.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued):**

**Assistance Receipts Unapplied**

Amounts received for grant programs in excess of expenditures are shown as assistance receipts unapplied in the combined balance sheet.

**Fund Balances Reserved**

Portions of the fund balance of the General Fund, which represent inventory and prepaid items, have been segregated from unreserved fund balance to indicate these amounts are not available spendable resources.

Portions of the fund balances of the Special Revenue Funds, which represent inventory, foreclosed properties, and prepaid items, have been segregated from unreserved fund balance to indicate that these amounts are not available spendable resources.

The fund balances of the Debt Service Funds have been segregated from unreserved fund balance for amounts legally required to be set aside to pay debt service on general obligation bonds or capital leases in accordance with the lease purchase agreements and for additional debt service amounts as designated by County management.

The fund balance of the Capital Projects Fund, which primarily represents mortgages receivable and lease purchase proceeds, has been segregated from unreserved fund balance to indicate that these amounts do not represent available spendable resources.

The fund balance of the Pension Trust Fund is reserved for employees' retirement benefits and administrative costs.

**Compensated Absences**

Vacation pay expected to be liquidated with expendable available resources is reported as expenditures and fund liabilities in the governmental fund types when earned. Other vacation pay for governmental fund types which has been earned but is not expected to be liquidated with expendable available resources is recorded in the General Long-Term Debt Account Group. The amount of accumulated vacation pay is considered normal. Vacation pay is recorded as an expense in the proprietary fund types when earned. Sick pay is charged when leave is taken because it does not vest when earned.

**Totals (Memorandum only) Columns**

The "Totals (Memorandum only)" columns on the combined financial statements represent an aggregate of the columnar statements by fund type and account group and are presented only to facilitate financial analysis. Amounts in these columns do not present financial position, results of operations, or cash flows in conformity with generally accepted accounting principles. Such amounts do not represent consolidated financial information as interfund eliminations have not been made in the aggregation of this data.

**Budgets**

In accordance with Oregon Revised Statutes, the County budgets all funds except Trust and Agency Funds. The Board of County Commissioners adopts a Board Order authorizing appropriations for each fund and establishes the level by which expenditures cannot legally exceed appropriations. Total personal services, materials and services, capital outlay and other expenditures by department are the levels of control for each fund established by the Board Order. The detail budget document, however, is required to contain more specific, detailed information for the above mentioned expenditure categories. Appropriations lapse at the end of each fiscal year.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued):**

Unexpected additional resources may be appropriated through the use of a supplemental budget and Board of County Commissioners' action. The original and supplemental budgets require budget hearings before the public, publications in newspapers and approval by the Board of County Commissioners. Original and supplemental budgets may be modified during the fiscal year by the use of appropriation transfers between the legal categories. Such transfers require approval by the Board of County Commissioners. The County made numerous appropriation transfers between categories during fiscal year 1994. During the fiscal year two supplemental budgets were adopted.

The County budgets all fund types, except Fiduciary Fund Types, on the modified accrual basis of accounting.

**NOTE 2. ORGANIZATION AND OPERATIONS:**

Multnomah County, Oregon is governed under its home rule charter, effective January 1, 1967 and subsequent amendments, adopted under Article VI, Section 10 of the Oregon State Constitution. Its boundaries are established by ORS 201.260. The County is governed by a nonpartisan, independently elected Chair of the Board, and by the Board of County Commissioners consisting of four nonpartisan independent members elected from districts within the County.

The County's financial operations are accounted for in the following funds:

**Governmental Fund Types:**

**General Fund:** The General Fund accounts for the financial operations of the County which are not accounted for in any other funds. The principal sources of revenues for this fund are property taxes, business income taxes, federal and state shared revenue and billings for interfund services.

**Special Revenue Funds:** The Special Revenue Funds account for revenue derived from specific taxes or other earmarked revenue sources, including federal and state financial assistance awards, which are legally restricted to finance particular functions or activities. When a Special Revenue Fund is not an operating fund, transfers are made from the Special Revenue Fund to the operating funds authorized to make expenditures. Funds included in this fund category are:

- Road Fund
- Emergency Communications Fund
- Assessment and Taxation Fund
- Bicycle Path Construction Fund
- Federal and State Program Fund
- County School Fund
- Corner Preservation Fund
- Tax Title Land Sales Fund
- Animal Control Fund
- Willamette River Bridges Fund
- Serial Levy Fund
- Library Fund
- Justice Services Special Operations Fund
- County Fair Fund
- Inmate Welfare Fund
- Convention Center Fund
- Assessment District Operating Fund
- Natural Areas Acquisition and Protection Fund
- Jail Levy Fund

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 2. ORGANIZATION AND OPERATIONS (Continued):**

**Debt Service Funds:** The Debt Service Funds account for the retirement of general obligation bonds from the collection of property taxes and for the retirement of Certificates of Participation (capital leases) and other lease purchase arrangements. The unmatured outstanding general obligation bonds, Certificates of Participation and other outstanding lease purchases are accounted for in the General Long-term Obligations Account Group. Funds included are:

- Assessment District Bond Sinking Fund (closed out during fiscal year)
- Capital Lease Retirement Fund
- Library Bond Sinking Fund

**Capital Projects Funds:** The Capital Projects Funds account for expenditures on major construction projects. The principal sources of revenues are proceeds from certificates of participation issued to finance capital acquisitions, proceeds from the sale of County owned property, and library general obligation bond proceeds. Funds included are:

- Lease/Purchase Project Fund
- Capital Improvement Fund
- Library Construction Fund

**Proprietary Fund Types:**

**Enterprise Funds:** The Enterprise Funds account for the operations of predominantly self-supporting activities which render services to the public on a user charge basis. Funds included are:

- Dunthorpe-Riverdale Service District No. 1 Fund (blended component unit of Multnomah County)
- Mid County Service District No. 14 Fund (blended component unit of Multnomah County)
- Recreation Fund
- Library Enterprise Fund
- CareOregon Fund

**Internal Service Funds:** The Internal Service Funds account for activities and services performed primarily for other organizational units within the County. Funds included are:

- Insurance Fund
- Fleet Management Fund
- Telephone Fund
- Data Processing Fund
- Mail/Distribution Fund

**Fiduciary Fund Types:**

**Trust and Agency Funds:** The Trust and Agency Funds account for resources received and held by the County in a fiduciary capacity. Disbursements from these funds are made in accordance with the trust agreement or applicable legislative enactment for each particular fund. Funds included are:

- Sundry Taxing Bodies Fund
- Clearing Fund
- Department and Offices Agency Fund
- Deferred Compensation Fund
- Public Guardian Fund
- Library Retirement Fund (Pension Trust Fund)

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 2. ORGANIZATION AND OPERATIONS (Continued):**

**Account Groups:**

**General Fixed Assets Account Group:** The General Fixed Assets Account Group accounts for the County's investment in fixed assets with the exception of those assets held by the proprietary fund types. Expenditures for the acquisition of general fixed assets are recorded in the various governmental fund types; the costs of such assets are capitalized in this account group. As fixed assets are disposed, the original cost or estimated original cost is removed from this account group; any receipt from sale of general fixed assets is accounted for as other financing sources in the appropriate fund depending on the original funding source.

**General Long-term Obligations Account Group:** The General Long-term Obligations Account Group accounts for long-term obligations of the County resulting from, capitalized lease transactions, Certificates of Participation lease transactions, vacation pay liabilities, general obligation bonds, and other long-term obligations, which will be financed from resources of the governmental fund types.

**NOTE 3. DEPOSITS AND INVESTMENTS:**

Multnomah County pools virtually all funds for investment purposes. Each fund type's portion of this pool is displayed on the combined balance sheet as "Cash and Investments." Total deposits and investments is \$162,905.

**Deposits with Financial Institutions:** At year-end, the carrying amount of the County's deposits was \$14,978 and the bank balance was \$14,909. Of the bank balance, \$14,881 was covered by federal depository insurance or by collateral held by one or more of the State's authorized collateral pool managers in the name of the County as the County's agent. The balance of \$28 was uninsured and uncollateralized. State law requires collateral be deposited with a value of 25% of the balances over federal depository insurance, but in some instances, the State Banking Commission can require banks to provide more than 25% of the balances of municipal corporations' deposits as collateral. The County cannot, however, determine which, if any, institutions have been required to meet a collateral requirement larger than 25%. The County independently monitors its depository institutions for indications that could potentially cause loss of County funds. At all times during the year ended, and at June 30, 1994, the County was fully collateralized under State requirements.

**Investments:** Oregon Revised Statutes, Chapter 294, authorizes the County to invest in obligations of the U.S. Treasury, U.S. Government agencies and instrumentalities, bankers' acceptances guaranteed by an Oregon financial institution, commercial paper, repurchase agreements, State of Oregon Local Government Investment Pool and various interest bearing bonds of Oregon municipalities. County policy requires that the market value of the securities collateralizing repurchase agreements cover at least the carrying amount.

The market value of the securities underlying repurchase agreements did not fall significantly below the required level during the year. State statutes and County policy permit the County to enter into reverse repurchase agreements which are sales of securities with a simultaneous agreement to repurchase them in the future at the same price plus a contracted rate of interest. The market value of the securities underlying reverse repurchase agreements normally exceeds the cash received, providing the dealers a margin against a decline in market value of the securities. If the dealers default on their obligations to resell these securities, the County would suffer an economic loss equal to the difference between the market value plus accrued interest of the underlying securities and the agreement obligation, including accrued interest. The County did not enter into any reverse repurchase agreements during the fiscal year and did not hold any reverse repurchase agreements at June 30, 1994. In addition, the County's investments are governed by

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 3. DEPOSITS AND INVESTMENTS (Continued):**

a written Investment Policy. The Policy, which is reviewed by the Oregon Short Term Fund Board and a County Investment Advisory Board, and adopted annually by the Board of County Commissioners, specifies the County's investment objectives, required diversification, certain limitations and reporting requirements.

The County's cash deposits and investments are categorized below to give an indication of the level of risk assumed by the County at June 30, 1994. Category 1 includes investments that are insured, collateralized or registered or for which the securities are held by the County or its agent in the County's name. Category 2 includes uninsured and unregistered investments for which the securities are held by the banker's trust department in the County's name. Category 3 includes uninsured and unregistered investments for which the securities are held by counterparties, or by their trust department or agent but not in the County's name. The County had no investments in Category 2 or 3 at June 30, 1994. The level of risk indicated below at June 30, 1994, is generally reflective of the risk assumed by the County during the year.

	<u>Category</u>	Carrying	Market
	1	Value	Value
U.S. Government securities	\$ 27,396	\$ 27,396	\$ 27,087
U.S. Government agency securities	32,539	32,539	32,145
Repurchase Agreements	20,500	20,500	20,500
Commercial Paper	<u>26,656</u>	<u>26,656</u>	<u>26,641</u>
	<u>\$107,091</u>	107,091	106,373
Local Government Investment Pool		1,263	1,263
Deferred compensation - Mutual Funds		29,985	29,985
Pension Trust Investments		9,588	9,588
Cash deposits		<u>14,978</u>	<u>14,978</u>
Total Cash and Investments		<u>\$162,905</u>	<u>\$162,187</u>

**NOTE 4. INTERFUND TRANSACTIONS:**

The following amounts due to and due from other funds recorded on the Combined Balance Sheet are temporary advances:

<u>Due from:</u>	<u>Due to:</u>	<u>Amount</u>
Special Revenue Fund: Federal and State Program	Internal Service Fund: Insurance	\$ 726
Enterprise Fund: CareOregon	Special Revenue Fund: Federal and State Program	<u>135</u>
		<u>\$ 861</u>

All other interfund transfers are reported as operating transfers.

**MULTNOMAH COUNTY, OREGON  
NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 4. INTERFUND TRANSACTIONS (Continued):**

The following schedule reconciles operating transfers in and out on the Combined Statement of Revenues, Expenditures and Changes in Fund Balances - All Governmental Fund Types:

Operating transfers in	\$58,029
Plus: Operating transfers in as recorded in the Combined Statement of Revenues, Expenses, and Changes in Retained Earnings (Deficit)/Fund Balance - All Proprietary Fund Types and Similar Trust Funds	_____
Recreation Fund	_____ 31
Operating transfers out	\$ <u>58,060</u>

**NOTE 5. PROPERTY TAXES:**

The County reviews, bills, collects and distributes property taxes for all taxing jurisdictions within its boundaries in accordance with State law. Property taxes collected by the County are distributed to the other taxing districts on a monthly basis except for the period November 1 through November 30, when the distribution is made weekly. Uncollected taxes, including delinquent amounts, are deemed to be substantially collectible or recoverable through foreclosure. Accordingly, no allowance for doubtful tax accounts is deemed necessary. Property taxes are levied and become a lien on July 1. Property taxes are assessed in October and tax payments are due November 15th of the same year. Under the partial payment schedule, the first third of taxes are due November 15, the second one-third on February 15 and the remaining one-third on May 15. A three-percent discount is allowed if full payment is made by November 15 and a two-percent discount is allowed if two-thirds payment is made by November 15. Taxes become delinquent if not paid by the due date and interest accrues after each trimester at a rate of one percent per month. Property foreclosure proceedings are initiated four years after the tax due date. Property taxes are recorded on the date levied.

The Oregon Constitution limits property taxes for local governments. Local governments must share no more than one percent of the value of real property as current year property taxes. The maximum rate for all local governments is \$10 per thousand. This limit applies to the local government tax base as well as special levies. Property taxes to support voter approved debt service are exempt from the limitation.

Educational districts do not fall within the definition of local governments.

**NOTE 6. ASSESSMENTS RECEIVABLE:**

Assessments receivable represent uncollected amounts levied against benefitted property for the cost of street, lighting and sewer improvements. An allowance for uncollectible amounts is not deemed necessary as substantially all amounts, including delinquent assessments, should be recoverable through liens. Substantially all assessments are payable over a period of ten years or less. Assessments bear interest at 6% to 10%.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 7. CONTRACTS RECEIVABLE:**

The following is a summary of contracts receivable as of June 30, 1994:

	<u>Total</u>	<u>Due within one year</u>
General Fund:		
Contracts from sale of surplus County property, payable in monthly or annual installments plus 6% to 10% interest	\$ <u>8</u>	\$ <u>2</u>
Special Revenue Funds:		
Road Fund - Contracts covering sale of excess right-of-way property, payable in monthly installments plus 10% to 12% interest	130	19
Tax Title Land Sales Fund - Contracts from sale of foreclosed property payable at 6% to 12% interest generally over terms up to twenty years, net of City of Portland equity therein	2,371	425
Natural Areas Acquisition and Protection Fund Contract from the sale of property. Due in periodic installments through fiscal year 1994-95.	<u>804</u>	<u>804</u>
<b>Total Special Revenue Funds</b>	<u>3,305</u>	<u>1,248</u>
Capital Projects Funds:		
Capital Improvement Fund Contract from the sale of property. Due in periodic installments through fiscal year 1994-95.	<u>2,757</u>	<u>2,757</u>
<b>Total</b>	<u>\$ 6,070</u>	<u>\$ 4,007</u>

**NOTE 8. FIXED ASSETS:**

The changes in the General Fixed Assets Account Group for the fiscal year ended June 30, 1994, and fixed assets by major classes for the General Fixed Assets Account Group and Proprietary Funds are as follows:

	<u>Land and Improvements</u>	<u>Buildings and Improvements</u>	<u>Bridges</u>	<u>Work in Progress</u>	<u>Equipment</u>	<u>Total</u>
General Fixed Assets:						
Balance, June 30, 1993	\$6,844	\$106,701	\$32,132	\$ 7,166	\$18,559	\$171,402
Additions	130	821	865	13,620	1,889	17,325
Retirements & Transfers	<u>(468)</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>(596)</u>	<u>(1,064)</u>
Balance, June 30, 1994	<u>\$6,506</u>	<u>\$107,522</u>	<u>\$32,997</u>	<u>\$20,786</u>	<u>\$19,852</u>	<u>\$187,663</u>

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 8. FIXED ASSETS (Continued):**

	<u>Land and Improvements</u>	<u>Buildings and Improvements</u>	<u>Parksites</u>	<u>Equipment</u>	<u>Total</u>
Proprietary Funds:					
Enterprise Funds	\$ 341	\$ 8,068	\$4,949	\$ 70	\$13,428
Accumulated Depreciation	_____	(2,071)	_____	(11)	(2,082)
Total Enterprise, June 30, 1994	<u>\$ 341</u>	<u>\$ 5,997</u>	<u>\$4,949</u>	<u>\$ 59</u>	<u>\$11,346</u>
Internal Service Funds	\$ 19	\$ 63		\$ 18,074	\$18,156
Accumulated Depreciation	_____	(42)		(12,575)	(12,617)
Total Internal Service, June 30, 1994	<u>\$ 19</u>	<u>\$ 21</u>		<u>\$ 5,499</u>	<u>\$ 5,539</u>

**NOTE 9. DEFICIT FUND BALANCE AND BUDGETARY OVEREXPENDITURES:**

Dunthorpe-Riverdale Service District No. 1 and Recreation, Enterprise Funds, have negative retained earnings of \$619 and \$705 respectively. Data Processing, an Internal Service Fund, has negative retained earnings of \$863. All three funds have positive total fund equity due to contributed capital.

CareOregon has negative retained earnings and a fund deficit of \$527 and \$506, respectively. The fund incurred higher than anticipated health claim expenses in the first six months of operation, and the County plans to increase insurance rates to cover the expenses.

The following funds had overexpenditures in the indicated budgetary categories:

	<u>Amount</u>
General Fund:	
Social Services - Personal Services	\$98
Community Corrections - Materials and Services	2
Special Revenue Funds:	
Federal and State Program - District Attorney - Materials and Services	28
Justice Services Special Operations - Community Corrections - Personal Services	15
County Fair - Environmental Services - Personal Services	4
Inmate Welfare - Sheriff - Personal Services	2
Inmate Welfare - Sheriff - Materials and Services	20
Jail Levy - Health Services - Materials and Services	14
Debt Service Funds:	
Capital Lease Retirement - Nondepartmental - Materials and Services (1)	12
Internal Service Fund:	
Data Processing - Environmental Services - Personal Services	54
Data Processing - Environmental Services - Debt Service Interest (1)	6

(1) Do not represent budget violations. According to Oregon Budget Law, Debt Service expenditures and Materials and Services are combined in the adopted budget.

**NOTE 10. TAX ANTICIPATION NOTES (TANS):**

The County issued \$11,500 in TANS on July 1, 1993 with a maturity date of June 30, 1994. The yield was 2.7%. The TANS were issued to provide for seasonal cash flow needs of the General Fund. The TANS are issued pursuant to Oregon Revised Statutes, and approved by the Board of County Commissioners, which authorize the County to borrow sufficient funds to meet current expenditures pending the collection of property taxes and other unpledged revenues. The TANS were rated MIG1 by Moody's Investors Service.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 11. LONG-TERM OBLIGATIONS:**

During the fiscal year, the County issued \$22,000 in General Obligation Bonds for rehabilitation and improvements to the Central Library and Midland Library facilities. The general obligation bonds are direct obligations and pledge the full faith and credit of Multnomah County. Following are the bond transactions during the year:

General Obligation Bonds:

Fiscal Year Of Maturity	Principal Outstanding June 30, 1993	Issued	Retired	Principal Outstanding June 30, 1994
2014	\$	\$22,000	\$	\$22,000

The County has entered into various lease/purchase agreements to acquire property and equipment. The lease obligations of the General Fixed Assets Account Group are recorded as liabilities in the General Long-term Obligations Account Group. All other lease obligations are related to the Data Processing Fund, an Internal Service Fund, and are recorded as capitalized lease obligations. These leases have been capitalized in accordance with generally accepted accounting principles.

The General Long-term Obligations Account Group activity for the year ended June 30, 1994 is as follows:

	Principal			
	Outstanding June 30, 1993	Incurred	Retired	Outstanding June 30, 1994
Agreement with the City of Portland dated January 22, 1981 payable through 2008. Interest rates from 6.00% to 7.25%	\$ 2,743	\$	\$ 96	\$ 2,647
Certificates of Participation 1990C dated July 1, 1990. Payable through 2001. Interest rates from 6% to 6.80%	385		40	345
Certificates of Participation 1992A dated August 1, 1992. Payable through 2013. Interest rates from 2.90% to 5.90%	36,000		1,070	34,930
Certificates of Participation 1993 A&B dated May 1, 1993. Payable through 2014. Interest rates from 2.75% to 7.50%	19,890			19,890
Lease/Purchase dated September 4, 1990. Payable through 1996. Interest rate at 10.50%	56		23	33
Lease/Purchase dated February 1, 1994. Payable through 1999. Interest rate at 4.50% to 4.75%		534		534
Total capital lease obligations	59,074	534	1,229	58,379

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 11. LONG-TERM OBLIGATIONS (Continued):**

	Principal			Outstanding June 30, 1994
	Outstanding June 30, 1993	Incurred	Retired	
General Obligation Bonds. Payable through 2014. Interest rates from 3.25% to 5.25%.		22,000		22,000
Accrued vacation liability (compensated absences)	_____	1,870	_____	1,870
Total General Long-term obligations	<u>\$59,076</u>	<u>\$24,404</u>	<u>\$ 1,231</u>	<u>\$82,249</u>

**Compensated Absences**

During the fiscal year, the County implemented GASB Statement No. 16, Accounting for Compensated Absences. This includes vacation pay and the additional accrual for salary-related payments.

Data Processing Fund capitalized lease obligation activity for the year ended June 30, 1994 is as follows:

	Principal			Outstanding June 30, 1994
	Outstanding June 30, 1993	Incurred	Retired	
Lease/Purchase dated May 15, 1990. Payable through 1995. Interest at 7.57%	\$ 74	\$	\$ 36	\$ 38
Lease/Purchase dated August 1, 1989. Payable through 1995. Interest at 7.73%	49		44	5
Lease/Purchase dated November 19, 1990. Payable through 1996. Interest at 6.75%	258		80	178
Lease/Purchase dated December 15, 1988. Payable through 1994. Interest at 6.5%	26		26	
Lease/Purchase dated December 14, 1992. Payable through 1996. Interest at 6.75%	261		103	158
Lease/Purchase dated June 15, 1993. Payable through 1998. Interest at 5.35%	149		27	122
Total capitalized lease obligations (Internal Service Fund)	<u>\$ 817</u>		<u>\$316</u>	<u>\$501</u>

**Defeased Certificates of Participation**

In prior years, the County defeased certain Certificate of Participation issues by placing the proceeds of the new certificates in irrevocable trusts to provide for all future debt service on the old certificates. Accordingly, the trust account assets and liability for the defeased certificates are not included in the County's financial statements. At June 30, 1994, the amount outstanding of these certificates outstanding totalled \$11,086.

**Conduit Financing**

The County has issued Educational Facilities Revenue Bonds of \$20,765 which have not been recorded in the County's financial statements. The proceeds of these bonds were assigned to the University of Portland to finance capital improvements to the University.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 11. LONG-TERM OBLIGATIONS (Continued):**

The responsibilities of the County in this Bond transaction were limited to adopting the resolution authorizing the issuance of the Bonds, executing the Bonds and the Bond documents to which it is a party, issuing and delivering the Bonds, assigning certain of its rights to the Trustee as provided in the Indenture, and directing the Trustee as to the application of moneys received from the University to pay the Bonds in accordance with the Indenture. The County has no obligation to take any other action relating to the Bonds.

Since the County does not own any of the assets constructed or assume any liabilities associated with repayment, there is no balance sheet disclosure or recognition of revenues and expenditures within the County's financial statements.

The following is a schedule of future minimum lease payments under capital leases (excluding executory costs), together with the present value of total minimum lease payments at June 30, 1994:

Fiscal Year Ending June 30,	General Long-Term Obligation Leases	Internal Service Fund Leases	Total Lease Obligations
1995	\$6,712	\$292	\$7,004
1996	5,244	179	5,423
1997	5,231	34	5,265
1998	5,199	35	5,234
1999	5,191		5,191
Thereafter through 2014	<u>65,325</u>	—	<u>65,325</u>
Total minimum lease payments	92,902	540	93,442
Less interest amount	<u>(34,523)</u>	<u>(39)</u>	<u>(34,562)</u>
Present value of minimum lease payments	<u>\$ 58,379</u>	<u>\$ 501</u>	<u>\$ 58,880</u>

The assets under capitalized leases recorded in the General Fixed Assets Account Group and the Internal Service Fund were capitalized at original costs of \$24,531 and \$1,399, respectively.

In addition to the above payments, the County is liable for 10.98% of substantially all operating costs of the Portland Building held under capital lease in the General Fixed Assets Account Group. The amount paid for fiscal year 1994 was \$262.

The County also leases various property and equipment under operating leases. Total minimum lease payments (excluding executory costs) required under such operating leases are as follows:

<u>Fiscal Year Ending June 30,</u>	
1995	\$1,750
1996	1,210
1997	1,148
1998	805
1999	447
Thereafter	<u>1,157</u>
	<u>\$6,517</u>

Operating lease payments (excluding executory costs) during the year ended June 30, 1994 aggregated \$1,104.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 12. TRANSFER OF OPERATIONS:**

Pursuant to a mutual agreement with the County and the Metropolitan Service District (Metro - a government independent from Multnomah County), the authority to manage and operate the County's parks program, Glendoveer Golf Course, pioneer cemeteries, and the Exposition Center was transferred to Metro effective January 1, 1994. Phase I of this agreement provided for the transfer of all affected personnel as well as certain assets and all liabilities as of January 1, 1994. The amounts transferred are as follows:

<b>ASSETS:</b>	
Cash	\$ 1,154
Accounts Receivable	55
Equipment (net of accumulated depreciation)	<u>59</u>
Total assets	<u>\$ 1,268</u>
<b>LIABILITIES AND FUND EQUITY:</b>	
Liabilities:	
Compensated Absences	\$ 36
Accounts Payable	244
Deferred Revenue	<u>55</u>
	<u>335</u>
Fund Equity:	
Total liabilities and fund equity	<u>\$ 1,268</u>

This agreement provides that the title to the land, buildings, and recreational facilities remain with Multnomah County until Phase II of the agreement takes effect by January 1, 1996. These assets remain recorded in the Recreation Fund at June 30, 1994.

**NOTE 13. FUND EQUITY AND CONTRIBUTED CAPITAL:**

Contributed capital is recorded in proprietary funds that have received capital grants or contributions from developers, customers or other funds. Reserves represent those portions of fund equity not available for expenditures or legally segregated for a specific future use.

During the year, contributed capital in the Enterprise and Internal Service Funds changed as follows:

<b>Enterprise Funds:</b>	
Balance, June 30, 1993	\$13,411
Add:	
Contribution from connection fees	3
Contribution from customers (net)	36
Contribution from Federal and State Program Fund	<u>21</u>
	<u>60</u>
Deduct:	
Transfer of equipment to Metro	<u>(59)</u>
Balance, June 30, 1994	<u>\$13,412</u>
<b>Internal Service Funds:</b>	
Balance, June 30, 1993	\$6,628
Add:	
Transfer of equipment from General Fixed Assets Account Group	99

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 13. FUND EQUITY AND CONTRIBUTED CAPITAL (Continued):**

Deduct:	
Disposals	(2)
Balance, June 30, 1994	<u>\$6,725</u>

**NOTE 14. POST RETIREMENT HEALTH CARE BENEFITS:**

In addition to providing pension benefits, the County provides certain health care and life insurance benefits for retired County employees. Substantially all of the County's employees are eligible for life insurance benefits when they reach normal retirement age.

The County provides a portion of health care benefits to substantially all County employees, with the exception of Corrections Officers. The County pays one-half (50%) of the monthly medical insurance premium from the retiree's fifty-eighth birthday or date of retirement, whichever is later, until the retiree's sixty-fifth birthday. These health care benefit obligations are required by labor bargaining agreements and the exempt employee ordinance. The cost of retiree health care and insurance benefits is recognized as an expense in the Insurance Fund as claims are incurred. For fiscal year 1994, those costs totalled \$384, net of payments made by retirees.

The County funds the actuarially determined amount of medical benefits that will be payable in the future for retirees' health insurance.

The accrued costs of all benefits are measured by the projected "unit credit actuarial cost method." The unfunded actuarial liability created is amortized as a level percentage of salary over a thirty-year period.

Significant actuarial assumptions used in the valuation include (a) a rate of return on the investment of present and future assets of 8.0%, (b) projected salary increases of 6% per year; and (c) trend rate increases starting at 10.0% in year one and gradually declining to 5.0%.

The most recent funding rate established by an actuarial review is 1.09% of the County's payroll, and the County's contribution has met the actuarial requirements. Following is the activity and the funding status of the post retirement health care benefits.

	Number of Retirees Covered	Premium Received	Claim/Premium Incurred	Net Costs
1991	261	\$ 416	\$ (614)	\$ (198)
1992	276	463	(911)	(448)
1993	229	462	(965)	(503)
1994	270	469	(853)	(384)

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 14. POST RETIREMENT HEALTH CARE BENEFITS (Continued):**

FUNDING STATUS

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Post-retirement benefit obligation	\$6,197	\$5,922	\$5,922 <sup>(1)</sup>	\$9,724 <sup>(2)</sup>
Net Assets available for benefits	<u>1,066</u>	<u>2,155</u>	<u>3,493</u>	<u>4,938</u>
Total unfunded liability	<u>\$5,131</u>	<u>\$3,767</u>	<u>\$2,429</u>	<u>\$4,786</u>

<sup>(1)</sup> Actuarial valuation done every other fiscal year.

<sup>(2)</sup> The County's correction officers (about 500 employees) included due to bargaining agreement not previously covered.

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION:**

**State of Oregon Public Employees Retirement System (PERS).** Substantially all County employees are participants in PERS, an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for governmental units in the State of Oregon. The County's payroll for employees covered by PERS for the year ended June 30, 1994, was \$117,934. The County's total payroll was \$124,545.

All full-time County employees are eligible to participate in PERS. Benefits generally vest after five years of continuous service. Retirement is allowed at age 58 with unreduced benefits, but retirement is generally available after age 55 with reduced benefits. Compulsory retirement age is 70. Retirement benefits are based on salary and length of service, are calculated using a formula and are payable in a lump sum or monthly using several payment options. PERS also provides death and disability benefits. These benefit provisions and other requirements are established by state statutes.

The County is required by the rules applicable to PERS to contribute 13.03% of covered employees' salaries to PERS. The contribution rate is determined based on actuarial valuations which are performed by PERS at least every two years. The required employee contribution of 6% of covered compensation is paid by the County pursuant to collective bargaining agreements.

The amount shown below as the "pension benefit obligation" required by GASB is a standardized disclosure measure of the present value of pension benefits, adjusted for the effects of projected salary increases estimated to be payable in the future as a result of employee service to date. The measure is intended to help users assess the funding status of PERS on a going-concern basis, assess progress made in accumulating sufficient assets to pay benefits when due, and make comparisons among employers. The measure is the actuarial present value of credited projected benefits, and is independent of the funding method used to determine contributions to PERS. PERS carries investments at cost, amortized cost and market value depending on the type of investment.

The pension benefit obligation was computed as part of an actuarial valuation performed as of December 31, 1993 and is the most recent available. Significant actuarial assumptions used in the valuation include (a) a rate of return on the investment of present and future assets of 8%, (b) projected salary increases of 5.5% per year in addition to salary increases due to promotions and longevity, and (c) post-retirement benefit increases of 2% per year (the maximum allowable), and are the same as those used to compute the actuarially determined contribution requirements.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION (Continued):**

The pension benefit obligation for retirees, beneficiaries or terminated employees entitled to benefits but not yet receiving them is not presented because PERS pools the risk related to such employees among all employers. PERS fully funds these obligations at the time of retirement or separation from service. Accordingly, the County's separate actuarial valuation covers only current employees.

PERS' policy provides for actuarially determined periodic contributions that are sufficient to pay benefits when due. The contribution rate for normal cost is determined using the "entry age actuarial cost method". A thirty year amortization is used to amortize the costs of the unfunded actuarial liabilities. Any ad hoc benefit increases are funded over 30 years. Based on the assumptions of the December 31, 1993 actuarial valuation, the County's normal cost rate is 6.59%. The rates adopted by the Board and actually paid by the County are those recommended by the actuary after each valuation and after legislative changes enacted subsequent to the valuation.

Accumulated employee contributions and allocated investment income is not segregated by PERS. The excess of the accrued benefits applicable to the County's employees over the net assets available for benefits at December 31 is:

	<u>1985</u>	<u>1987</u>	<u>1989</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>
Pension benefit obligation - current employees:						
Member account balances including interest	\$23,899	\$33,952	\$ 48,109	\$ 65,809	\$ 76,006	\$ 89,114
Vested accrued benefits	47,764	60,677	65,319	73,535	86,898	107,927
Non-vested accrued benefits	<u>1,818</u>	<u>3,767</u>	<u>5,956</u>	<u>9,362</u>	<u>11,077</u>	<u>13,046</u>
Total benefit obligations	73,481	98,396	119,384	148,706	173,981	210,087
Net assets available for benefits (at market value)	<u>28,076</u>	<u>41,384</u>	<u>62,358</u>	<u>100,859</u>	<u>123,045</u>	<u>149,961</u>
Total unfunded liability	<u>\$45,405</u>	<u>\$57,012</u>	<u>\$ 57,026</u>	<u>\$ 47,847</u>	<u>\$ 50,936</u>	<u>\$ 60,126</u>

An analysis of the dollar amounts of net assets available for benefits, pension benefit obligation, and unfunded pension benefit obligation in isolation can be misleading. Expressing the net assets available for benefits as a percentage of the pension benefit obligation provides one indication of the County's funding status on a going-concern basis. Analysis of this percentage over time indicates whether the system is becoming financially stronger or weaker. Generally, the greater this percentage, the stronger the retirement system. Trends in unfunded pension benefit obligation and annual covered payroll are both affected by inflation. Expressing the unfunded pension benefit obligation as a percentage of annual covered payroll approximately adjusts for the effects of inflation and aids analysis of Multnomah County's progress made in accumulating sufficient assets to pay benefits when due. Generally, the smaller this percentage, the stronger the retirement system. The following is the only information available to the County as of June 30, 1994.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION (Continued):**

<u>Fiscal Year</u>	<u>Net Assets Available for Benefits</u>	<u>Pension Benefit Obligation</u>	<u>Percent Funded</u>	<u>Unfunded Pension Benefit Obligation</u>	<u>Annual Covered Payroll</u>	<u>Unfunded Pension Benefit as a Percent of Payroll</u>
1985	\$ 28,076	\$ 73,481	38.2%	\$45,405	\$46,062	98.6%
1987	41,384	98,396	42.1	57,012	55,424	102.9
1989	62,358	119,384	52.2	57,026	63,950	89.1
1991	100,859	148,706	67.8	47,847	83,888	57.0
1993	123,045	173,981	70.7	50,936	107,734	47.3
1994	149,961	210,087	71.4	60,126	117,934	51.0

The County's contribution rate was determined through the actuarial valuation performed as of December 31, 1993. The County's total payroll, contribution amount and contribution rate to cover normal cost and amortize any unfunded actuarial accrued liability for the last nine years are:

<u>Fiscal Year</u>	<u>Total Covered Payroll</u>	<u>Employee Contributions</u>	<u>Employer Contribution</u>	<u>Employee Contribution as a Percent of Payroll</u>	<u>Employer Contribution as a Percent of Payroll</u>
1986	\$51,340	\$3,080	\$6,149	6%	12.0%
1987	55,424	3,325	6,191	6	11.2
1988	60,341	3,620	7,193	6	11.9
1989	63,950	3,837	9,016	6	14.1
1990	68,104	4,086	9,601	6	14.1
1991	83,888	5,033	11,826	6	14.1
1992	92,691	5,561	13,068	6	14.1
1993	107,734	6,464	14,880	6	13.8
1994	117,934	7,076	16,289	6	13.8

Ten-year historical information of revenues by source and expenses by type for the statewide PERS system and other PERS information is presented in its comprehensive annual financial report at June 30, 1993. This information is not available for Multnomah County's portion.

**Multnomah County Library Retirement Plan.** The Multnomah County Library Retirement Plan (the Plan) is a single employer defined benefit Plan. Prior to July 1, 1990 the Plan was administered by the Library Association of Portland (LAP) which was a not-for-profit organization. The Principal Mutual Life Insurance Company is contracted by the County to be the trustee of the Plan. All employees transferred are now covered by PERS.

All investments consist of immediate Participation Guarantee Contracts stated at contract value with Principal Mutual Life Insurance Company.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION (Continued):**

All former LAP full-time and part-time employees who were 21 years of age or older and had completed two years of service were eligible to participate in the Plan. Benefits vested after two years of continuous service. Retirement is allowed at age 65 with unreduced benefits, but retirement is generally available after age 55 with reduced benefits. Retirement benefits are based on salary and length of service, are calculated using a formula, and are payable in a lump sum or monthly using several payment options. The Plan also provides death benefits.

The amount shown below as the "pension benefit obligation" required by GASB is a standardized disclosure measure of the present value of pension benefits, adjusted for the effects of projected salary increases estimated to be payable in the future as a result of employee service to date. The measure is intended to help users assess the funding status of the Plan on a going-concern basis, assess progress made in accumulating sufficient assets to pay benefits when due, and make comparisons among employers. The measure is the actuarial present value of credited projected benefits, and is independent of the funding method used to determine contributions to the Plan. Investments are stated at cost, amortized cost and market value depending on the type of investment.

The pension benefit obligation was computed as part of an actuarial valuation performed as of January 1, 1993 and is the most recent available. Significant actuarial assumptions used in the valuation include (a) a rate of return on the investment of present and future assets of 7.5%, (b) projected salary increases of 6% per year, and (c) post-retirement benefit increases of 2% per year. These assumptions are also used to compute actuarially determined contribution requirements.

County policy provides for actuarially determined periodic contributions that are sufficient to pay benefits when due. The contribution is determined using the "unit credit pro rata method." Based on the latest actuarial valuation, the County is required to contribute \$79 each fiscal year to amortize the unfunded actuarial accrued liability. Any ad hoc benefit increases are funded over 15 years. As of July 1, 1990, the plan was frozen and employees are not allowed to make contributions.

The excess of the accrued benefits applicable to the County's employees over the net assets available for benefits at January 1 is as follows:

	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Retirees and beneficiaries currently receiving benefits	\$3,040	\$3,546	\$3,564	\$3,711
Terminated employees not yet receiving benefits and future cost of living increases for retirees currently receiving benefits	587	601	677	747
Current Employees:				
Accumulated employee contributions including allocated investment income	1,870	1,948	1,953	2,125
Employer-financed vested	1,333	1,245	1,578	1,377
Employer-financed nonvested	<u>2,041</u>	<u>1,922</u>	<u>1,708</u>	<u>1,858</u>
Total Pension Benefit Obligation	8,871	9,262	9,480	9,818
Net assets available for benefit (market value)	<u>8,286</u>	<u>9,266</u>	<u>9,640</u>	<u>10,279</u>
Total (Unfunded) Overfunded Liability	<u>\$ (585)</u>	<u>\$ 4</u>	<u>\$ 160</u>	<u>\$ 461</u>

Current employees consist of 197 participants who are fully or partially vested in their accrued monthly benefits and 0 participants who are only vested in their accumulated employee contributions. Current

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION (Continued):**

employees have an annual covered payroll of \$5,350. The total payroll and covered payroll are the same because the plan is frozen.

An analysis of the dollar amounts of net assets available for benefits, pension benefit obligation, and unfunded pension benefit obligation in isolation can be misleading. Expressing the net assets available for benefits as a percentage of the pension benefit obligation provides one indication of the Plan's funding status on a going-concern basis. Analysis of this percentage over time indicates whether the system is becoming financially stronger or weaker. Generally, the greater this percentage, the stronger the retirement system. Trends in unfunded pension benefit obligation and annual covered payroll are both affected by inflation. Expressing the unfunded pension benefit obligation as a percentage of annual covered payroll approximately adjusts for the effects of inflation and aids analysis of Multnomah County's progress made in accumulating sufficient assets to pay benefits when due. Generally, the smaller this percentage, the stronger the retirement system. Ten-year historical trend information presenting progress in accumulating sufficient assets to pay benefits when due is not yet available because the first actuarial valuation was prepared at January 1, 1991. The following is the only information available to the County as of June 30, 1994.

<u>Year</u>	<u>Net Assets Available for Benefits</u>	<u>Pension Benefit Obligation</u>	<u>Percent Funded</u>	<u>Overfunded (Unfunded) Pension Benefit Obligation</u>	<u>Annual Covered Payroll</u>	<u>Overfunded (Unfunded) Pension Benefit as a Percent of Payroll</u>
1991	\$8,286	\$8,871	93.4%	\$ (585)	\$4,652	(12.6)%
1992	9,266	9,262	100.0%	4	4,654	0.1%
1993	9,640	9,480	101.7%	160	5,065	3.2%
1994	10,279	9,818	104.7%	461	5,350	8.6%

Ten-year historical information of revenues by source and expenses by type is as follows and is derived from the Plan's financial statements.

<u>Year Ended</u> <sup>(1)</sup>	<u>Member Contributions</u>	<u>Employer Contributions</u>	<u>Employer Contribution as a Percent of Covered Payroll</u>	<u>Investment Income</u>	<u>Total</u>
1985	\$141	\$141	N/A	\$497	\$779
1986	149	149	N/A	571	869
1987	152	152	N/A	578	882
1988	173	173	N/A	634	980
1989	199	199	N/A	681	1,079
1990	115	221	N/A	753	1,089
1991 <sup>(2)</sup>		300	6.45%	767	1,067
1992		86	1.85%	820	906
1993		92	1.82%	819	911
1994		85	1.59%	802	887

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 15. PENSION PLANS AND DEFERRED COMPENSATION (Continued):**

<u>Year Ended</u> <sup>(1)</sup>	<u>Benefit Payments</u> <sup>(3)</sup>	<u>Refunds</u>	<u>Administrative Expenses</u>	<u>Total</u>
1985	\$205	\$	\$11	\$216
1986	281		10	291
1987	356		12	368
1988	326		12	338
1989	333		16	349
1990	377		17	394
1991	372	24	18	414
1992	415	5	25	445
1993	427	50	28	505
1994	445	32	27	504

<sup>(1)</sup> For the years 1985 through 1990 the fiscal year-end is for the twelve months ended December 31, for 1991 and thereafter the fiscal year-end is for the twelve months ended June 30.

<sup>(2)</sup> Employees transferred to Multnomah County. Plan was frozen and employees are not allowed to make contributions.

<sup>(3)</sup> Prior to 1991, benefits and refunds were not broken out.

N/A means not available.

**Deferred Compensation Plan.** The County offers its employees a deferred compensation plan (the Plan) created in accordance with Internal Revenue Code Section 457. The Plan, available to all permanent County employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death or an unforeseeable emergency.

All amounts of compensation deferred under the Plan, all property and rights purchased with those amounts, and all income attributable to those amounts, property, or rights are, until paid or made available to the employee or other beneficiary, solely the property and rights of the County, without being restricted to the provisions of benefits under the Plan, subject only to the claims of the County's general creditors. Participants' rights under the Plan are equal to those of general creditors of the County in an amount equal to the fair market value of the deferred account for each participant.

The amount deferred, adjusted to fair market value at June 30, 1994, and investment earnings thereon amount to \$31,087. The amounts accumulated by the County under the deferred compensation plan, including investment earnings, are excluded from resources or expenditures for budgetary purposes.

It is the opinion of County Counsel that the County has no liability for losses under the Plan but does have the duty of due care that would be required of an ordinary prudent investor. The County believes that it is unlikely that it will use the assets to satisfy the claims of general creditors in the future.

The County's fiduciary responsibility requires that employee contributions are credited monthly to the individual's account and that earnings thereon are credited to the account. Furthermore, the County is required to provide an annual accounting of activities and to maintain the account until it is paid to the participant or beneficiary.

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 16. COMMITMENTS AND CONTINGENT LIABILITIES:**

Additional commitments under contracts at June 30, 1994 are as follows:

General Fund	\$ 868
Special Revenue Funds	1,331
Capital Projects Funds	10,181
Internal Service Funds	10
Trust and Agency Funds	<u>4</u>
	<u>\$12,394</u>

Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies, principally the federal and state governments. Any disallowed claims, including amounts already collected, could become a liability of the County.

Various claims and lawsuits against the County are pending. These claims are either covered by insurance or are the type which are normal in view of the County's operations. County management believes the total amount of liability, if any, which may arise from such claims and lawsuits beyond that which is covered by insurance would not have a material effect on the County's financial condition or its ability to carry on its activities substantially as now conducted.

Multnomah County is holding as a third party letters of credit and surety bonds in the sum of \$1,200 for liens held in trust.

**NOTE 17. SEGMENT INFORMATION FOR ENTERPRISE FUNDS:**

The County's Enterprise Funds account for the financing of predominantly self-supporting activities to the public on a user charge basis including lighting and sewer services, the parks program and the exposition center program, improved library services, and health care claims administration. See Note: 13 regarding transfer of the Recreation Fund operations to Metro.

The Library Enterprise Fund was created during the 1993-94 fiscal year. The intent in the first year was to begin generating revenue to expend for improved services in coming fiscal years.

Segment information at June 30, 1994 and for the year then ended is as follows:

	<u>Sewer</u>	<u>Lighting</u>	<u>Recreation</u>	<u>Library Enterprise</u>	<u>Health Care</u>	<u>Total</u>
Operating revenue	\$ 117	\$ 317	\$1,961	\$ 81	\$7,101	\$9,577
Depreciation expense	28	66	434		6	534
Operating income (loss)	(33)	(58)	(167)	81	(562)	(739)
Operating transfers in			31			31
Net income (loss)	(16)	(35)	(110)	81	(527)	(607)
Current capital contributions and transfers	3	36	(59)		21	1
Property, plant and equipment:						
Additions at cost		94	91		62	247
Deletions at cost		77	98			175
Net working capital	473	673		81	(562)	665
Total assets	1,213	1,352	10,174	81	5,449	18,269
Total equity (deficit)	1,184	1,326	9,926	81	(506)	12,011

**MULTNOMAH COUNTY, OREGON**  
**NOTES TO GENERAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 18. SUBSEQUENT EVENT:**

On July 1, 1994, the County issued \$11,000 in Tax Anticipation Notes to meet anticipated cash flow requirements prior to the collection of property taxes in November. The effective yield is 3.45%, and the notes mature on June 30, 1995. The notes are rated MIG1 by Moody's Investors Service.

On October 1, 1994, the County issued \$9,000 in General Obligation Bonds to finance the costs of renovation of the Central Library and the balance of proceeds will be used for the reconstruction of the Midland Branch Library and to pay the costs of issuance of the Bonds. The Bonds are rated Aa1 by Moody's Investors Services. The effective yield is 5.91%.

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**ADDITIONAL INFORMATION**  
(Combining and Individual Fund and Account Group  
Statements and Schedules)

## GENERAL FUND

The General Fund accounts for the financial operations of the County which are not accounted for in any other fund. The principal sources of revenues are property taxes and business income taxes. Primary expenditures in the General Fund are made for general government, public safety, and health and social services. The modified accrual basis of accounting is used to record revenues and expenditures.

**MULTNOMAH COUNTY, OREGON**  
**GENERAL FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Taxes:			
Property:			
Current year	\$ 78,604	\$ 80,837	\$ 2,233
Prior years'	3,394	3,059	(335)
Penalties and interest	975	828	(147)
Payments in lieu of taxes	93	73	(20)
Sales on foreclosures	75	51	(24)
Transient lodging	4	3	(1)
Business income	24,163	22,912	(1,251)
Motor vehicle rental	5,830	6,389	559
Intergovernmental:			
Federal	6,121	4,370	(1,751)
State	4,095	4,712	617
Local	862	722	(140)
Licenses and permits	1,472	1,404	(68)
Charges for services	5,453	6,042	589
Interest	1,054	1,419	365
Other:			
Miscellaneous	602	730	128
Service reimbursements	19,171	16,925	(2,246)
Total revenues	<u>151,968</u>	<u>150,476</u>	<u>(1,492)</u>
<b>OTHER FINANCING SOURCES:</b>			
Transfers from other funds:			
Road	198	198	
Animal Control	1,268	1,165	(103)
Serial Levy	77	64	(13)
Justice Services Special Operations	98		(98)
Natural Areas Aquisition and Protection	30		(30)
Assessment District Bond Sinking	320	317	(3)
Total other financing sources	<u>1,991</u>	<u>1,744</u>	<u>(247)</u>
<b>BEGINNING FUND BALANCE</b>	<u>7,951</u>	<u>10,791</u>	<u>2,840</u>
Total	<u>\$ 161,910</u>	<u>163,011</u>	<u>1,101</u>
<b>EXPENDITURES:</b>			
Health Services:			
Personal services	\$ 4,945	4,889	56
Materials and services	1,093	1,092	1
Capital outlay	12	9	3
Sub-total	<u>6,050</u>	<u>5,990</u>	<u>60</u>
Social Services:			
Personal services	7,941	8,039	(98)
Materials and services	1,372	1,237	135
Capital outlay	79	40	39
Sub-total	<u>9,392</u>	<u>9,316</u>	<u>76</u>
Community Corrections:			
Personal services	1,439	1,420	19
Materials and services	181	183	(2)
Capital outlay	24	10	14
Sub-total	<u>1,644</u>	<u>1,613</u>	<u>31</u>

(continued)

**MULTNOMAH COUNTY, OREGON**  
**GENERAL FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)  
(continued)

	Budget	Actual	Variance favorable (unfavorable)
<b>District Attorney:</b>			
Personal services	\$ 7,769	\$ 7,668	\$ 101
Materials and services	801	768	33
Capital outlay	75	71	4
Sub-total	<u>8,645</u>	<u>8,507</u>	<u>138</u>
<b>Sheriff:</b>			
Personal services	32,421	32,054	367
Materials and services	5,478	5,143	335
Capital outlay	123	103	20
Sub-total	<u>38,022</u>	<u>37,300</u>	<u>722</u>
<b>Environmental Services:</b>			
Personal services	8,026	7,913	113
Materials and services	13,836	13,230	606
Capital outlay	2,794	681	2,113
Sub-total	<u>24,656</u>	<u>21,824</u>	<u>2,832</u>
<b>Nondepartmental:</b>			
Personal services	6,601	6,330	271
Materials and services	8,466	8,366	100
Capital outlay	114	82	32
Debt service:			
Interest	518	373	145
Contingency	371		371
Sub-total	<u>16,070</u>	<u>15,151</u>	<u>919</u>
Total expenditures	<u>104,479</u>	<u>99,701</u>	<u>4,778</u>
<b>OTHER FINANCING USES:</b>			
Transfers to other funds:			
Federal and State Program	37,120	35,535	1,585
County School	1,232	1,232	
Library	6,005	6,005	
Justice Services Special Operations	1,768	1,768	
Jail Levy	2,238	1,496	742
County Fair	25	25	
Assessment and Taxation	6,993	6,793	200
Total other financing uses	<u>55,381</u>	<u>52,854</u>	<u>2,527</u>
Total	<u>159,860</u>	<u>152,555</u>	<u>7,305</u>
<b>ENDING FUND BALANCE</b>	<u>2,050</u>	<u>\$ 10,456</u>	<u>\$ 8,406</u>
	<u>\$ 161,910</u>		

## SPECIAL REVENUE FUNDS

These funds account for revenue derived from specific taxes or other earmarked revenue sources, including state gas tax, grants, and charges for services which are legally restricted to finance particular functions or activities. When a special revenue fund is not an operating fund, transfers are made from the special revenue fund to the operating funds authorized to make the expenditures. The modified accrual basis of accounting is used to record revenues and expenditures. Funds included are:

- Road Fund - accounts for revenues primarily from State motor vehicle fees and County gasoline taxes. Expenditures consist of construction, repair, maintenance and operation of County highways and roads.
- Emergency Communications Fund - accounts for monies received from the State which are designated for an emergency communication network in conjunction with the City of Portland.
- Assessment and Taxation Fund - accounts for revenues and expenditures for property assessment and tax collection.
- Bicycle Path Construction Fund - accounts for revenue and expenditures for bicycle paths.
- Federal and State Program Fund - accounts for the majority of revenues and expenditures related to federal and state financial assistance programs.
- County School Fund - accounts for transfers from the General Fund and forest reserve yield revenues from the State of Oregon which are apportioned to the County school districts.
- Corner Preservation Fund - accounts for the collection of fees on all recordings of real property transactions and surveying activity. The fund makes expenditures to maintain public land corners.
- Tax Title Land Sales Fund - accounts for the receipt and sale of real property foreclosed upon by the County because of unpaid property taxes. Proceeds are subsequently distributed to all taxing districts.
- Animal Control Fund - accounts for revenues from dog and cat licenses, control fees and transfers to the General Fund which are utilized for animal control activities.
- Willamette River Bridges Fund - accounts for motor vehicle fees and gasoline tax proceeds transferred from the Road Fund for bridge inspections and maintenance.
- Serial Levy Fund - accounts for the collections from a three year special serial levy for the construction and operations of a jail facility. Funds are transferred to the Capital Lease Retirement Fund.
- Library Fund - accounts for the public library operations.
- Justice Services Special Operations Fund - accounts for revenues and expenditures dedicated to Justice Services in the Community Corrections Department, District Attorney's Office, and Sheriff's Office.
- County Fair Fund - accounts for the revenues and expenditures of the annual County Fair.
- Inmate Welfare Fund - accounts for the proceeds from the sale of commissary items. Expenditures are made for supplies for inmates in County jails.
- Convention Center Fund - accounts for a Transient lodging tax collected from all hotels and motels in the County to be used for Convention Center expenditures.
- Assessment District Operating Fund - accounts for the construction of improvements or provisions of services which are paid for from special assessments levied against benefitted property owners.
- Natural Areas Acquisition and Protection Fund - accounts for the acquisition and protection and management of natural areas.
- Jail Levy Fund - accounts for a three-year special serial levy which is used to operate the Inverness Jail.

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**MULTNOMAH COUNTY, OREGON  
COMBINING BALANCE SHEET  
SPECIAL REVENUE FUNDS  
June 30, 1994  
(amounts expressed in thousands)**

	Road	Emergency Communications	Assessment and Taxation	Bicycle Path Construction	Federal and State Program	County School	Corner Preservation	Tax Title Land Sales
<b>ASSETS:</b>								
Cash and investments	\$ 8,645	\$ 12	\$ 439	\$ 74	\$ 4	\$ 53	\$ 677	\$ 357
Receivables:								
Taxes								
Accounts	3,313		629		12,387		4	
Loans					2,163			
Interest	3							
Special assessments								
Contracts	130							2,371
Due from other funds					135			
Inventories	498				19			
Prepaid items	2				37			
Foreclosed properties								811
Total assets	<u>\$ 12,591</u>	<u>\$ 12</u>	<u>\$ 1,068</u>	<u>\$ 74</u>	<u>\$ 14,745</u>	<u>\$ 53</u>	<u>\$ 681</u>	<u>\$ 3,539</u>
<b>LIABILITIES AND FUND BALANCES:</b>								
Liabilities:								
Accounts payable	\$ 5,042		\$ 102		\$ 5,478			\$ 357
Due to other funds					726			
Assistance receipts unapplied					3,792			
Compensated absences	444		339		2,306			
Deferred revenue	131				2,443			3,182
Total liabilities	<u>5,617</u>		<u>441</u>		<u>14,745</u>			<u>3,539</u>
Fund balances:								
Reserved for inventories	498				19			
Reserved for foreclosed properties								811
Reserved for prepaid items	2				37			
Unreserved, undesignated	6,474	12	627	74	(56)	53	681	(811)
Total fund balances	<u>6,974</u>	<u>12</u>	<u>627</u>	<u>74</u>	<u>(56)</u>	<u>53</u>	<u>681</u>	<u>(811)</u>
Total liabilities and fund balances	<u>\$ 12,591</u>	<u>\$ 12</u>	<u>\$ 1,068</u>	<u>\$ 74</u>	<u>\$ 14,745</u>	<u>\$ 53</u>	<u>\$ 681</u>	<u>\$ 3,539</u>

Animal Control	Willamette River Bridges	Library	Justice Services Special Operations	County Fair	Inmate Welfare	Convention Center	Assessment District Operating	Natural Areas Acquisition and Protection	Jail Levy	Total
\$	\$ 3,115	\$ 2,214	\$ 2,138	\$ 94	\$ 137	\$ 39	\$ 8	\$ 891	\$ 314	\$ 19,211
		944							1,125	2,069
8	15	21	217			84			9	16,687
										2,163
							48			3
								804		48
										3,305
										135
										517
		309								348
										811
<u>\$ 8</u>	<u>\$ 3,130</u>	<u>\$ 3,488</u>	<u>\$ 2,355</u>	<u>\$ 94</u>	<u>\$ 137</u>	<u>\$ 123</u>	<u>\$ 56</u>	<u>\$ 1,695</u>	<u>\$ 1,448</u>	<u>\$ 45,297</u>
\$ 5	\$ 366	\$ 310	\$ 316	\$ 75	\$ 53	\$	\$	\$ 6	\$ 246	\$ 12,356
										726
	66	435	92		8				231	3,792
		811					48	744	957	3,921
<u>5</u>	<u>432</u>	<u>1,556</u>	<u>408</u>	<u>75</u>	<u>61</u>	<u></u>	<u>48</u>	<u>750</u>	<u>1,434</u>	<u>8,316</u>
										517
		309								811
<u>3</u>	<u>2,698</u>	<u>1,623</u>	<u>1,947</u>	<u>19</u>	<u>76</u>	<u>123</u>	<u>8</u>	<u>945</u>	<u>14</u>	<u>14,510</u>
<u>3</u>	<u>2,698</u>	<u>1,932</u>	<u>1,947</u>	<u>19</u>	<u>76</u>	<u>123</u>	<u>8</u>	<u>945</u>	<u>14</u>	<u>16,186</u>
<u>\$ 8</u>	<u>\$ 3,130</u>	<u>\$ 3,488</u>	<u>\$ 2,355</u>	<u>\$ 94</u>	<u>\$ 137</u>	<u>\$ 123</u>	<u>\$ 56</u>	<u>\$ 1,695</u>	<u>\$ 1,448</u>	<u>\$ 45,297</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**SPECIAL REVENUE FUNDS**  
**For the fiscal year ended June 30, 1994**  
**(amounts expressed in thousands)**

	Road	Emergency Communications	Assessment and Taxation	Bicycle Path Construction	Federal and State Program	County School	Corner Preservation	Tax Title Land Sales
<b>REVENUES:</b>								
Taxes	\$ 7,507					\$ 194		\$ 685
Intergovernmental	24,178	140	2,423		111,063			
Licenses and permits	45							
Charges for services	587		583		1,437		464	2
Interest	451	1		4	4	3		238
Special assessments								
Other	758		589		1,781			
Total revenues	<u>33,526</u>	<u>141</u>	<u>3,595</u>	<u>4</u>	<u>114,285</u>	<u>197</u>	<u>464</u>	<u>925</u>
<b>EXPENDITURES:</b>								
Current:								
General government			9,959					960
Health and social services					130,465			
Public safety and justice	214				18,515			
Community services		129		86	188	1,417		
Roads and bridges	25,442						240	
Capital outlay	7,265		37	64	752			
Total expenditures	<u>32,921</u>	<u>129</u>	<u>9,996</u>	<u>150</u>	<u>149,920</u>	<u>1,417</u>	<u>240</u>	<u>960</u>
Excess of revenues over (under) expenditures	<u>605</u>	<u>12</u>	<u>(6,401)</u>	<u>(146)</u>	<u>(35,635)</u>	<u>(1,220)</u>	<u>224</u>	<u>(35)</u>
<b>OTHER FINANCING SOURCES (USES):</b>								
Operating transfers in	30		6,793	51	35,635	1,232		
Operating transfers out	(3,454)							
Total other financing sources (uses)	<u>(3,424)</u>		<u>6,793</u>	<u>51</u>	<u>35,635</u>	<u>1,232</u>		
Excess of revenues and other sources over (under) expenditures and other uses	<u>(2,819)</u>	<u>12</u>	<u>392</u>	<u>(95)</u>		<u>12</u>	<u>224</u>	<u>(35)</u>
<b>FUND BALANCES, JUNE 30, 1993</b>	<u>9,793</u>		<u>235</u>	<u>169</u>		<u>41</u>	<u>457</u>	<u>35</u>
<b>FUND BALANCES, JUNE 30, 1994</b>	<u>\$ 6,974</u>	<u>\$ 12</u>	<u>\$ 627</u>	<u>\$ 74</u>	<u>\$</u>	<u>\$ 53</u>	<u>\$ 681</u>	<u>\$</u>

Animal Control	Willamette River Bridges	Serial Levy	Library	Justice Services Special Operations	County Fair	Inmate Welfare	Convention Center	Assessment District Operating	Natural Areas Acquisition and Protection	Jail Levy	Total
\$	\$	\$ 7	\$ 10,246	\$	\$	\$	\$ 3,550	\$	\$	\$ 13,404	\$ 35,593
	49		346	959	10					37	139,205
793				349							1,187
204	42		43	1,778		12					5,152
			98	19	2	9		5	108	49	991
								14			14
32	57		1,511	584	174	756			631		6,873
<u>1,029</u>	<u>148</u>	<u>7</u>	<u>12,244</u>	<u>3,689</u>	<u>186</u>	<u>777</u>	<u>3,550</u>	<u>19</u>	<u>739</u>	<u>13,490</u>	<u>189,015</u>
											10,919
				3,194		877				1,650	132,115
			18,735		267		4,213		28	12,902	35,702
	2,523							15		387	25,450
	<u>1,076</u>		<u>152</u>	<u>216</u>		<u>57</u>				<u>93</u>	<u>9,712</u>
	<u>3,599</u>		<u>18,887</u>	<u>3,410</u>	<u>267</u>	<u>934</u>	<u>4,213</u>	<u>15</u>	<u>28</u>	<u>15,032</u>	<u>242,118</u>
<u>1,029</u>	<u>(3,451)</u>	<u>7</u>	<u>(6,643)</u>	<u>279</u>	<u>(81)</u>	<u>(157)</u>	<u>(663)</u>	<u>4</u>	<u>711</u>	<u>(1,542)</u>	<u>(53,103)</u>
	3,205		6,005	1,768	25			45		1,496	56,285
(1,165)		(64)		(100)				(30)	(31)		(4,844)
<u>(1,165)</u>	<u>3,205</u>	<u>(64)</u>	<u>6,005</u>	<u>1,668</u>	<u>25</u>			<u>15</u>	<u>(31)</u>	<u>1,496</u>	<u>51,441</u>
(136)	(246)	(57)	(638)	1,947	(56)	(157)	(663)	19	680	(46)	(1,662)
<u>139</u>	<u>2,944</u>	<u>57</u>	<u>2,570</u>		<u>75</u>	<u>233</u>	<u>786</u>	<u>(11)</u>	<u>265</u>	<u>60</u>	<u>17,848</u>
<u>\$ 3</u>	<u>\$ 2,698</u>	<u>\$</u>	<u>\$ 1,932</u>	<u>\$ 1,947</u>	<u>\$ 19</u>	<u>\$ 76</u>	<u>\$ 123</u>	<u>\$ 8</u>	<u>\$ 945</u>	<u>\$ 14</u>	<u>\$ 16,186</u>

**MULTNOMAH COUNTY, OREGON**  
**ROAD FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Taxes:			
Gasoline	\$ 7,070	\$ 6,926	\$ (144)
Forest reserve yield	571	581	10
Intergovernmental:			
Federal		2	2
State	21,913	22,591	678
Local	1,798	1,585	(213)
Licenses and permits	30	45	15
Charges for services	695	587	(108)
Interest	420	451	31
Other:			
Miscellaneous	38	167	129
Service reimbursements	772	591	(181)
Total revenues	33,307	33,526	219
<b>OTHER FINANCING SOURCE:</b>			
Transfer from Assessment District Operating Fund	30	30	
<b>BEGINNING FUND BALANCE</b>	9,004	9,793	789
Total	\$ 42,341	43,349	1,008
<b>EXPENDITURES:</b>			
Sheriff:			
Materials and services	\$ 255	214	41
Environmental Services:			
Personal services	7,184	6,922	262
Materials and services	19,225	18,520	705
Capital outlay	12,036	7,265	4,771
Contingency	129	129	129
Sub-total	38,574	32,707	5,867
Total expenditures	38,829	32,921	5,908
<b>OTHER FINANCING USES:</b>			
Transfers to other funds:			
General	198	198	
Bicycle Path Construction	109	51	58
Willamette River Bridges	3,205	3,205	
Total other financing uses	3,512	3,454	58
Total	\$ 42,341	36,375	5,966
<b>ENDING FUND BALANCE</b>		\$ 6,974	\$ 6,974

**MULTNOMAH COUNTY, OREGON**  
**EMERGENCY COMMUNICATIONS FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Intergovernmental - State	\$ 125	\$ 140	\$ 15
Interest	4	1	(3)
Total revenues	<u>\$ 129</u>	<u>141</u>	<u>12</u>
<b>EXPENDITURES:</b>			
Sheriff:			
Materials and services	\$ 129	129	
<b>ENDING FUND BALANCE</b>		<u>\$ 12</u>	<u>\$ 12</u>

**MULTNOMAH COUNTY, OREGON  
ASSESSMENT AND TAXATION FUND  
SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)**

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Intergovernmental - State	\$ 2,250	\$ 2,423	\$ 173
Charges for services	529	583	54
Other:			
Miscellaneous	19	20	1
Service reimbursements	674	569	(105)
Total revenues	3,472	3,595	123
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	6,993	6,793	(200)
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 10,465	10,623	235 158
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 7,021	6,781	240
Materials and services	3,381	3,178	203
Capital outlay	63	37	26
Total expenditures	\$ 10,465	9,996	469
<b>ENDING FUND BALANCE</b>		\$ 627	\$ 627

**MULTNOMAH COUNTY, OREGON**  
**BICYCLE PATH CONSTRUCTION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Interest	\$ 10	\$ 4	\$ (6)
<b>OTHER FINANCING SOURCE:</b>			
Transfer from Road Fund	109	51	(58)
<b>BEGINNING FUND BALANCE</b>	348	169	(179)
Total	\$ 467	224	(243)
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 119	86	33
Capital outlay	348	64	284
Total expenditures	\$ 467	150	317
<b>ENDING FUND BALANCE</b>		\$ 74	\$ 74

**MULTNOMAH COUNTY, OREGON  
FEDERAL AND STATE PROGRAM FUND  
SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)**

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Intergovernmental:			
Federal, state and local	\$ 118,505	\$ 111,063	\$ (7,442)
Charges for services	1,800	1,437	(363)
Interest	10	4	(6)
Other:			
Miscellaneous	1,450	755	(695)
Service reimbursements	2,650	1,026	(1,624)
Total revenues	<u>124,415</u>	<u>114,285</u>	<u>(10,130)</u>
<b>OTHER FINANCING SOURCES:</b>			
Transfers from other funds:			
General	37,120	35,535	(1,585)
Justice Services Special Operations	100	100	
Total	<u>\$ 161,635</u>	<u>149,920</u>	<u>(11,715)</u>
<b>EXPENDITURES:</b>			
Health Services:			
Personal services	\$ 29,468	29,368	100
Materials and services	17,289	15,808	1,481
Capital outlay	297	171	126
Sub-total	<u>47,054</u>	<u>45,347</u>	<u>1,707</u>
Social Services:			
Personal services	19,560	19,040	520
Materials and services	73,578	66,249	7,329
Capital outlay	328	264	64
Sub-total	<u>93,466</u>	<u>85,553</u>	<u>7,913</u>
Community Corrections:			
Personal services	11,671	11,082	589
Materials and services	5,473	4,396	1,077
Capital outlay	324	301	23
Sub-total	<u>17,468</u>	<u>15,779</u>	<u>1,689</u>
District Attorney:			
Personal services	1,519	1,385	134
Materials and services	541	569	(28)
Capital outlay	10	8	2
Sub-total	<u>2,070</u>	<u>1,962</u>	<u>108</u>
Sheriff:			
Personal services	1,034	975	59
Materials and services	178	108	70
Capital outlay	31	4	27
Sub-total	<u>1,243</u>	<u>1,087</u>	<u>156</u>
Environmental Services:			
Materials and services	19		19
Capital outlay	15		15
Sub-total	<u>34</u>		<u>34</u>
Nondepartmental:			
Personal services	145	136	9
Materials and services	151	52	99
Capital outlay	4	4	
Sub-total	<u>300</u>	<u>192</u>	<u>108</u>
Total expenditures	<u>\$ 161,635</u>	<u>149,920</u>	<u>11,715</u>
<b>ENDING FUND BALANCE</b>		<u>\$</u>	<u>\$</u>

**MULTNOMAH COUNTY, OREGON**  
**COUNTY SCHOOL FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Taxes - Forest reserve yield	\$ 194	\$ 194	\$
Interest	5	3	(2)
Total revenues	199	197	(2)
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	1,232	1,232	
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 75	41	(34)
	\$ 1,506	1,470	(36)
<b>EXPENDITURES:</b>			
Nondepartmental:			
Materials and services	\$ 1,506	1,417	89
<b>ENDING FUND BALANCE</b>		\$ 53	\$ 53

**MULTNOMAH COUNTY, OREGON**  
**CORNER PRESERVATION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Charges for services	\$ 250	\$ 464	\$ 214
<b>BEGINNING FUND BALANCE</b>	310	457	147
Total	<u>\$ 560</u>	<u>921</u>	<u>361</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 360	240	120
Contingency	200	200	200
Total expenditures	<u>\$ 560</u>	<u>240</u>	<u>320</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 681</u>	<u>\$ 681</u>

**MULTNOMAH COUNTY, OREGON**  
**TAX TITLE LAND SALES FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Taxes - Sales on foreclosures	\$ 1,850	\$ 685	\$ (1,165)
Intergovernmental - Local	18		(18)
Charges for services		2	2
Interest	268	238	(30)
Total revenues	<u>2,136</u>	<u>925</u>	<u>(1,211)</u>
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 2,136</u>	<u>35</u>	<u>35</u>
		<u>960</u>	<u>(1,176)</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	<u>\$ 2,136</u>	<u>960</u>	<u>1,176</u>
<b>ENDING FUND BALANCE</b>		<u>\$</u>	<u>\$</u>

**MULTNOMAH COUNTY, OREGON**  
**ANIMAL CONTROL FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Licenses and permits	\$ 901	\$ 793	\$ (108)
Charges for services	234	204	(30)
Other - Miscellaneous	43	32	(11)
Total revenues	<u>\$ 1,178</u>	<u>1,029</u>	<u>(149)</u>
<b>BEGINNING FUND BALANCE</b>	90	139	49
Total	<u>\$ 1,268</u>	<u>1,168</u>	<u>(100)</u>
<b>OTHER FINANCING USE:</b>			
Transfer to General Fund	\$ 1,268	1,165	103
<b>ENDING FUND BALANCE</b>		<u>\$ 3</u>	<u>\$ 3</u>

**MULTNOMAH COUNTY, OREGON**  
**WILLAMETTE RIVER BRIDGES FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Intergovernmental:			
Federal	\$ 100	\$ 49	\$ (100)
State		49	49
Charges for services		42	42
Other:			
Miscellaneous		1	1
Service reimbursements	92	56	(36)
Total revenues	<u>192</u>	<u>148</u>	<u>(44)</u>
<b>OTHER FINANCING SOURCE:</b>			
Transfer from Road Fund	3,205	3,205	
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 5,938</u>	<u>2,944</u>	<u>403</u>
		<u>6,297</u>	<u>359</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 1,927	1,828	99
Materials and services	857	695	162
Capital outlay	3,154	1,076	2,078
Total expenditures	<u>\$ 5,938</u>	<u>3,599</u>	<u>2,339</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 2,698</u>	<u>\$ 2,698</u>

**MULTNOMAH COUNTY, OREGON**  
**SERIAL LEVY FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Taxes:			
Property:			
Prior years'	\$ 55	\$ 3	\$ (52)
Penalties and interest		4	4
Total revenues	<u>55</u>	<u>7</u>	<u>(48)</u>
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 77</u>	<u>57</u>	<u>35</u>
	<u>77</u>	<u>64</u>	<u>(13)</u>
<b>OTHER FINANCING USE:</b>			
Transfer to General Fund	\$ 77	64	13
<b>ENDING FUND BALANCE</b>		<u>\$</u>	<u>\$</u>

**MULTNOMAH COUNTY, OREGON**  
**LIBRARY FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Taxes:			
Property:			
Current year	\$ 9,514	\$ 9,767	\$ 253
Prior years'	413	383	(30)
Penalties and interest	91	90	(1)
Sales on foreclosures		6	6
Intergovernmental:			
Federal, state, and local	324	346	22
Charges for services	8	43	35
Interest	150	98	(52)
Other:			
Miscellaneous	1,239	1,404	165
Service reimbursements	140	107	(33)
Total revenues	<u>11,879</u>	<u>12,244</u>	<u>365</u>
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	6,005	6,005	
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 1,859</u>	<u>2,570</u>	<u>711</u>
	<u>\$ 19,743</u>	<u>20,819</u>	<u>1,076</u>
<b>EXPENDITURES:</b>			
Library:			
Personal services	\$ 12,714	12,185	529
Materials and services	6,814	6,550	264
Capital outlay	170	152	18
Contingency	45		45
Total expenditures	<u>\$ 19,743</u>	<u>18,887</u>	<u>856</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 1,932</u>	<u>\$ 1,932</u>

**MULTNOMAH COUNTY, OREGON**  
**JUSTICE SERVICES SPECIAL OPERATIONS FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Intergovernmental:			
Federal	\$ 210	\$ 45	\$ (165)
State	666	599	(67)
Local	462	315	(147)
Licenses and permits	157	349	192
Charges for services	1,692	1,778	86
Interest		19	19
Other - Miscellaneous	768	584	(184)
Total revenues	<u>3,955</u>	<u>3,689</u>	<u>(266)</u>
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	1,768	1,768	
Total	<u>\$ 5,723</u>	<u>5,457</u>	<u>(266)</u>
<b>EXPENDITURES:</b>			
Community Corrections:			
Personal services	\$ 452	467	(15)
Materials and services	692	562	130
Capital outlay	7	1	6
Sub-total	<u>1,151</u>	<u>1,030</u>	<u>121</u>
District Attorney:			
Personal services	201	165	36
Materials and services	2,204	619	1,585
Capital outlay	173	62	111
Sub-total	<u>2,578</u>	<u>846</u>	<u>1,732</u>
Sheriff:			
Personal services	905	780	125
Materials and services	703	601	102
Capital outlay	188	153	35
Sub-total	<u>1,796</u>	<u>1,534</u>	<u>262</u>
Total expenditures	<u>5,525</u>	<u>3,410</u>	<u>2,115</u>
<b>OTHER FINANCING USES:</b>			
Transfers to other funds:			
General	98		98
Federal and State Program	100	100	
Total other financing uses	<u>198</u>	<u>100</u>	<u>98</u>
Total	<u>\$ 5,723</u>	<u>3,510</u>	<u>2,213</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 1,947</u>	<u>\$ 1,947</u>

**MULTNOMAH COUNTY, OREGON**  
**COUNTY FAIR FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Intergovernmental - State	\$ 50	\$ 10	\$ (40)
Interest		2	2
Other:			
Fair	119	136	17
Racing	114	38	(76)
Total revenues	<u>283</u>	<u>186</u>	<u>(97)</u>
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	25	25	
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 308</u>	<u>75</u>	<u>75</u>
		<u>286</u>	<u>(22)</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 29	33	(4)
Materials and services	245	234	11
Contingency	34		34
Total expenditures	<u>\$ 308</u>	<u>267</u>	<u>41</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 19</u>	<u>\$ 19</u>

**MULTNOMAH COUNTY, OREGON**  
**INMATE WELFARE FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Charges for services	\$	\$	\$
Interest	3	9	6
Other - Miscellaneous	1,116	756	(360)
Total revenues	1,119	777	(342)
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 1,346	1,010	6 (336)
<b>EXPENDITURES:</b>			
Sheriff:			
Personal services	\$ 192	194	(2)
Materials and services	663	683	(20)
Capital outlay	63	57	6
Contingency	428		428
Total expenditures	\$ 1,346	934	412
<b>ENDING FUND BALANCE</b>		\$ 76	\$ 76

**MULTNOMAH COUNTY, OREGON**  
**CONVENTION CENTER FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Taxes - Transient lodging	\$ 4,330	\$ 3,550	\$ (780)
Interest	70		(70)
Total revenues	<u>4,400</u>	<u>3,550</u>	<u>(850)</u>
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 4,400</u>	<u>786</u>	<u>786</u>
		<u>4,336</u>	<u>(64)</u>
<b>EXPENDITURES:</b>			
Nondepartmental:			
Materials and services	\$ 4,400	4,213	187
<b>ENDING FUND BALANCE</b>		<u>\$ 123</u>	<u>\$ 123</u>

**MULTNOMAH COUNTY, OREGON**  
**ASSESSMENT DISTRICT OPERATING FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Interest	\$	\$ 5	\$ 5
Special assessments		14	14
Total revenues		19	19
<b>OTHER FINANCING SOURCE:</b>			
Transfer from Assessment District Bond Sinking Fund	45	45	
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 45	(11) 53	(11) 8
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 15	15	
<b>OTHER FINANCING USE:</b>			
Transfer to Road Fund	30	30	
Total	\$ 45	45	
<b>ENDING FUND BALANCE</b>		\$ 8	\$ 8

**MULTNOMAH COUNTY, OREGON**  
**NATURAL AREAS ACQUISITION AND PROTECTION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Interest	\$ 42	\$ 108	\$ 66
Other - Miscellaneous	215	631	416
Total revenues	<u>257</u>	<u>739</u>	<u>482</u>
<b>BEGINNING FUND BALANCE</b>			
Total	\$ <u>365</u>	<u>265</u>	<u>(100)</u>
	<u>\$ 622</u>	<u>1,004</u>	<u>382</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 54	28	26
Capital outlay	507	507	507
Total expenditures	<u>561</u>	<u>28</u>	<u>533</u>
<b>OTHER FINANCING USES:</b>			
Transfers to other funds:			
General	30		30
Recreation	31	31	
Total other financing uses	<u>61</u>	<u>31</u>	<u>30</u>
Total	\$ <u>622</u>	<u>59</u>	<u>563</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 945</u>	<u>\$ 945</u>

**MULTNOMAH COUNTY, OREGON**  
**JAIL LEVY FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Taxes:			
Property:			
Current year	\$ 12,472	\$ 12,803	\$ 331
Prior years'	513	495	(18)
Penalties and interest	113	98	(15)
Sales on foreclosures		8	8
Intergovernmental - Local		37	37
Interest		49	49
Other - Service reimbursements	247		(247)
Total revenues	<u>13,345</u>	<u>13,490</u>	<u>145</u>
<b>OTHER FINANCING SOURCE:</b>			
Transfer from General Fund	2,238	1,496	(742)
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 59</u>	<u>60</u>	<u>1</u>
	<u>\$ 15,642</u>	<u>15,046</u>	<u>(596)</u>
<b>EXPENDITURES:</b>			
Health Services:			
Personal services	\$ 1,160	1,121	39
Materials and services	515	529	(14)
Sub-total	<u>1,675</u>	<u>1,650</u>	<u>25</u>
Community Corrections:			
Personal services	142	142	
Materials and services	1,628	1,623	5
Sub-total	<u>1,770</u>	<u>1,765</u>	<u>5</u>
Sheriff:			
Personal services	9,219	9,105	114
Materials and services	2,140	2,032	108
Capital outlay	375	93	282
Sub-total	<u>11,734</u>	<u>11,230</u>	<u>504</u>
Environmental Services:			
Personal services	144	129	15
Materials and services	319	258	61
Sub-total	<u>463</u>	<u>387</u>	<u>76</u>
Total expenditures	<u>\$ 15,642</u>	<u>15,032</u>	<u>610</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 14</u>	<u>\$ 14</u>

## DEBT SERVICE FUNDS

These funds account for the retirement of general obligation bonds, Certificates of Participation (capitalized leases) and other lease purchase arrangements. The modified accrual basis of accounting is used. Funds included are:

- Assessment District Bond Sinking Fund - In accordance with ORS 223.285, accounted for the payment of principal and interest on special assessment improvement bonds. Revenues are received from the collection of "Bancroft" assessment liens. This fund was closed out during the fiscal year.
- Capital Lease Retirement Fund - Accounts for lease-purchase principal and interest payments for buildings and major pieces of equipment acquired by the issuance of Certificates of Participation or other lease-purchase arrangements. Revenues consist of Certificates of Participation proceeds, service reimbursements and cash transfers from other County funds.
- Library Bond Sinking Fund - Accounts for payment of principal and interest on library general obligation bonds. Revenue is derived from property taxes.

**MULTNOMAH COUNTY, OREGON**  
**COMBINING BALANCE SHEET**  
**DEBT SERVICE FUNDS**  
**June 30, 1994**  
 (amounts expressed in thousands)

	Capital Lease Retirement	Library Bond Sinking	Total
<b>ASSETS:</b>			
Cash and investments	\$ 7,132	\$ 1,923	\$ 9,055
Receivables:			
Taxes		80	80
Accounts		1	1
Total assets	<u>\$ 7,132</u>	<u>\$ 2,004</u>	<u>\$ 9,136</u>
<b>LIABILITIES AND FUND BALANCES:</b>			
Liabilities:			
Deferred revenue	<u>\$</u>	<u>\$ 69</u>	<u>\$ 69</u>
Fund balances:			
Reserved for debt service	<u>7,132</u>	<u>1,935</u>	<u>9,067</u>
Total liabilities and fund balances	<u>\$ 7,132</u>	<u>\$ 2,004</u>	<u>\$ 9,136</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**DEBT SERVICE FUNDS**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	Assessment District Bond Sinking	Capital Lease Retirement	Library Bond Sinking	Total
<b>REVENUES:</b>				
Taxes	\$ 1	\$ 1,257	\$ 1,872	\$ 1,872
Interest	7	63	63	1,321
Special assessments	7			7
Other		4,686		4,686
Total revenues	<u>8</u>	<u>5,943</u>	<u>1,935</u>	<u>7,886</u>
<b>EXPENDITURES:</b>				
Current:				
General government		47		47
Debt service:				
Principal		1,231		1,231
Interest		2,868		2,868
Total expenditures		<u>4,146</u>		<u>4,146</u>
Excess of revenues over expenditures	<u>8</u>	<u>1,797</u>	<u>1,935</u>	<u>3,740</u>
<b>OTHER FINANCING USE:</b>				
Operating transfers out	<u>(362)</u>			<u>(362)</u>
Excess of revenues over (under) expenditures and other use	<u>(354)</u>	1,797	1,935	3,378
<b>FUND BALANCES, JUNE 30, 1993</b>	<u>354</u>	<u>5,335</u>		<u>5,689</u>
<b>FUND BALANCES, JUNE 30, 1994</b>	<u>\$</u>	<u>\$ 7,132</u>	<u>\$ 1,935</u>	<u>\$ 9,067</u>

**MULTNOMAH COUNTY, OREGON**  
**ASSESSMENT DISTRICT BOND SINKING FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Interest	\$	\$ 1	\$ 1
Special assessments		7	7
Total revenues		<u>8</u>	<u>8</u>
<b>BEGINNING FUND BALANCE</b>			
Total	365	354	(11)
	<u>\$ 365</u>	<u>362</u>	<u>(3)</u>
<b>OTHER FINANCING USES:</b>			
Transfers to other funds:			
General	\$ 320	317	3
Assessment District Operating	45	45	
Total other financing uses	<u>\$ 365</u>	<u>362</u>	<u>3</u>
<b>ENDING FUND BALANCE</b>		<u>\$</u>	<u>\$</u>

**MULTNOMAH COUNTY, OREGON**  
**CAPITAL LEASE RETIREMENT FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Interest	\$ 823	\$ 1,257	\$ 434
Other – Service reimbursements	4,691	4,686	(5)
Total revenues	5,514	5,943	429
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 10,849	11,278	429
<b>EXPENDITURES:</b>			
Nondepartmental:			
Materials and services	\$ 35	47	(12)
Contingency	5,359		5,359
Debt service:			
Principal	2,117	1,231	886
Interest	3,338	2,868	470
Total expenditures	\$ 10,849	4,146	6,703
<b>ENDING FUND BALANCE</b>		\$ 7,132	\$ 7,132

**MULTNOMAH COUNTY, OREGON**  
**LIBRARY BOND SINKING FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Taxes:			
Property:			
Current year	\$ 1,796	\$ 1,870	\$ 74
Penalties and interest		1	1
Sales on foreclosures		1	1
Interest	50	63	13
Total revenues	<u>\$ 1,846</u>	<u>1,935</u>	<u>89</u>
<b>EXPENDITURES:</b>			
Nondepartmental:			
Materials and services	\$ 10		10
Debt service:			
Principal	1,095		1,095
Interest	741		741
Total expenditures	<u>\$ 1,846</u>		<u>1,846</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 1,935</u>	<u>\$ 1,935</u>

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## CAPITAL PROJECTS FUNDS

These funds account for expenditures on major construction projects, proceeds from certificates of participation issued to finance capital acquisitions and proceeds from the sale of County property, and library general obligation bond proceeds. The modified accrual basis of accounting is used to record revenues and expenditures. Funds included are:

- Lease/Purchase Project Fund - accounts for purchases and construction of capital acquisition.
- Capital Improvement Fund - accounts for the proceeds from the sale of County property and expenditures made to improve County property.
- Library Construction Fund - accounts for the renovation of the Central Library and the expansion of the Midland Library.

**MULTNOMAH COUNTY, OREGON  
 COMBINING BALANCE SHEET  
 CAPITAL PROJECTS FUNDS  
 JUNE 30, 1994  
 (amounts expressed in thousands)**

	<u>Lease/ Purchase Project</u>	<u>Capital Improvement</u>	<u>Library Construction</u>	<u>Total</u>
<b>ASSETS:</b>				
Cash and investments	\$ 17,458	\$ 1,563	\$ 20,596	\$ 39,617
Contracts receivable		2,757		2,757
Total assets	<u>\$ 17,458</u>	<u>\$ 4,320</u>	<u>\$ 20,596</u>	<u>\$ 42,374</u>
<b>LIABILITIES AND FUND BALANCES:</b>				
Liabilities:				
Accounts payable	\$ 2,500	\$ 5	\$ 174	\$ 2,679
Deferred revenue		3,408		3,408
Total liabilities	<u>2,500</u>	<u>3,413</u>	<u>174</u>	<u>6,087</u>
Fund balances:				
Reserved for capital projects	14,958	907	20,422	36,287
Total liabilities and fund balances	<u>\$ 17,458</u>	<u>\$ 4,320</u>	<u>\$ 20,596</u>	<u>\$ 42,374</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**CAPITAL PROJECTS FUNDS**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	<u>Lease/ Purchase Project</u>	<u>Capital Improvement</u>	<u>Library Construction</u>	<u>Total</u>
<b>REVENUES:</b>				
Charges for services	\$	\$ 86	\$	\$ 86
Interest		192	220	412
Other:				
Miscellaneous		724		724
Service reimbursements		37		37
Total revenues		<u>1,039</u>	<u>220</u>	<u>1,259</u>
<b>EXPENDITURES:</b>				
Current:				
General government	192	100		292
Community services			582	582
Capital outlay	12,931	226	1,216	14,373
Total expenditures	<u>13,123</u>	<u>326</u>	<u>1,798</u>	<u>15,247</u>
Excess of revenues over (under) expenditures	<u>(13,123)</u>	<u>713</u>	<u>(1,578)</u>	<u>(13,988)</u>
<b>OTHER FINANCING SOURCES:</b>				
Certificates of participation proceeds	534			534
Bond sales			22,000	22,000
Total other financing sources	<u>534</u>		<u>22,000</u>	<u>22,534</u>
Excess of revenues and other sources over (under) expenditures	<u>(12,589)</u>	<u>713</u>	<u>20,422</u>	<u>8,546</u>
<b>FUND BALANCES, JUNE 30, 1993</b>	<u>27,547</u>	<u>194</u>		<u>27,741</u>
<b>FUND BALANCES, JUNE 30, 1994</b>	<u>\$ 14,958</u>	<u>\$ 907</u>	<u>\$ 20,422</u>	<u>\$ 36,287</u>

**MULTNOMAH COUNTY, OREGON**  
**LEASE/PURCHASE PROJECT FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>OTHER FINANCING SOURCE:</b>			
Certificates of participation proceeds	\$ 461	\$ 534	\$ 73
<b>BEGINNING FUND BALANCE</b>			
	<u>30,450</u>	<u>27,547</u>	<u>(2,903)</u>
Total	<u>\$ 30,911</u>	<u>28,081</u>	<u>(2,830)</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 2,110	192	1,918
Capital outlay	28,801	12,931	15,870
Total expenditures	<u>\$ 30,911</u>	<u>13,123</u>	<u>17,788</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 14,958</u>	<u>\$ 14,958</u>

**MULTNOMAH COUNTY, OREGON**  
**CAPITAL IMPROVEMENT FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	<b>Budget</b>	<b>Actual</b>	<b>Variance favorable (unfavorable)</b>
<b>REVENUES:</b>			
Charges for services	\$	\$	\$
Interest	28	192	164
Other:			
Miscellaneous	215	724	509
Service reimbursements	37	37	
Total revenues	280	1,039	759
<b>BEGINNING FUND BALANCE</b>	402	194	(208)
Total	\$ 682	1,233	551
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 22	22	
Materials and services	119	78	41
Capital outlay	504	226	278
Contingency	37		37
Total expenditures	\$ 682	326	356
<b>ENDING FUND BALANCE</b>		\$ 907	\$ 907

**MULTNOMAH COUNTY, OREGON**  
**LIBRARY CONSTRUCTION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
 For the fiscal year ended June 30, 1994  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUE:</b>			
Interest	\$	\$ 220	\$ 220
<b>OTHER FINANCING SOURCE:</b>			
Bond sales	31,000	22,000	(9,000)
Total	<u>\$ 31,000</u>	<u>22,220</u>	<u>(8,780)</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 5,744	582	5,162
Capital outlay	25,256	1,216	24,040
Total expenditures	<u>\$ 31,000</u>	<u>1,798</u>	<u>29,202</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 20,422</u>	<u>\$ 20,422</u>

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## ENTERPRISE FUNDS

These funds are used to finance and account for the acquisition, operation and maintenance of sewage treatment, street lighting facilities, the parks program and the Exposition Center program, improved library services, and health care claims administration, which are supported by user charges. The County accounts for certain expenditures of the enterprise funds for budgetary purposes on the modified accrual basis of accounting. For financial reporting purposes the accrual basis of accounting is used. The difference in the accounting basis used relates primarily to the methods of accounting for depreciation, debt and capital outlay. Funds included are:

- Dunthorpe-Riverdale Service District No. 1 Fund - accounts for the operation of the sanitary sewer system in Southwest unincorporated Multnomah County. (A blended Component Unit of Multnomah County.)
- Mid County Service District No. 14 Fund - accounts for the operation of street lights throughout unincorporated Multnomah County. (A blended Component Unit of Multnomah County.)
- Recreation Fund - accounts for the parks program and the Exposition Center program. Operations were transferred to Metro on January 1, 1994.
- Library Enterprise Fund - accounts for revenues for increases in library service charges to expend for improved library service.
- CareOregon Fund - accounts for the operation of CareOregon including administrative expenses.

**MULTNOMAH COUNTY, OREGON**  
**COMBINING BALANCE SHEET**  
**ENTERPRISE FUNDS**  
**June 30, 1994**  
(amounts expressed in thousands)

	Dunthorpe- Riverdale Service District No. 1	Mid County Service District No. 14	Recreation	Library Enterprise	CareOregon	Total
<b>ASSETS:</b>						
Current Assets:						
Cash and investments	\$ 492	\$ 653	\$ 124	\$ 81	\$ 4,908	\$ 6,258
Receivables (net of allowances for uncollectibles):						
Accounts	10		83		485	578
Notes			41			41
Special assessments		46				46
Total current assets	<u>502</u>	<u>699</u>	<u>248</u>	<u>81</u>	<u>5,393</u>	<u>6,923</u>
Fixed assets (net of accumulated depreciation)	711	653	9,926		56	11,346
Total assets	<u>\$ 1,213</u>	<u>\$ 1,352</u>	<u>\$ 10,174</u>	<u>\$ 81</u>	<u>\$ 5,449</u>	<u>\$ 18,269</u>
<b>LIABILITIES AND FUND EQUITY:</b>						
Liabilities:						
Accounts payable	\$ 29	\$ 26	\$ 207		\$ 5,784	\$ 6,046
Due to other funds					135	135
Compensated absences					36	36
Deferred revenue			41			41
Total liabilities	<u>29</u>	<u>26</u>	<u>248</u>		<u>5,955</u>	<u>6,258</u>
Fund equity:						
Contributed capital	1,803	957	10,631		21	13,412
Retained earnings (deficit):						
Unreserved, undesignated	(619)	369	(705)	81	(527)	(1,401)
Total fund equity (deficit)	<u>1,184</u>	<u>1,326</u>	<u>9,926</u>	<u>81</u>	<u>(506)</u>	<u>12,011</u>
Total liabilities and fund equity	<u>\$ 1,213</u>	<u>\$ 1,352</u>	<u>\$ 10,174</u>	<u>\$ 81</u>	<u>\$ 5,449</u>	<u>\$ 18,269</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN RETAINED EARNINGS (DEFICIT)**  
**ENTERPRISE FUNDS**  
**For the fiscal year ended June 30, 1994**  
**(amounts expressed in thousands)**

	Dunthorpe- Riverdale Service District No. 1	Mid County Service District No. 14	Recreation	Library Enterprise	CareOregon	Total
<b>OPERATING REVENUES:</b>						
Charges for sales and services	\$ 117	\$ 317	\$ 1,961	\$ 81	\$ 7,101	\$ 9,577
<b>OPERATING EXPENSES:</b>						
Salaries and wages			567		292	859
Employee benefits			252		93	345
Repairs and maintenance			75		5	80
Utilities	116	297	115		30	558
Equipment rental			15			15
Professional services			114		342	456
Communication			5			5
Operating supplies			38		38	76
Medical claims					6,297	6,297
Administrative	4		122		467	593
Internal support		12	68		88	168
Depreciation	28	66	434		6	534
Other expenses	2		323		5	330
Total operating expenses	<u>150</u>	<u>375</u>	<u>2,128</u>		<u>7,663</u>	<u>10,316</u>
Operating income (loss)	<u>(33)</u>	<u>(58)</u>	<u>(167)</u>	<u>81</u>	<u>(562)</u>	<u>(739)</u>
<b>NONOPERATING REVENUES:</b>						
Interest revenue	17	23	26		35	101
Net income (loss) before operating transfers	<u>(16)</u>	<u>(35)</u>	<u>(141)</u>	<u>81</u>	<u>(527)</u>	<u>(638)</u>
<b>OPERATING TRANSFERS IN</b>						
Net income (loss)	<u>(16)</u>	<u>(35)</u>	<u>(110)</u>	<u>81</u>	<u>(527)</u>	<u>(607)</u>
<b>RETAINED EARNINGS (DEFICIT), JUNE 30, 1993</b>	<b>(603)</b>	<b>404</b>	<b>338</b>			<b>139</b>
<b>EQUITY TRANSFER OUT</b>						
			<b>(933)</b>			<b>(933)</b>
<b>RETAINED EARNINGS (DEFICIT), JUNE 30, 1994</b>	<b><u>\$ (619)</u></b>	<b><u>\$ 369</u></b>	<b><u>\$ (705)</u></b>	<b><u>\$ 81</u></b>	<b><u>\$ (527)</u></b>	<b><u>\$ (1,401)</u></b>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF CASH FLOWS**  
**ENTERPRISE FUNDS**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	Dunthorpe- Riverdale Service District No. 1	Mid County Service District No. 14	Recreation	Library Enterprise	CareOregon	Total
<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>						
Operating income (loss)	\$ (33)	\$ (58)	\$ (167)	\$ 81	\$ (562)	\$ (739)
Adjustments to reconcile operating income (loss) to cash and cash equivalents provided by operating activities:						
Depreciation	28	66	434		6	534
Changes in assets and liabilities:						
(Increase) decrease in accounts receivable	1		70		(485)	(414)
Decrease in notes receivable			17			17
Decrease in special assessments receivable		11				11
Decrease in prepaid items			3			3
Increase (decrease) in accounts payable	6	(6)	(113)		5,784	5,671
Increase in due to other funds					135	135
Decrease in deferred revenue			(72)			(72)
Increase (decrease) in compensated absences			(81)		36	(45)
Net cash provided by operating activities	<u>2</u>	<u>13</u>	<u>91</u>	<u>81</u>	<u>4,914</u>	<u>5,101</u>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:</b>						
Operating transfers in			31			31
Equity transfer out			(933)			(933)
Net cash used by noncapital financing activities			<u>(902)</u>			<u>(902)</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>						
Acquisition of fixed assets		(94)	(91)		(62)	(247)
Capital contributed by customers and others	3	92			21	116
Net cash provided (used) by capital and related financing activities	<u>3</u>	<u>(2)</u>	<u>(91)</u>		<u>(41)</u>	<u>(131)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>						
Interest on investments	17	23	26		35	101
Net cash provided by investing activities	<u>17</u>	<u>23</u>	<u>26</u>		<u>35</u>	<u>101</u>
Net increase (decrease) in cash and cash equivalents	22	34	(876)	81	4,908	4,169
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1993</b>	<u>470</u>	<u>619</u>	<u>1,000</u>			<u>2,089</u>
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1994</b>	<u>\$ 492</u>	<u>\$ 653</u>	<u>\$ 124</u>	<u>\$ 81</u>	<u>\$ 4,908</u>	<u>\$ 6,258</u>
<b>NONCASH INVESTING, CAPITAL AND FINANCING ACTIVITIES:</b>						
Disposal of fixed assets, net book value	\$ _____	\$ (56)	\$ _____	\$ _____	\$ _____	\$ (56)
Transfer of equipment, net book value, to Metro	\$ _____	\$ _____	\$ (59)	\$ _____	\$ _____	\$ (59)

**MULTNOMAH COUNTY, OREGON**  
**COMBINING SCHEDULE OF CHANGES IN CONTRIBUTED CAPITAL**  
**ENTERPRISE FUNDS**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	Dunthorpe- Riverdale Service District No. 1	Mid County Service District No. 14	Recreation	CareOregon	Total
<b>CONTRIBUTED CAPITAL, JUNE 30, 1993</b>	\$ 1,800	\$ 921	\$ 10,690	\$	\$ 13,411
<b>ADD:</b>					
Contributions from connection fees	3				3
Contributions from customers		92			92
Contributions from Federal and State Program, a Special Revenue Fund				21	21
<b>Total contributions added</b>	<u>3</u>	<u>92</u>		<u>21</u>	<u>116</u>
<b>DEDUCT:</b>					
Disposal of fixed assets, net book value		(56)			(56)
Transfer of equipment to Metro			(59)		(59)
<b>Total contributions deducted</b>		<u>(56)</u>	<u>(59)</u>		<u>(115)</u>
<b>CONTRIBUTED CAPITAL, JUNE 30, 1994</b>	<u>\$ 1,803</u>	<u>\$ 957</u>	<u>\$ 10,631</u>	<u>\$ 21</u>	<u>\$ 13,412</u>

**MULTNOMAH COUNTY, OREGON**  
**DUNTHORPE-RIVERDALE SERVICE DISTRICT NO. 1 FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Assessments - sewer	\$ 125	\$ 117	\$ (8)
Charges for services	10	3	(7)
Interest	25	17	(8)
Total revenues	160	137	(23)
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 610	586	(1) (24)
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 136	122	14
Contingency	20		20
Total expenditures	156	122	34
<b>ENDING FUND BALANCE</b>	\$ 454	\$ 464	\$ 10
	\$ 610		

**MULTNOMAH COUNTY, OREGON**  
**MID COUNTY SERVICE DISTRICT NO. 14 FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Assessments - street lighting			
Current year	\$ 415	\$ 301	\$ (114)
Prior years'		21	21
Penalties and interest		5	5
Sales on foreclosures		1	1
Interest	20	23	3
Other	1		(1)
Total revenues	<u>436</u>	<u>351</u>	<u>(85)</u>
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 350</u>	<u>595</u>	<u>245</u>
	<u>\$ 786</u>	<u>946</u>	<u>160</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Materials and services	\$ 428	310	118
Capital outlay	100	1	99
Contingency	25		25
Total expenditures	<u>553</u>	<u>311</u>	<u>242</u>
<b>ENDING FUND BALANCE</b>	<u>233</u>	<u>\$ 635</u>	<u>\$ 402</u>
	<u>\$ 786</u>		

**MULTNOMAH COUNTY, OREGON**  
**RECREATION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Taxes - Gasoline	\$ 121	\$ 125	\$ 4
Intergovernmental - State	48	196	148
Charges for services	1,375	851	(524)
Interest	5	26	21
Other:			
Miscellaneous	1,460	787	(673)
Service reimbursements		2	2
Total revenues	3,009	1,987	(1,022)
<b>OTHER FINANCING SOURCE:</b>			
Transfer from Natural Areas Aquisition and Protection	31	31	
<b>BEGINNING FUND BALANCE</b>	500	699	199
Total	\$ 3,540	2,717	(823)
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 819	819	
Materials and services	2,544	839	1,705
Capital outlay	126	126	
Contingency	51		51
Total expenditures	\$ 3,540	1,784	1,756
<b>EQUITY TRANSFER OUT</b>		(933)	(933)
<b>ENDING FUND BALANCE</b>		\$	\$

**MULTNOMAH COUNTY, OREGON**  
**LIBRARY ENTERPRISE FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Charges for services	\$	\$ 6	\$ 6
Other - Miscellaneous		75	75
Total revenues	\$	81	81
<b>ENDING FUND BALANCE</b>		\$ 81	\$ 81

**MULTNOMAH COUNTY, OREGON**  
**CAREOREGON FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	<u>Variance favorable (unfavorable)</u>
<b>REVENUES:</b>			
Intergovernmental:			
Federal and state	\$ 11,592	\$ 7,101	\$ (4,491)
Interest	60	35	(25)
Other - Service reimbursements	21	21	
Total revenues	<u>\$ 11,673</u>	<u>7,157</u>	<u>(4,516)</u>
<b>EXPENDITURES:</b>			
Health Services:			
Personal services	\$ 488	385	103
Materials and services	11,113	7,272	3,841
Capital outlay	72	67	5
Total expenditures	<u>\$ 11,673</u>	<u>7,724</u>	<u>3,949</u>
<b>ENDING FUND BALANCE</b>		<u>\$ (567)</u>	<u>\$ (567)</u>

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## INTERNAL SERVICE FUNDS

These funds account for activities and services performed primarily for other organizational units within the County. Charges to the County agencies are calculated to recover costs and maintain capital. The County accounts for certain expenditures of the Internal Service Funds for budgetary purposes on the modified accrual basis of accounting. For financial reporting purposes the accrual basis of accounting is used. Such differences relate primarily to the methods of accounting for depreciation and capital outlay. Funds included are:

- Insurance Fund - accounts for the County's insurance coverage.
- Fleet Management Fund - accounts for all motor vehicle fleet operations.
- Telephone Fund - accounts for all telephone operations.
- Data Processing Fund - accounts for the County's data processing operations.
- Mail/Distribution Fund - accounts for the County's mail/distribution operations.

**MULTNOMAH COUNTY, OREGON**  
**COMBINING BALANCE SHEET**  
**INTERNAL SERVICE FUNDS**  
**June 30, 1994**  
(amounts expressed in thousands)

	<u>Insurance</u>	<u>Fleet Management</u>	<u>Telephone</u>	<u>Data Processing</u>	<u>Mail/ Distribution</u>	<u>Total</u>
<b>ASSETS:</b>						
<b>Current assets:</b>						
Cash and investments	\$ 12,397	\$ 1,562	\$ 851	\$ 922	\$ 16	\$ 15,748
Accounts receivable	1	42	64	5		112
Due from other funds	726					726
Inventories		356			82	438
Prepaid items	99					99
Total current assets	<u>13,223</u>	<u>1,960</u>	<u>915</u>	<u>927</u>	<u>98</u>	<u>17,123</u>
Fixed assets (net of accumulated depreciation)	13	2,884	1,901	733	8	5,539
Total assets	<u>\$ 13,236</u>	<u>\$ 4,844</u>	<u>\$ 2,816</u>	<u>\$ 1,660</u>	<u>\$ 106</u>	<u>\$ 22,662</u>
<b>LIABILITIES AND FUND EQUITY:</b>						
<b>Current liabilities:</b>						
Accounts payable	\$ 7,939	\$ 181	\$ 652	\$ 57	\$ 4	\$ 8,833
Compensated absences	52	70	28	246	8	404
Capitalized leases - current				266		266
Total current liabilities	<u>7,991</u>	<u>251</u>	<u>680</u>	<u>569</u>	<u>12</u>	<u>9,503</u>
<b>Noncurrent liabilities:</b>						
Capitalized leases (net of current portion)				235		235
Total liabilities	<u>7,991</u>	<u>251</u>	<u>680</u>	<u>804</u>	<u>12</u>	<u>9,738</u>
<b>Fund equity:</b>						
Contributed capital	2	3,639	1,346	1,719	19	6,725
Retained earnings (deficit):						
Unreserved, undesignated	5,243	954	790	(863)	75	6,199
Total equity	<u>5,245</u>	<u>4,593</u>	<u>2,136</u>	<u>856</u>	<u>94</u>	<u>12,924</u>
Total liabilities and fund equity	<u>\$ 13,236</u>	<u>\$ 4,844</u>	<u>\$ 2,816</u>	<u>\$ 1,660</u>	<u>\$ 106</u>	<u>\$ 22,662</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN RETAINED EARNINGS (DEFICIT)**  
**INTERNAL SERVICE FUNDS**  
**For the fiscal year ended June 30, 1994**  
**(amounts expressed in thousands)**

	Insurance	Fleet Management	Telephone	Data Processing	Mail/ Distribution	Total
<b>OPERATING REVENUES:</b>						
Charges for services	\$ 19,692	\$ 3,331	\$ 2,454	\$ 5,816	\$ 1,093	\$ 32,386
Insurance premiums	643					643
Experience rating and refunds	40					40
Total operating revenues	<u>20,375</u>	<u>3,331</u>	<u>2,454</u>	<u>5,816</u>	<u>1,093</u>	<u>33,069</u>
<b>OPERATING EXPENSES:</b>						
Salaries and wages	819	828	236	2,500	211	4,594
Employee benefits	340	373	89	986	89	1,877
Repairs and maintenance	10	101	642	518	3	1,274
Utilities		81				81
Equipment rental		12	37	26	11	86
Facility rental	17	12	36	296	4	365
Professional services	888	17		931	45	1,881
Communications	9	12	617	189	2	829
Operating supplies	20	818	18	211	647	1,714
Insurance claims and premiums	16,977					16,977
Internal support			78	247		325
Depreciation	1	956	567	462	4	1,990
Other	278	57	111	109	53	608
Total operating expenses	<u>19,359</u>	<u>3,267</u>	<u>2,431</u>	<u>6,475</u>	<u>1,069</u>	<u>32,601</u>
Operating income (loss)	<u>1,016</u>	<u>64</u>	<u>23</u>	<u>(659)</u>	<u>24</u>	<u>468</u>
<b>NONOPERATING REVENUES (EXPENSES):</b>						
Interest revenue	414	37	19	64		534
Interest expense				(45)		(45)
Loss on disposal of fixed assets	(2)	(12)		(3)		(17)
Loss on sale of equipment		(5)				(5)
Total nonoperating revenues	<u>412</u>	<u>20</u>	<u>19</u>	<u>16</u>		<u>467</u>
Net income (loss)	<u>1,428</u>	<u>84</u>	<u>42</u>	<u>(643)</u>	<u>24</u>	<u>935</u>
<b>RETAINED EARNINGS (DEFICIT), JUNE 30, 1993</b>	<u>3,815</u>	<u>870</u>	<u>748</u>	<u>(220)</u>	<u>51</u>	<u>5,264</u>
<b>RETAINED EARNINGS (DEFICIT), JUNE 30, 1994</b>	<u>\$ 5,243</u>	<u>\$ 954</u>	<u>\$ 790</u>	<u>\$ (863)</u>	<u>\$ 75</u>	<u>\$ 6,199</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF CASH FLOWS**  
**INTERNAL SERVICE FUNDS**  
**For the fiscal year ended June 30, 1994**  
**(amounts expressed in thousands)**

	<u>Insurance</u>	<u>Fleet Management</u>	<u>Telephone</u>	<u>Data Processing</u>	<u>Mail/ Distribution</u>	<u>Total</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>						
Operating income (loss)	\$ 1,016	\$ 64	\$ 23	\$ (659)	\$ 24	\$ 468
Adjustments to reconcile operating income (loss) to cash and cash equivalents provided (used) by operating activities:						
Depreciation	1	956	567	462	4	1,990
Changes in assets and liabilities:						
(Increase) decrease in accounts receivable		(39)	(23)	31		(31)
Decrease in due from other funds	1,019					1,019
(Increase) decrease in inventories		26			(64)	(38)
Increase in prepaid items	(38)					(38)
Increase (decrease) in accounts payable	962	86	339	(214)		1,173
Increase in compensated absences	13	14	12	58	3	100
Net cash provided (used) by operating activities	<u>2,973</u>	<u>1,107</u>	<u>918</u>	<u>(322)</u>	<u>(33)</u>	<u>4,643</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>						
Acquisition of fixed assets	(6)	(964)	(791)	(73)		(1,834)
Principal paid on capitalized leases				(316)		(316)
Interest paid on capitalized leases				(45)		(45)
Net cash used by capital and related financing activities	<u>(6)</u>	<u>(964)</u>	<u>(791)</u>	<u>(434)</u>		<u>(2,195)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>						
Interest on investments	414	37	19	64		534
Net cash provided by investing activities	<u>414</u>	<u>37</u>	<u>19</u>	<u>64</u>		<u>534</u>
Net increase (decrease) in cash and cash equivalents	3,381	180	146	(692)	(33)	2,982
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1993</b>	<u>9,016</u>	<u>1,382</u>	<u>705</u>	<u>1,614</u>	<u>49</u>	<u>12,766</u>
<b>CASH AND CASH EQUIVALENTS, JUNE 30, 1994</b>	<u>\$ 12,397</u>	<u>\$ 1,562</u>	<u>\$ 851</u>	<u>\$ 922</u>	<u>\$ 16</u>	<u>\$ 15,748</u>
<b>NONCASH INVESTING, CAPITAL AND FINANCING ACTIVITIES:</b>						
Disposal of fixed assets, net book value	\$ (2)	\$ (25)	\$	\$ (3)	\$	\$ (30)
Transfer of fixed assets from General Fixed Assets Account Group, net book value	\$	\$ 80	\$	\$ 17	\$ 2	\$ 99

**MULTNOMAH COUNTY, OREGON**  
**COMBINING SCHEDULE OF CHANGES IN CONTRIBUTED CAPITAL**  
**INTERNAL SERVICE FUNDS**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Insurance</u>	<u>Fleet Management</u>	<u>Telephone</u>	<u>Data Processing</u>	<u>Mail/ Distribution</u>	<u>Total</u>
<b>CONTRIBUTED CAPITAL, JUNE 30, 1993</b>	\$ 4	\$ 3,559	\$ 1,346	\$ 1,702	\$ 17	\$ 6,628
<b>CONTRIBUTIONS:</b>						
Transfer of fixed assets from General Fixed Assets Account Group, net book value	_____	80	_____	17	2	99
<b>DEDUCTIONS:</b>						
Disposal of fixed assets, net book value	(2)	_____	_____	_____	_____	(2)
<b>CONTRIBUTED CAPITAL, JUNE 30, 1994</b>	<u>\$ 2</u>	<u>\$ 3,639</u>	<u>\$ 1,346</u>	<u>\$ 1,719</u>	<u>\$ 19</u>	<u>\$ 6,725</u>

**MULTNOMAH COUNTY, OREGON**  
**INSURANCE FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Intergovernmental - Local	\$ 159	\$	\$ (159)
Charges for services	14	10	(4)
Interest	340	414	74
Other:			
Service reimbursements	20,556	19,682	(874)
Premiums	692	643	(49)
Experience ratings & miscellaneous		40	40
Total revenues	<u>21,761</u>	<u>20,789</u>	<u>(972)</u>
<b>BEGINNING FUND BALANCE</b>			
Total	\$ 3,740	3,807	67
	<u>\$ 25,501</u>	<u>24,596</u>	<u>(905)</u>
<b>EXPENDITURES:</b>			
Nondepartmental:			
Personal services	\$ 1,224	1,159	65
Materials and services	19,885	18,197	1,688
Capital outlay	9	8	1
Contingency	4,383		4,383
Total expenditures	<u>\$ 25,501</u>	<u>19,364</u>	<u>6,137</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 5,232</u>	<u>\$ 5,232</u>

**MULTNOMAH COUNTY, OREGON**  
**FLEET MANAGEMENT FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Intergovernmental:			
State	\$	\$	\$
Local	49	142	93
Charges for services	25	12	(13)
Interest	50	37	(13)
Other:			
Miscellaneous	50	13	(37)
Service reimbursements	3,661	3,155	(506)
Total revenues	3,835	3,368	(467)
<b>BEGINNING FUND BALANCE</b>	1,808	1,616	(192)
Total	\$ 5,643	4,984	(659)
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 1,285	1,201	84
Materials and services	1,333	1,105	228
Capital outlay	1,345	970	375
Contingency	1,680		1,680
Total expenditures	\$ 5,643	3,276	2,367
<b>ENDING FUND BALANCE</b>		\$ 1,708	\$ 1,708

**MULTNOMAH COUNTY, OREGON**  
**TELEPHONE FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	<u>Budget</u>	<u>Actual</u>	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Charges for services	\$ 293	\$ 298	\$ 5
Interest		19	19
Other - Service reimbursements	<u>1,926</u>	<u>2,156</u>	<u>230</u>
Total revenues	2,219	2,473	254
<b>BEGINNING FUND BALANCE</b>			
Total	<u>\$ 521</u>	<u>417</u>	<u>(104)</u>
	<u>\$ 2,740</u>	<u>2,890</u>	<u>150</u>
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 325	325	
Materials and services	1,755	1,682	73
Capital outlay	655	648	7
Contingency	5		5
Total expenditures	<u>\$ 2,740</u>	<u>2,655</u>	<u>85</u>
<b>ENDING FUND BALANCE</b>		<u>\$ 235</u>	<u>\$ 235</u>

**MULTNOMAH COUNTY, OREGON**  
**DATA PROCESSING FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Charges for services	\$ 188	\$ 160	\$ (28)
Interest		64	64
Other - Service reimbursements	5,577	5,656	79
Total revenues	5,765	5,880	115
<b>BEGINNING FUND BALANCE</b>	787	1,191	404
Total	\$ 6,552	7,071	519
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 3,432	3,486	(54)
Materials and services	2,645	2,524	121
Capital outlay	78	76	2
Contingency	26		26
Debt service:			
Principal	332	316	16
Interest	39	45	(6)
Total expenditures	\$ 6,552	6,447	105
<b>ENDING FUND BALANCE</b>		\$ 624	\$ 624

**MULTNOMAH COUNTY, OREGON**  
**MAIL/DISTRIBUTION FUND**  
**SCHEDULE OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL**  
**For the fiscal year ended June 30, 1994**  
 (amounts expressed in thousands)

	Budget	Actual	Variance favorable (unfavorable)
<b>REVENUES:</b>			
Intergovernmental - Local	\$	\$ 1	\$ 1
Other - Service reimbursements	1,167	1,092	(75)
Total revenues	1,167	1,093	(74)
<b>BEGINNING FUND BALANCE</b>	52	58	6
Total	\$ 1,219	1,151	(68)
<b>EXPENDITURES:</b>			
Environmental Services:			
Personal services	\$ 352	300	52
Materials and services	811	764	47
Capital outlay	20	1	19
Contingency	36		36
Total expenditures	\$ 1,219	1,065	154
<b>ENDING FUND BALANCE</b>		\$ 86	\$ 86

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## TRUST AND AGENCY FUNDS

These funds account for resources received and held by the County in a fiduciary capacity. Disbursements from these funds are made in accordance with the trust agreement or applicable legislative enactment for each particular fund. The modified accrual basis of accounting is used to record transactions in the agency funds. The accrual basis of accounting is used in the Library Retirement Fund (Pension Trust). The funds included are:

- Sundry Taxing Bodies Fund - accounts for the collection of property taxes for all governmental entities located in Multnomah County and the disbursement of the collections to such entities.
- Clearing Fund - accounts for Multnomah County checks outstanding, accrued payroll and payroll deductions payable.
- Department and Offices Agency Fund - accounts for the collection and disbursement of various monies held by Multnomah County in a fiduciary capacity.
- Deferred Compensation Fund - accounts for voluntary withholdings from employee's wages on which income taxes are deferred until the time of withdrawal.
- Public Guardian Fund - accounts for receipts and disbursements for individuals who are not capable of handling their own financial affairs.
- Library Retirement Fund - this pension trust fund provides pension benefits for former employees of the Library Association of Portland.

**MULTNOMAH COUNTY, OREGON**  
**COMBINING BALANCE SHEET**  
**ALL FIDUCIARY FUND TYPES**  
**June 30, 1994**  
(amounts expressed in thousands)

	Agency Funds	Pension Trust Fund	Total
<b>ASSETS:</b>			
Cash and investments	\$ 54,263	\$ 9,588	\$ 63,851
Receivables:			
Property taxes	50,456		50,456
Accounts	289		289
Total assets	<u>\$ 105,008</u>	<u>\$ 9,588</u>	<u>\$ 114,596</u>
<b>LIABILITIES AND FUND BALANCE:</b>			
Liabilities:			
Payrolls payable	\$ 8,534	\$	\$ 8,534
Accounts payable	4,111		4,111
Due to other governmental units	50,456		50,456
Amounts held in trust	10,820		10,820
Deferred compensation	31,087		31,087
Total liabilities	<u>105,008</u>	<u></u>	<u>105,008</u>
Fund balance:			
Reserved for employees' retirement benefits		9,588	9,588
Total liabilities and fund balances	<u>\$ 105,008</u>	<u>\$ 9,588</u>	<u>\$ 114,596</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING BALANCE SHEET**  
**AGENCY FUNDS**  
**June 30, 1994**  
(amounts expressed in thousands)

	Sundry Taxing Bodies	Clearing	Department & Offices Agency	Deferred Compensation	Public Guardian	Total
<b>ASSETS:</b>						
Cash and investments	\$ 5,663	\$ 11,874	\$ 5,065	\$ 31,087	\$ 574	\$ 54,263
Receivables:						
Property taxes	50,456					50,456
Accounts	288	1				289
Total assets	<u>\$ 56,407</u>	<u>\$ 11,875</u>	<u>\$ 5,065</u>	<u>\$ 31,087</u>	<u>\$ 574</u>	<u>\$ 105,008</u>
<b>LIABILITIES:</b>						
Payrolls payable	\$	\$ 8,534	\$	\$	\$	\$ 8,534
Accounts payable		3,341	770			4,111
Due to other governmental units	50,456					50,456
Amounts held in trust	5,951		4,295		574	10,820
Deferred compensation				31,087		31,087
Total liabilities	<u>\$ 56,407</u>	<u>\$ 11,875</u>	<u>\$ 5,065</u>	<u>\$ 31,087</u>	<u>\$ 574</u>	<u>\$ 105,008</u>

**MULTNOMAH COUNTY, OREGON**  
**COMBINING STATEMENT OF CHANGES IN ASSETS AND LIABILITIES**  
**AGENCY FUNDS**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

	Balance June 30, 1993	Additions	Deletions	Balance June 30, 1994
<b>SUNDRY TAXING BODIES FUND:</b>				
Assets:				
Cash and investments	\$ 7,376	\$ 724,506	\$ 726,219	\$ 5,663
Property taxes receivable	57,989	526,497	534,030	50,456
Accounts receivable	440	288	440	288
Total assets	<u>\$ 65,805</u>	<u>\$ 1,251,291</u>	<u>\$ 1,260,689</u>	<u>\$ 56,407</u>
Liabilities:				
Accounts payable	\$	\$ 5,851	\$ 5,851	\$
Due to other governmental units	57,989	505,358	512,891	50,456
Amounts held in trust	7,816	724,354	726,219	5,951
Total liabilities	<u>\$ 65,805</u>	<u>\$ 1,235,563</u>	<u>\$ 1,244,961</u>	<u>\$ 56,407</u>
<b>CLEARING FUND:</b>				
Assets:				
Cash and investments	\$ 11,182	\$ 4,754,988	\$ 4,754,296	\$ 11,874
Accounts receivable		11	10	1
Total assets	<u>\$ 11,182</u>	<u>\$ 4,754,999</u>	<u>\$ 4,754,306</u>	<u>\$ 11,875</u>
Liabilities:				
Payrolls payable	\$ 7,921	\$ 327,481	\$ 326,868	\$ 8,534
Accounts payable	3,261	787,060	786,980	3,341
Interest payable		4,295	4,295	
Amount held in trust		28	28	
Total liabilities	<u>\$ 11,182</u>	<u>\$ 1,118,864</u>	<u>\$ 1,118,171</u>	<u>\$ 11,875</u>
<b>DEPARTMENT AND OFFICES AGENCY FUND:</b>				
Assets:				
Cash and investments	\$ 4,280	\$ 665,805	\$ 665,020	\$ 5,065
Liabilities:				
Accounts payable	\$ 475	\$ 15,054	\$ 14,759	\$ 770
Interest payable		1	1	
Amounts held in trust	3,805	655,025	654,535	4,295
Total liabilities	<u>\$ 4,280</u>	<u>\$ 670,080</u>	<u>\$ 669,295</u>	<u>\$ 5,065</u>
<b>DEFERRED COMPENSATION FUND:</b>				
Assets:				
Cash and investments	\$ 26,700	\$ 4,387	\$	\$ 31,087
Liabilities:				
Deferred compensation	\$ 26,700	\$ 4,387	\$	\$ 31,087
<b>PUBLIC GUARDIAN FUND:</b>				
Assets:				
Cash and investments	\$ 586	\$ 1,273	\$ 1,285	\$ 574
Liabilities:				
Amounts held in trust	\$ 586	\$ 1,273	\$ 1,285	\$ 574
<b>TOTAL - ALL AGENCY FUNDS:</b>				
Assets:				
Cash and investments	\$ 50,124	\$ 6,150,959	\$ 6,146,820	\$ 54,263
Property taxes receivable	57,989	526,497	534,030	50,456
Accounts receivable	440	299	450	289
Total assets	<u>\$ 108,553</u>	<u>\$ 6,677,755</u>	<u>\$ 6,681,300</u>	<u>\$ 105,008</u>
Liabilities:				
Payrolls payable	\$ 7,921	\$ 327,481	\$ 326,868	\$ 8,534
Accounts payable	3,736	807,965	807,590	4,111
Interest payable		4,296	4,296	
Due to other governmental units	57,989	505,358	512,891	50,456
Amounts held in trust	12,207	1,380,680	1,382,067	10,820
Deferred compensation	26,700	4,387		31,087
Total liabilities	<u>\$ 108,553</u>	<u>\$ 3,030,167</u>	<u>\$ 3,033,712</u>	<u>\$ 105,008</u>

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## GENERAL FIXED ASSETS ACCOUNT GROUP

The General Fixed Assets Account Group is a self-balancing group of accounts used to record the fixed assets of the County except for the assets recorded in the enterprise and internal service funds. Expenditures for the acquisition of general fixed assets are recorded in the various governmental fund types; the costs of such assets are capitalized in this account group. As fixed assets are disposed, the original cost or estimated original cost, is removed from this account group; any receipt from the sale of general fixed assets is accounted for as a revenue in the appropriate fund depending on the original funding source.

MULTNOMAH COUNTY, OREGON  
 SCHEDULE OF GENERAL FIXED ASSETS  
 June 30, 1994  
 (amounts expressed in thousands)

<b>GENERAL FIXED ASSETS:</b>	
Land and land improvements	\$ 6,506
Buildings and improvements	107,522
Work in progress	20,786
Bridges	32,997
Equipment	19,852
Total general fixed assets	<u>\$ 187,663</u>
Investments in general fixed assets:	
Balance July 1, 1993	\$ <u>171,402</u>
Additions provided by:	
General Fund	3,417
Road Fund	114
Assessment and Taxation Fund	33
Federal and State Program Fund	545
Willamette River Bridges Fund	9
Library Fund	151
Inmate Welfare Fund	2
Jail Levy Fund	23
Justices Services Special Operations Fund	125
Lease/Purchase Project Fund	12,812
Contributions from the Data Processing Fund	80
Contributions from the Recreation Fund	12
Contributions from the Insurance Fund	2
Total additions	<u>17,325</u>
Deductions:	
Retirements	(1,056)
Contributions to the Data Processing Fund	(4)
Contributions to the Fleet Management Fund	(2)
Contributions to the Mail/Distribution Fund	(2)
Total deductions	<u>(1,064)</u>
Total investment in general fixed assets	<u>\$ 187,663</u>
Reconciliation:	
Total capital outlay	\$ <u>25,083</u>
Items not capitalized:	
Contributions to the Data Processing Fund	(13)
Contributions to the Fleet Management Fund	(209)
Repairs and other general maintenance	(179)
Roads and bridge maintenance	(7,351)
Bike Path	(64)
Operating supplies	(74)
	<u>(7,890)</u>
Additional items capitalized	132
Total general fixed asset additions	<u>\$ 17,325</u>

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF GENERAL FIXED ASSETS**  
**BY FUNCTION AND ACTIVITY**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	Land and land improvements	Buildings and improvements	Work in progress	Bridges	Equipment	Total
<b>FUNCTION AND ACTIVITY:</b>						
<b>General government:</b>						
Legislative	\$ 1	\$ 1,522	\$ 2		\$ 225	\$ 1,750
Administrative	100	3,298	1		2,974	6,373
Sub-total	<u>101</u>	<u>4,820</u>	<u>3</u>		<u>3,199</u>	<u>8,123</u>
<b>Health and social services:</b>						
Health	1,077	6,687			1,104	8,868
Social	333	4,896	12,490		1,614	19,333
Sub-total	<u>1,410</u>	<u>11,583</u>	<u>12,490</u>		<u>2,718</u>	<u>28,201</u>
<b>Public safety:</b>						
Law enforcement	1,669	60,821	1,759		4,373	68,622
Justice	42	1,536	1,565		688	3,831
Sub-total	<u>1,711</u>	<u>62,357</u>	<u>3,324</u>		<u>5,061</u>	<u>72,453</u>
<b>Community services:</b>						
Community service development	461	1,131			112	1,704
Recreation					12	12
Library	1,320	4,814	1,216		6,314	13,664
Sub-total	<u>1,781</u>	<u>5,945</u>	<u>1,216</u>		<u>6,438</u>	<u>15,380</u>
<b>Roads and bridges:</b>						
Roads and bridges	383			32,997	2,436	35,816
Bridge shops	39	330				369
Road shops	66	5,256				5,322
Administrative		286				286
Sub-total	<u>488</u>	<u>5,872</u>		<u>32,997</u>	<u>2,436</u>	<u>41,793</u>
<b>External organizations:</b>						
External use	1,015	16,945	3,753			21,713
<b>Total general fixed assets</b>	<b>\$ <u>6,506</u></b>	<b>\$ <u>107,522</u></b>	<b>\$ <u>20,786</u></b>	<b>\$ <u>32,997</u></b>	<b>\$ <u>19,852</u></b>	<b>\$ <u>187,663</u></b>

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF CHANGES IN GENERAL FIXED ASSETS**  
**BY FUNCTION AND ACTIVITY**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

	General fixed assets <u>June 30, 1993</u>	Additions	Deductions and reclasses	General fixed assets <u>June 30, 1994</u>
<b>FUNCTION AND ACTIVITY:</b>				
General government:				
Legislative	\$ 1,838	\$ 31	\$ (119)	\$ 1,750
Administrative	5,842	330	201	6,373
Sub-total	<u>7,680</u>	<u>361</u>	<u>82</u>	<u>8,123</u>
Health and social services:				
Health	9,346	146	(624)	8,868
Social	13,448	8,221	(2,336)	19,333
Sub-total	<u>22,794</u>	<u>8,367</u>	<u>(2,960)</u>	<u>28,201</u>
Public safety:				
Law enforcement	66,235	2,190	197	68,622
Justice	2,290	1,159	382	3,831
Sub-total	<u>68,525</u>	<u>3,349</u>	<u>579</u>	<u>72,453</u>
Community services:				
Community service development	2,180	5	(481)	1,704
Recreation		12		12
Library	12,307	1,367	(10)	13,664
Sub-total	<u>14,487</u>	<u>1,384</u>	<u>(491)</u>	<u>15,380</u>
Roads and bridges:				
Roads and bridges	34,990	995	(169)	35,816
Bridge shops	369			369
Road shops	5,322			5,322
Administrative	290		(4)	286
Sub-total	<u>40,971</u>	<u>995</u>	<u>(173)</u>	<u>41,793</u>
External organizations:				
External use	16,945	2,869	1,899	21,713
Total general fixed assets	<u>\$ 171,402</u>	<u>\$ 17,325</u>	<u>\$ (1,064)</u>	<u>\$ 187,663</u>

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## **OTHER SCHEDULES**

- \* Schedule of Federal Financial Assistance
- \* Schedule of Property Tax Collections and Outstanding Balances
- \* Schedule of Bond Transactions
- \* Schedule of Bonds Outstanding
- \* Schedule of Capitalized Lease Purchases Outstanding
- \* Schedule of Revenues and Expenditures - Multnomah County Fair
- \* Schedule of Receipts and Deposits - Elected Officials

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF FEDERAL FINANCIAL ASSISTANCE**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE)		EXPENDITURES	RECEIVABLE
			AT JULY 1, 1993	RECEIPTS		AT JUNE 30, 1994
<b>U.S. DEPARTMENT OF AGRICULTURE</b>						
Passed Through State Department of Human Resources:						
Food Distribution	10.550	\$ 423	\$	\$ 423	\$ 423	
Food Stamps	10.551	148	27	151	148	24
National School Lunch Program	10.555	89	8	89	89	8
Special Supplemental Food Program for Women, Infants, and Children	10.557	1,451	242	1,689	1,451	4
Total Department of Agriculture		2,111	277	2,352	2,111	36
<b>U.S. DEPT OF HEALTH &amp; HUMAN SERVICES</b>						
Direct Programs:						
Special Programs for the Aging—Title IV Training, Research, and Discretionary Projects and Programs	93.048	100			9	9
Linking Community-Based Primary Care, Substance Abuse, HIV/AIDS, and Mental Health Services	93.109	561		192	260	68
Maternal and Child Health Federal Consolidated Programs (SPRANS)	93.110	566	26	302	332	56
Acquired Immunodeficiency Syndrome (AIDS) Activity	93.118	1,275	29	531	611	109
Project Grants for Health Services to the Homeless	93.151	1,754	36	680	872	228
Demonstration Grants on Model Projects for Pregnant and Postpartum Women and Their Infants (Substance Abuse)	93.169	280	28	134	106	
Integrated Community-Based Primary Care & Drug Abuse Treatment Services	93.177	494	81	102	25	4
Community Health Centers	93.224	* 5,464	228	2,504	2,732	456
Community Services Block Grant—Discretionary Awards—Demonstration Partnerships	93.573	210		43	94	51
Family Support Centers Demonstration Program	93.578	489	127	292	258	93
Medicare—Supplementary Medical Insurance	93.774	182	17	169	182	30
Grants to Provide Outpatient Early Intervention Services With Respect to HIV Disease	93.918	1,000	49	414	454	89
Preventative Health Services—Sexually Transmitted Diseases Research, Demonstrations & Public Information and Education Grants	93.978	516	8	79	71	
Passed Through Oregon Health Sciences University:						
Community Services Block Grant	93.035	69		58	58	
Discretionary Awards—Demonstration Partnerships						
Passed Through State Department of Human Resources:						
Special Programs for the Aging—Title III, Part G—Prevention of Abuse, Neglect and Exploitation of Older Individuals	93.041	8	1	2	8	7
Special Programs for the Aging—Title III, Part F—Disease Prevention and Health Promotion Services	93.043	108			59	59
Special Programs for the Aging—Title III, Part B—Grants for Supportive Services and Senior Centers	93.044	791	126	688	739	177
Special Programs for the Aging—Title III, Part C—Nutrition Services	93.045	908	(100)	849	849	(100)
Special Programs for the Aging—Title III, Part D—In Home Services for the Frail Older Individuals	93.046	34		6		(6)
Project Grants & Cooperative Agreements for Tuberculosis Control Programs	93.116	83	5	77	82	10
Acquired Immunodeficiency Syndrome (AIDS) Activity	93.118	498	56	482	482	56
Mental Health Planning and Demonstration Projects:	93.125	11		11	11	
Projects for Assistance in Transition From Homelessness (PATH)	93.150	76		76	76	
Model Projects for Pregnant & Postpartum Women & Their Infants (Substance Abuse)	93.169	263	41	278	263	26
Community Youth Activity Program Block Grants (CYAP)	93.171	32		32	32	
Cooperative Agreements for Drug Abuse Treatment Improvement Projects in Model Cities	93.196	1,008		1,008	1,008	
Childhood Lead Poisoning Prevention Projects—State and Community—Based Childhood Lead Poisoning Prevention Program	93.197	130	20	104	115	31
Family Planning—Personnel Training	93.260		22	22		
Childhood Immunization Grants:	93.268	138		138	46	(92)
Emergency Protection Grants—Substance Abuse	93.554	210	34	116	106	24
Balances carried forward		\$ 17,258	\$ 834	\$ 9,389	\$ 9,940	\$ 1,385

(continued)

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF FEDERAL FINANCIAL ASSISTANCE**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)  
(continued)

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE) AT JULY 1, 1993	RECEIPTS	EXPENDITURES	RECEIVABLE (ADVANCE) AT JUNE 30, 1994
Balances brought forward		\$ 17,258	\$ 834	\$ 9,389	\$ 9,940	\$ 1,385
Child Support Enforcement	93.563	925	269	931	926	264
Refugee and Entrant Assistance- State Administered Programs	93.566	443		369	443	74
Low-Income Home Energy Assistance Community Services Block Grant	93.568	*	3,781	95	2,949	3,278
Payments to State for Child Care Assistance	93.569	717	147	757	643	33
Social Services Block Grant (SSBG)	93.575	426		180	263	83
Medical Assistance Program (Medicaid; Title XIX)	93.667	469		470	470	
Model Criminal Justice Drug Abuse Treatment- Incarcerated Populations Non-Incarcerated Populations-Juvenile Justice Populations	93.778	*	12,299	621	11,459	697
HIV Care Formula Grants	93.903	393	48	402	354	
HIV/AIDS (Community Outreach)	93.917	198	14	120	198	92
CMHS Block Grant	93.949	352		352	352	
Prevention and Treatment of Substance Abuse (SAPT)	93.958	*	3,294	3,294	3,294	
Preventive Health Services-Sexually Transmitted Diseases Control Grants	93.959	*	3,081	3,081	3,081	
Health Programs for Refugees	93.977	83	(1)	92	83	(10)
Preventive Health and Health Services Block Grant	93.987	37	4	37	37	4
Alcohol and Drug Abuse and Mental Health Services Block Grant	93.991	238	15	233	238	20
Maternal and Child Health Services Block Grant	93.992	7		7	7	
Passed Through National Institute on Drug Abuse: Drug Abuse Research Programs	93.994	1,123	22	1,080	1,123	65
Passed Through City of Portland: Community Partnership Study Demonstration Grant	93.279	835	37	932	787	(108)
Passed Through University of Minnesota: Drug Abuse Research Programs:	93.194	384	56	221	344	179
	93.279	47			38	38
Total Department of Health and Human Services		46,390	2,161	36,355	37,434	3,240
<b>U.S. DEPT OF HOUSING &amp; URBAN DEVELOPMENT</b>						
Direct Programs:						
Community Development Block Grants/ Entitlement Grants	14.218	2,000	269	998	944	215
Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	14.236	251	33	196	230	67
Passed Through State Department of Human Services: Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	14.236	1		1	1	
Passed Through State Executive Department: Rental Housing Rehabilitation:	14.230		110	110		
Emergency Shelter Grants Program (ESG)	14.231	213	3	91	213	125
Passed Through City of Portland- Bureau of Community Development: Community Development Block Grants/ Entitlement Grants	14.218	195	133	285	195	43
Emergency Shelter Grants Program (ESG)	14.231	139		120	139	19
Passed Through Housing Authority of Portland: Public and Indian Housing- Comprehensive Improvement Assistance Program	14.852	575	61	279	283	65
Total Department of Housing and Urban Development		3,374	609	2,080	2,005	534
<b>U.S. DEPARTMENT OF JUSTICE</b>						
Direct Programs:						
Law Enforcement Assistance-Narcotics and Dangerous Drugs-Lab Analysis	16.001		(14)			(14)
Juvenile Justice and Delinquency Prevention-Allocation to States	16.540	153	56	126	70	
Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	675	81	492	571	160
Drug Control & System Improvement- Discretionary Grant	16.580	908	101	238	150	13
Passed Through Oregon Commission on Children and Families: Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	90	27	71	47	3
Passed Through State Department of Justice: Crime Victim Assistance	16.575	78	2	19	27	10
Drug Control & System Improvement- Formula Grant (Anti-Drug Act of 1988)	16.579	772	53	695	814	172
Total Department of Justice		\$ 2,676	\$ 306	\$ 1,641	\$ 1,679	\$ 344

(continued)

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF FEDERAL FINANCIAL ASSISTANCE**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)  
(continued)

FINANCING DEPARTMENT	FEDERAL CFDA NUMBER	PROGRAM AWARD AMOUNT	RECEIVABLE (ADVANCE) AT JULY 1, 1993	RECEIPTS	EXPENDITURES	RECEIVABLE (ADVANCE) AT JUNE 30, 1994
<b>U.S. DEPARTMENT OF TRANSPORTATION</b>						
Passed Through Oregon State Marine Board: Boating Safety Financial Assistance	20.005	\$ 381	\$ 204	\$ 286	\$ 191	\$ 109
Passed Through State Public Utility Commission: Motor Carrier Safety Assistance Program (MCSAP)	20.218	220	65	131	82	16
Passed Through State Department of Transportation: State Highway and Community Safety	20.600	186	23	86	84	21
Total Department of Transportation		<u>787</u>	<u>292</u>	<u>503</u>	<u>357</u>	<u>146</u>
<b>U.S. DEPARTMENT OF ENERGY</b>						
Passed Through State Department of Human Resources: Weatherization Assistance for Low-Income Persons	81.042	1,185	115	524	619	210
Total Department of Energy		<u>1,185</u>	<u>115</u>	<u>524</u>	<u>619</u>	<u>210</u>
<b>FEDERAL EMERGENCY MANAGEMENT AGENCY</b>						
Passed Through State Executive Department: Civil Defense--State and Local Emergency Management Assistance	83.503	113	18	56	57	19
Total Federal Emergency Management Agency		<u>113</u>	<u>18</u>	<u>56</u>	<u>57</u>	<u>19</u>
<b>U.S. DEPARTMENT OF EDUCATION</b>						
Direct Programs: Literacy for Incarcerated Adults	84.255	499	146	191	122	77
Passed Through State Department of Human Resources: Public Library Services (LSCA--Title I)	84.034	48		4	4	
Drug Free Schools and Communities--State Grants	84.186	60		60	60	
Passed Through Portland Public Schools: Drug-Free Schools and Communities--Emergency Grants	84.233		6	6		
Total Department of Education		<u>607</u>	<u>152</u>	<u>261</u>	<u>186</u>	<u>77</u>
<b>OTHER FEDERAL ASSISTANCE</b>						
Department of Agriculture: U.S. Forest Service - Patrol Contract		68	11	45	34	
U.S. Forest Service		23		23	23	
Department of Energy: Youth Employment and Empowerment Project		225	(42)	75	97	(20)
Department of Interior: O & C Grant		857		857	857	
Sale/Lease Federal Land		2		2	2	
Passed Through State Executive Department: Forest Reserve (PILT)		774		774	774	
Department of Justice: U.S. Marshal - Forfeitures		45		31	45	14
Department of Transportation: Passed Through State Department of Transportation: FAU Engineering Contracts		613		612	613	1
Emergency Management Assistance: FEMA/UNITED WAY		546	28	280	402	150
Total Other Federal Assistance		<u>3,153</u>	<u>(3)</u>	<u>2,699</u>	<u>2,847</u>	<u>145</u>
Total Federal Assistance		<u>\$ 60,396</u>	<u>\$ 3,927</u>	<u>\$ 46,471</u>	<u>\$ 47,295</u>	<u>\$ 4,751</u>

\* Represents a major program

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF PROPERTY TAX COLLECTIONS**  
**AND OUTSTANDING BALANCES**  
**For the fiscal year ended June 30, 1994**  
(amounts expressed in thousands)

Tax Year	Taxes receivable June 30, 1993	Current levy	Add (deduct) corrections and adjustments	Add interest on delinquent taxes	Deduct discounts allowed	Deduct collections including interest on delinquent taxes	Taxes receivable June 30, 1994
1993-94	\$	\$ 591,997	\$ 6,104	\$ 326	\$ (13,707)	\$ (560,738)	\$ 23,982
1992-93	28,625		(2,230)	1,057		(13,410)	14,042
1991-92	17,222		(565)	1,385		(8,212)	9,830
1990-91 and prior	22,694		(318)	3,371		(13,055)	12,692
	<u>\$ 68,541</u>	<u>\$ 591,997</u>	<u>\$ 2,991</u>	<u>\$ 6,139</u>	<u>\$ (13,707)</u>	<u>\$ (595,415)</u>	<u>\$ 60,546</u>

**SUMMARY OF TAXES RECEIVABLE AT JUNE 30, 1994:**

	Current levy	Prior years' levy	Total
General Fund	\$ 3,441	\$ 4,445	\$ 7,886
Jail Levy Fund	545	580	1,125
Library Bond Sinking Fund	80		80
Library Fund	415	529	944
Sundry Taxing Bodies Fund	19,484	30,972	50,456
Sub-total taxes receivable	23,965	36,526	60,491
Special assessments collected through taxes	17	38	55
Total receivables	<u>\$ 23,982</u>	<u>\$ 36,564</u>	<u>\$ 60,546</u>

MULTNOMAH COUNTY, OREGON  
SCHEDULE OF BOND TRANSACTIONS  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

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GENERAL OBLIGATION BONDS:

	1993-94	Outstanding	
	Transactions	June 30, 1994	
	Issued	Matured	Unmatured
Dated March 1, 1994	\$ 22,000	\$	\$ 22,000

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF BONDS OUTSTANDING**  
**June 30, 1994**  
 (amounts expressed in thousands)

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**GENERAL OBLIGATION BONDS:**

Fiscal Year of maturity	Dated 03/01/94	
	Principal	Interest
1995	\$ 1,295	\$ 1,098
1996	730	979
1997	760	953
1998	785	923
1999	820	891
2000	855	856
2001	890	819
2002	930	778
2003	975	735
2004	1,020	688
2005	1,070	639
2006	1,125	586
2007	1,180	528
2008	1,245	467
2009	1,310	401
2010	1,380	332
2011	1,455	257
2012	1,530	179
2013	1,290	105
2014	1,355	36
	<u>\$ 22,000</u>	<u>\$ 12,250</u>

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**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF CAPITALIZED LEASE PURCHASES OUTSTANDING**  
**June 30, 1994**  
(amounts expressed in thousands)

**GENERAL LONG-TERM LEASE OBLIGATIONS:**

Fiscal Year of maturity	Dated 02/01/94 4.5 to 4.75%		Dated 05/01/93 2.75% to 7.50%		Dated 08/01/92 2.9% to 5.9%		Dated 09/04/90 10.5%	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
	1995	\$ 110	\$ 25	\$ 2,185	\$ 935	\$ 1,110	\$ 1,924	\$ 28
1996	115	20	785	889	1,155	1,879	5	
1997	120	15	810	860	1,205	1,828		
1998	92	9	845	827	1,260	1,771		
1999	97	4	875	790	1,325	1,709		
2000			915	750	1,390	1,641		
2001			955	705	1,465	1,566		
2002			1,005	656	1,545	1,486		
2003			1,045	605	1,635	1,398		
2004			1,100	550	1,730	1,303		
2005			1,160	491	1,830	1,201		
2006			1,215	428	1,940	1,092		
2007			1,275	361	2,055	976		
2008			1,345	289	2,180	851		
2009			1,415	213	2,315	717		
2010			1,120	141	2,460	574		
2011			730	87	2,610	421		
2012			350	55	2,775	260		
2013			370	34	2,945	88		
2014			390	11				
	<u>\$ 534</u>	<u>\$ 73</u>	<u>\$ 19,890</u>	<u>\$ 9,677</u>	<u>\$ 34,930</u>	<u>\$ 22,685</u>	<u>\$ 33</u>	<u>\$ 2</u>

**DATA PROCESSING CAPITALIZED LEASE OBLIGATIONS:**

Fiscal Year of maturity	Dated 06/15/93 5.35%		Dated 12/14/92 6.75%		Dated 11/19/90 6.75%		Dated 05/15/90 7.57%	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
	1995	\$ 28	\$ 7	\$ 110	\$ 7	\$ 86	\$ 9	\$ 38
1996	30	5	48	1	92	3		
1997	31	3						
1998	33	2						
	<u>\$ 122</u>	<u>\$ 17</u>	<u>\$ 158</u>	<u>\$ 8</u>	<u>\$ 178</u>	<u>\$ 12</u>	<u>\$ 38</u>	<u>\$ 2</u>

Dated 07/01/90 6.00% to 6.80%		Dated 01/22/81 6.00% to 7.25%		Total	
Principal	Interest	Principal	Interest	Principal	Interest
\$ 40	\$ 21	\$ 105	\$ 227	\$ 3,578	\$ 3,134
45	19	114	218	2,219	3,025
45	16	124	208	2,304	2,927
50	13	134	198	2,381	2,818
50	9	146	186	2,493	2,698
55	6	159	174	2,519	2,571
60	2	172	160	2,652	2,433
		186	145	2,736	2,287
		202	129	2,882	2,132
		220	112	3,050	1,965
		239	93	3,229	1,785
		259	73	3,414	1,593
		281	51	3,611	1,388
		306	26	3,831	1,166
				3,730	930
				3,580	715
				3,340	508
				3,125	315
				3,315	122
				390	11
<u>\$ 345</u>	<u>\$ 86</u>	<u>\$ 2,647</u>	<u>\$ 2,000</u>	<u>\$ 58,379</u>	<u>\$ 34,523</u>

Dated 08/01/89 7.73%		Total	
Principal	Interest	Principal	Interest
\$ 5	\$	\$ 267	\$ 25
		170	9
		31	3
		33	2
<u>\$ 5</u>	<u>\$</u>	<u>\$ 501</u>	<u>\$ 39</u>

**MULTNOMAH COUNTY, OREGON**  
**SCHEDULE OF REVENUES AND EXPENDITURES – MULTNOMAH COUNTY FAIR**  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

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**REVENUES:**

Racing contract revenues	\$ 38
Admissions, concessions and other receipts:	
Admissions	55
Concessions	2
Carnival fees	20
Parking	15
Exhibit space and booth rental	28
Entry fees	1
Other income	14
	<u>135</u>
State of Oregon - racing apportionment:	
Racing Commission apportionment (ORS 462.280)	<u>10</u>
Interest	<u>2</u>
Total revenues	<u>185</u>

**EXPENDITURES:**

Personal services	33
Materials and services	<u>234</u>
Total expenditures	267
Excess of revenues (under) expenditures	<u>\$ (82)</u>

MULTNOMAH COUNTY, OREGON  
SCHEDULE OF RECEIPTS AND DEPOSITS - ELECTED OFFICIALS  
For the fiscal year ended June 30, 1994  
(amounts expressed in thousands)

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	Receipts deposited with Treasurer
Sheriff's Office	\$ 7,929
Others	
Total	<u>\$ 7,929</u>

Summary of receipts: Civil process serving fees, record sales, patrolling contracts, room and board for prisoners from other agencies and miscellaneous reimbursements.

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## STATISTICAL SECTION

This section contains the following tables:

- \* General Governmental Expenditures by Function
- \* General Governmental Revenues by Source
- \* General Governmental Tax Revenues by Source
- \* Property Tax Levies and Collections
- \* Assessed Value of Taxable Property
- \* Consolidated Tax Rates
- \* Consolidated Tax Levies
- \* Principal Taxpayers
- \* Special Assessment Billings and Collections
- \* Computation of Legal Debt Margin
- \* Construction, Property Value, and Bank Deposits
- \* Ratio of Net General Obligation Bonded Debt to Assessed Value and Net General Obligation Bonded Debt per Capita
- \* Ratio of Annual Debt Service Expenditures for General Obligation Bonded Debt to Total General Governmental Expenditures
- \* Computation of Direct and Overlapping Debt
- \* Insurance In Force
- \* Population, Per Capita Income and Unemployment
- \* Major Employers in Metropolitan Area
- \* Miscellaneous Statistical Data

**MULTNOMAH COUNTY, OREGON**  
**GENERAL GOVERNMENTAL EXPENDITURES BY FUNCTION (1)**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	General government	Health and social services	Public safety and justice	Community services	Roads and bridges	Capital outlay	Debt service	Total
1985	\$ 22,635	\$ 37,939	\$ 38,331	\$ 18,754	\$ 13,112	\$ 5,095	\$ 27,739 (2)	163,605
1986	23,672	43,400	39,589	15,754	13,727	6,710	26,855 (2)	169,707
1987	25,914	47,378	42,687	17,931	15,337	6,121	16,403 (2)	171,771
1988	23,569	59,561	41,500	26,959	18,162	6,755	10,079 (2)	186,585
1989	27,535	74,212	49,314	25,128	21,101	14,799	11,859 (2)	223,948
1990	28,771	84,813	54,317	26,668	24,246	17,224	3,175	239,214
1991	33,957	104,862	57,669	30,290	24,120	16,587	4,677	272,162
1992	31,503	116,629	71,167	30,481	25,613	7,164	4,286	286,843
1993	43,612	133,653	76,324	26,315	27,323	14,872	5,146	327,245
1994	45,648	147,372	82,938	27,481	28,220	25,081	4,472	361,212

(1) All Governmental Fund Types (Budgetary basis)

(2) Includes previously non-budgeted tax anticipation notes

Source: Current and prior years' financial statements.

**MULTNOMAH COUNTY, OREGON**  
**GENERAL GOVERNMENTAL REVENUES BY SOURCE (1)**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	Taxes	Intergovernmental	Licenses and permits	Charges for services	Interest	Special assessments	Other	Total
1985	\$ 70,581	\$ 55,579	\$ 988	\$ 5,264	\$ 4,649	\$ 667	\$ 6,785	\$ 144,513
1986	75,427	55,457	2,414	6,594	2,824	573	5,295	148,584
1987	82,864	55,260	1,791	6,749	3,198	585	7,614	158,061
1988	99,587	61,089	1,790	6,468	3,482	470	7,708	180,594
1989	108,880	76,023	6,363	7,405	4,686	351	10,490	214,198
1990	114,806	85,820	1,788	8,269	4,628	321	12,297	227,929
1991	128,642	106,962	2,139	9,307	3,940	155	20,146	271,291
1992	127,545	124,711	2,566	10,023	2,943	47	17,952	285,787
1993	142,569	134,774	2,833	10,763	3,468	45	23,846	318,298
1994	151,617	149,009	2,591	11,280	4,143	21	29,975	348,636

(1) All Governmental Fund Types (Budgetary basis)

**MULTNOMAH COUNTY, OREGON**  
**GENERAL GOVERNMENTAL TAX REVENUES BY SOURCE (1)**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	Property	Transient lodging	Business income	Gasoline	Motor vehicle rental	Other	Total
1985	\$ 56,144	\$ 848	\$ 3,431	\$ 7,002	\$ 2,588	\$ 568	\$ 70,581
1986	59,961	860	4,299	6,975	2,842	490	75,427
1987	63,475	2,678	(2) 5,594	7,119	3,226	772	82,864
1988	74,373	2,415	10,600 (2)	7,103	3,557	1,539 (3)	99,587
1989	79,051	2,695	14,600	7,172	4,011	1,351	108,880
1990	82,366	3,699	13,740	6,945	5,386	2,670	114,806
1991	97,881	3,278	14,440	6,616	4,814	1,613	128,642
1992	89,789	3,466	19,920	7,023	4,978	2,369	127,545
1993	99,609	3,962	23,872	6,854	5,926	2,346	142,569
1994	110,239	3,553	22,912	6,926	6,389	1,598	151,617

(1) All Governmental Fund Types (Budgetary basis)

(2) Tax rate increase

(3) In previous years, in lieu of property taxes were reflected in property taxes

Source: Current and prior years' financial statements.

**MULTNOMAH COUNTY, OREGON**  
**PROPERTY TAX LEVIES AND COLLECTIONS (1)**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	Tax levy	Current collections	Collections as a % of levy	Prior year collections	Total collections	Total collections as a % of levy	Uncollected taxes	Uncollected taxes as a % of levy
1985	\$ 56,996	\$ 52,135	91.47 %	\$ 3,073	\$ 55,208	96.86 %	\$ 8,007	14.05 %
1986	60,424	54,527	90.24	4,895	59,422	98.34	8,497	14.06
1987	63,839	58,190	91.15	5,136	63,326	99.20	8,060	12.63
1988	76,598	70,522	92.07	3,851	74,373	97.10	8,988	11.73
1989	80,476	74,063	92.03	4,988	79,051	98.23	9,947	12.36
1990	84,647	78,422	92.65	3,944	82,366	97.31	12,228	14.45
1991	100,605	93,536	92.97	4,345	97,881	97.29	11,282	11.21
1992 (2)	91,957	84,838	92.26	4,951	89,789	97.64	10,893	11.85
1993	101,479	95,001	93.62	4,608	99,609	98.16	10,481	10.33
1994	110,598	105,430	95.33	4,809	110,239	99.68	10,035	9.07

(1) All Governmental Fund Types (Budgetary basis)

(2) Property tax limitation Measure #5 went into effect.

Source: Current and prior years' financial statements.

**MULTNOMAH COUNTY, OREGON**  
**ASSESSED VALUE OF TAXABLE PROPERTY (1)**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	Personal property	Public utility property	Commercial property	Residential property	Total
1985	\$ 898,302	\$ 1,069,512	\$ 6,762,007	\$ 9,434,934	\$ 18,164,755
1986	1,015,729	1,147,113	7,570,973	8,575,756	18,309,571
1987	1,055,869	1,223,434	7,512,220	8,450,475	18,241,998
1988	1,023,969	1,288,194	7,490,818	8,445,202	18,248,183
1989	1,004,733	1,303,507	7,499,167	8,464,224	18,271,631
1990	1,032,886	1,417,606	7,631,464	8,579,922	18,661,878
1991	1,131,574	1,517,037	8,164,555	9,362,368	20,175,534
1992	1,130,602	1,426,209	9,761,548	11,007,703	23,326,062
1993	1,236,666	1,530,373	9,880,502	12,879,169	25,526,710
1994	1,203,111	1,628,475	9,941,135	14,727,420	27,500,141

(1) Oregon law requires that assessed value approximate real market value

Source: Multnomah County Division of Assessment and Taxation

**MULTNOMAH COUNTY, OREGON  
CONSOLIDATED TAX RATES (1)  
LAST TEN FISCAL YEARS  
(unaudited)**

Fiscal Year	Multnomah County	Cities	Special Purpose Districts	Education Districts	Water Districts	Rural Fire Districts	Urban Renewal Districts	Total
1985	\$ 3.13	\$ 4.86	\$ 0.73	\$ 14.73	\$ 0.02	\$ 0.68	\$ 0.54	\$ 24.69
1986	3.30	5.22	0.75	15.55	0.02	0.57	0.65	26.06
1987	3.49	5.79	0.74	16.56	0.01	0.49	0.86	27.94
1988	4.19	6.37	0.79	17.52	0.01	0.32	0.77	29.97
1989	4.39	6.43	0.76	18.45	0.02	0.37	0.90	31.32
1990	4.54	7.48	0.74	19.22	0.02	0.34	1.05	33.39
1991	4.99	7.54	0.69	18.83	0.01	0.29	1.11	33.46
1992 (2)	3.94	5.87	0.55	15.62	0.01	0.27	0.76	27.02
1993	3.98	5.91	0.71	13.33	0.01	0.22		24.16
1994	4.02	5.92	0.62	10.76	0.01	0.19		21.52

(1) These are average rates and are stated in dollar and cents per \$1,000 of assessed value.

(2) Property tax limitation Measure #5 went into effect.

Source: Multnomah County Tax Supervisory Commission current and prior years' annual reports.

**MULTNOMAH COUNTY, OREGON  
CONSOLIDATED TAX LEVIES  
LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

Fiscal Year	Multnomah County	Cities	Special Purpose Districts	Education Districts	Water Districts	Rural Fire Districts	Urban Renewal Districts	Total
1985	\$ 56,996	\$ 88,335	\$ 10,365	\$ 267,699	\$ 309	\$ 12,456	\$ 9,856	\$ 446,016
1986	60,424	95,587	10,637	284,703	281	10,489	11,975	474,096
1987	63,839	105,624	12,983	302,099	252	8,864	15,740	509,401
1988	76,598	116,303	13,983	319,651	270	5,825	14,091	546,721
1989	80,476	117,471	15,805	337,013	269	6,785	16,520	574,339
1990	84,647	139,605	13,869	358,770	298	6,266	19,566	623,021
1991	100,605	152,122	13,875	379,882	277	5,852	22,338	674,951
1992 (1)	91,957	136,958	12,780	364,468	260	6,362	17,656	630,441
1993	101,479	150,788	18,124	340,345	273	5,539	23	616,571
1994	110,598	162,870	17,068	295,852	290	5,298	21	591,997

(1) Property tax limitation Measure #5 went into effect.

Source: Multnomah County Tax Supervisory Commission current and prior years' annual reports.

**MULTNOMAH COUNTY, OREGON**  
**PRINCIPAL TAXPAYERS**  
**June 30, 1994**  
(amounts expressed in thousands)  
(unaudited)

Taxpayer account	Type of business	1994 Assessed Valuation	Percentage of total assessed Valuation (1)
U. S. WEST	Telephone Utility	\$ 416,156	1.5 %
PacifiCorp (Pacific Power and Light)	Electric Utility	192,368	0.7
Portland General Electric	Electric Utility	170,023	0.6
Boeing Company	Airline	141,240	0.5
US Bancorp	Banking	132,549	0.5
Northwest Natural Gas	Natural Gas Utility	110,094	0.4
SI - Lloyd Associates	Property Management	94,000	0.3
Oregon Steel Mills	Plate Steel Mfg.	90,345	0.3
Delta Air Lines, Inc.	Airline	71,086	0.3
Union Pacific Railroad	Railroad	70,545	0.3
America Airlines, Inc.	Airline	66,389	0.2
		<u>\$ 1,554,795</u>	<u>5.6 %</u>

(1) The 1994 real market valuation for Multnomah County is \$27,500,141.

Source: Multnomah County Division of Assessment and Taxation.

**MULTNOMAH COUNTY, OREGON**  
**SPECIAL ASSESSMENT BILLINGS AND COLLECTIONS**  
**LAST TEN FISCAL YEARS**  
(amounts expressed in thousands)  
(unaudited)

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Fiscal Year	Assessments outstanding July 1	Assessments billed	Assessments collected	Assessments outstanding June 30
1985	\$ 2,693	\$ 298	\$ 606	\$ 2,385
1986	2,385		573	1,812
1987	1,812	136	585	1,363
1988	1,363	90	454	999
1989	999		342	657
1990	657		311	346
1991	346		168	178
1992	178		56	122
1993	122		38	84
1994	84		36	48

Source: Current and prior years' financial statements

MULTNOMAH COUNTY, OREGON  
COMPUTATION OF LEGAL DEBT MARGIN  
June 30, 1994  
(amounts expressed in thousands)  
(unaudited)

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ORS 287.054 provides a debt limit of 2% of the real market value of all taxable property within the County's boundaries.

Real market value (1993-94)	\$	27,500,141
Debt limit		<u>2.00%</u>
		550,003
Less bonded debt at June 30		<u>22,000</u>
Legal debt margin	\$	<u><u>528,003</u></u>

**MULTNOMAH COUNTY, OREGON**  
**CONSTRUCTION, PROPERTY VALUE, AND BANK DEPOSITS**  
**LAST TEN FISCAL YEARS**  
(unaudited)

Fiscal Year	Commercial		Residential		Total		Bank deposits in \$(000) (2)
	Number of units (1)	Value in \$(000)	Number of units (1)	Value in \$(000)	Number of units	Value in \$(000)	
1985	2,404	\$ 146,474	3,381	\$ 79,505	5,785	\$ 225,979	\$ 6,336,613
1986	2,492	215,927	3,390	94,498	5,882	310,425	5,968,665
1987	2,342	186,435	3,755	113,507	6,097	299,942	6,685,201
1988	2,330	281,379	3,375	122,992	5,705	404,371	15,565,042
1989 (3)	1,774	153,353	2,517	79,347	4,291	232,700	18,963,486
1990 (4)	1,218	99,052	2,523	92,666	3,741	191,718	8,390,851
1991	2,450	102,805	5,540	208,193	7,990	310,998	11,190,032
1992	2,387	134,681	5,852	281,327	8,239	416,008	9,568,464
1993	2,367	211,211	6,026	254,668	8,393	465,879	11,222,080
1994 (5)	1,106	228,787	2,757	117,655	3,863	346,442	9,536,224

(1) Information maintained on a calendar year basis

(2) June 30, each year

(3) January through June 1989

(4) January through June 1990

(5) January through June 1994

Sources: State of Oregon Housing Division and State of Oregon Banking Commission

**MULTNOMAH COUNTY, OREGON**  
**RATIO OF NET GENERAL OBLIGATION BONDED DEBT**  
**TO ASSESSED VALUE AND NET GENERAL OBLIGATION BONDED DEBT PER CAPITA**  
**LAST TEN FISCAL YEARS(1)**  
 (amounts expressed in thousands)  
 (unaudited)

<u>Fiscal Year</u>	<u>Population</u>	<u>Assessed Value (2)</u>	<u>Gross Bonded Debt</u>	<u>Less Debt Service Fund (3)</u>	<u>Net Bonded Debt</u>	<u>Ratio of Net Bonded Debt to Assessed Value (2)</u>	<u>Net Bonded Debt per Capita</u>
1994	615	\$ 27,500,141	\$ 22,000	\$ 1,935	\$ 20,065	0.07%	\$ 33

(1) 1994 is the first year in which Multnomah County had general obligation bonded debt in the last ten fiscal years

(2) Oregon law requires that assessed value approximate real market value

(3) Amount available for repayment of general obligation bonds

Source: Current financial statements.

**MULTNOMAH COUNTY, OREGON**  
**RATIO OF ANNUAL DEBT SERVICE EXPENDITURES**  
**FOR GENERAL OBLIGATION BONDED DEBT**  
**TO TOTAL GENERAL GOVERNMENTAL EXPENDITURES**  
**LAST TEN FISCAL YEARS(1)**  
 (amounts expressed in thousands)  
 (unaudited)

Fiscal Year	Principal	Interest	Total Debt Service	Total General Government Expenditures	Ratio of Debt Service to General Government Expenditures
1994	\$	\$	\$	\$ 361,212	

(1) 1995 will be the first year that Multnomah County will begin retiring general obligation bonded debt in the last ten fiscal years

Source: Current financial statements.

**MULTNOMAH COUNTY, OREGON**  
**COMPUTATION OF DIRECT AND OVERLAPPING DEBT**  
**June 30, 1994**  
(amounts expressed in thousands)  
(unaudited)

Overlapping District	Percent Overlapping	Overlapping	
		Gross (1) Bonded Debt	Net (2) Direct Debt
Multnomah County	100.00 %	\$ 22,000	\$ 22,000
Mt. Scott Water District	80.26	21	21
Clackamas County School District 7	0.45	97	97
City of Lake Oswego	6.74	1,338	1,316
City of Milwaukie	0.61	31	30
Scappoose RFPD	5.55	17	17
Port of Portland	45.85	29,114	28,944
Powell Valley Road Water District	100.00	321	
Metropolitan Service District	49.96	31,611	31,611
Tri-Metropolitan Service District	46.84	60,439	60,439
Multnomah County School District 1J	99.27	100,250	100,250
Multnomah County School District 4	100.00	25,102	25,102
Multnomah County School District 6J	55.82	1,570	1,570
Multnomah County School District 7	100.00	3,495	3,495
Multnomah County School District 19	100.00	410	410
Multnomah County School District 28J	92.79	14,823	14,823
Multnomah County School District 39	100.00	7,150	7,150
Multnomah County School District 40	100.00	19,560	19,560
Multnomah County School District 51J	96.57	763	763
Multnomah County UHD 2J	82.33	3,417	3,417
Mount Hood Community College	83.99	4,573	4,573
Portland Community College	47.38	27,538	27,538
City of Fairview	100.00	282	
City of Gresham	100.00	20,050	13,935
City of Portland	99.58	109,422	16,601
City of Troutdale	100.00	7,160	2,318
Unified Sewerage Agency	0.77	77	56
Tualatin Valley Fire and Rescue	0.71	13	13
Washington County School District 48J	0.37	280	280
Washington County School District 70J	0.15	1	1
Washington County UHD 3-8J	0.01		
		\$ 490,925	\$ 386,330

(1) Includes all bonds backed by a general obligation pledge, including Bancroft general obligation improvement bonds and self-supporting general obligation bonds.

(2) Includes all tax-supported bonds.

Source: Municipal Debt Advisory Commission, Oregon State Treasury

MULTNOMAH COUNTY, OREGON  
INSURANCE IN FORCE  
June 30, 1994  
(unaudited)

Insurance Company	Coverage	Expiration
American Protection Insurance Co. Policy No. 3ZT746102-03	Buildings and Equipment	10/02/94
American Protection Insurance Co. Policy No. 3ZT746102-03	Comprehensive Boiler and Machinery	10/02/94
American Protection Insurance Co. Policy No. 3ZT746102-03	Hull and Machinery Marine Policy	10/02/94
American Protection Insurance Co. Policy No. 3XL12310600	Boiler and Bridges Policy	10/02/94
American Protection Insurance Co. Policy No. KG-32G00202601	Justice Center Equipment Policy	11/28/94
Lumbermens Mutual Casualty Policy No. 3MF746102-03	Liability Policy	10/02/94
Safety National Casualty Policy No. SP3189OR	Excess Workers' Compensation	07/01/94
Hartford Insurance Co. Policy No. PEBZE 67 13	Blanket Faithful Performance Bond	01/01/95
Hartford Insurance Co. Bond No. 5088331	Faithful Performance Bond - Public Official Tax Collector	01/01/95
Bond No. 5088332	Finance Director	01/01/95
Bond No. 5091060	Treasury Manager	01/01/95
Hartford Insurance Co. Bond No. 5088334	Faithful Performance Bond - Public Guardian	01/01/95
Hartford Insurance Co. Bond No. 5087364	DEQ License Bond (Mechanic/Equipment Operator)	10/14/95
Hartford Insurance Co. Bond No. 5088391	DEQ License Bond (Mechanic/Equipment Operator)	01/01/96
St. Paul Fire & Marine Ins. Co. Bond No. 400 HZ 5905	DEQ License Bond (Fleet Inspector)	01/01/96
St. Paul Fire & Marine Ins. Co. Bond No. 400 HZ 5927	DEQ License Bond (Fleet Inspector)	02/21/96
St. Paul Fire & Marine Ins. Co. Bond No. 400 HU 3403	DEQ License Bond (Mechanic/Equipment Operator/Fleet Inspector)	01/01/97
St. Paul Fire & Marine Ins. Co. Bond No. 400 HU 3402	DEQ License Bond (Multnomah County)	01/16/97

Source: County Insurance Agent

**MULTNOMAH COUNTY, OREGON  
POPULATION, PER CAPITA INCOME AND UNEMPLOYMENT  
LAST TEN FISCAL YEARS  
(unaudited)**

Fiscal Year	Population	Per capita income (1)	Unemployment rate (2)
1985	561,800	\$ 14	7.4 %
1986	566,200	15	7.1
1987	562,000	16	5.3
1988	570,500	17	4.8
1989	581,000	18	4.5
1990	580,029	19	4.2
1991	600,000	19	4.9
1992	605,000	21	6.2
1993	615,000	N/A	6.0
1994	615,000	N/A	4.8 (3)

(1) Amounts expressed in thousands

(2) Portland Metropolitan Statistical Area

(3) Preliminary estimate

N/A means not available at current time

Source: Employment Division, Oregon State Department of Human Resources

**MULTNOMAH COUNTY, OREGON**  
**MAJOR EMPLOYERS IN METROPOLITAN AREA**  
 June 30, 1994  
 (unaudited)

Employer	Product or Service	1993 Employment
Fred Meyer, Inc.	Retail variety chain	7,500
Legacy Health System	Hospital and health services	7,500 FTE (1)
Providence Health Care System	Hospitals and clinics	7,200
Tektronix	Electronic instruments	7,000
Kaiser Permanente	Hospitals and clinics	6,607
Intel Corporation	Semiconductor integrated circuits	5,200
U. S. Bancorp	Bank and holding company	4,758
Safeway Stores	Grocery chain stores	4,300
Portland General Corporation	Diversified utility holding company	3,376
U. S. West Communications	Communications utility	3,358
First Interstate Bank	Bank	3,124
Freightliner Corporation	Medium and heavy-duty trucks	3,100
James River Corporation	Pulp and paper mills	2,891 (2)
Meier and Frank Company	Department stores	2,599
Precision Castparts	Steel Castings	2,285
Pacificorp	Diversified electric utility	2,247
McDonalds Corporation	Fast food franchise	2,200
Hewlett-Packard Co.	Computer printers	2,000
Mentor Graphics Corporation	CAE software & hardware	2,000
Southwest Washington Medical	Health care	1,933
United Parcel Service	Small package transport	1,831
Blue Cross & Blue Shield of Oregon	Medical insurance	1,800
Boeing of Portland	Aircraft frame structures	1,800
Nordstrom	Retail specialty stores	1,800
Red Lion Hotels & Inns	Hotel/motel chain	1,750
Payless Drug Stores	Retail drug and variety store chain	1,565
Consolidated Freightways	Transportation	1,500
Nike	Sports shoes and apparel	1,500
Portland Adventist Medical Center	Hospital services	1,500
Horizon Air	Airline	1,300
Restaurant Management Northwest	Fast food franchise	1,300
Albertson's	Retail grocery chain	1,232
Federal Government		16,965
State Government		16,400
Portland School District		5,240
City of Portland		4,684
Multnomah County		3,637
Tri - Met		1,650

(1) Total FTE for Oregon

(2) Total employees, not FTE

Source: Chamber of Commerce and Employment Division, State of Oregon

**MULTNOMAH COUNTY, OREGON**  
**MISCELLANEOUS STATISTICAL DATA**  
**June 30, 1994**  
(unaudited)

**GENERAL**

Date of incorporation	1854
Date present charter adopted	1967
Date present charter amended	1990
Form of government	Home Rule Charter
Area - square miles	470
Multnomah County employees:	
Management and exempt	505
Bargaining units	3129

**MILES OF STREETS (UNINCORPORATED AREA)**

Paved	500
Unpaved	11

**FIRE PROTECTION**

Number of stations	41
Number of employees:	
Full-time	884
Part-time	2
Volunteer	128

**SHERIFF PROTECTION**

Number of arrests (Parts 1,2 & 3 crimes)	3929
Vehicular patrol units	19
Number of employees (sworn and civilian)	716
Jails:	
Facilities	5
Population	1,331

**RECREATION**

Parks:	
Number of acres	2,089
Number of facilities	28
Number of playgrounds	7
Number of golf courses	1

**EDUCATION**

Number of schools:	
Elementary	126
Middle	3
Alternative special	17
Junior/senior high school	1
High schools	16
Colleges	18
Employees:	
Principals and vice principals	275
Administrative and support	3,344
Teachers	5,559
Number of students (estimated)	83,146
Average daily attendance (estimated)	76,602

**SEWAGE DISPOSAL**

Number of accounts	548
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**STREET LIGHTING**

Number of Lights	3,917
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**ELECTIONS**

Number of registered voters	366,140
Number of votes cast in last general election	309,061
Percentage of registered voters voting in last general election	82.5%

**AUDIT COMMENTS AND DISCLOSURES**  
**Required by State Regulations**

**MULTNOMAH COUNTY, OREGON**

**AUDIT COMMENTS AND DISCLOSURES**

**REQUIRED BY STATE REGULATIONS**

Oregon Administrative Rules 162-10-050 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, as prescribed by the Secretary of State in cooperation with the Oregon State Board of Accountancy, enumerate the financial statements, schedules, and comments and disclosures required in audit reports. The required statements and schedules are set forth in the preceding sections of this report. Required comments and disclosures related to our audit of such statements and schedules are set forth on the following pages.

## MULTNOMAH COUNTY, OREGON

### AUDIT COMMENTS AND DISCLOSURES, Continued

#### Internal Control Structure

We have audited the general purpose financial statements of Multnomah County, Oregon (County), as of and for the year ended June 30, 1994 and have issued our report thereon dated December 9, 1994.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards (1988 revision), issued by the Comptroller General of the United States and the Minimum Standards for Audits of Oregon Municipal Corporations. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement.

In planning and performing our audit of the general purpose financial statements of the County, as of and for the year ended June 30, 1994, we considered its internal control structure in order to determine our auditing procedures for the purpose of expressing our opinion on the general purpose financial statements and not to provide assurance on the internal control structure.

The management of the County is responsible for establishing and maintaining an internal control structure. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures. The objectives of an internal control structure are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of financial statements in accordance with generally accepted accounting principles. Because of inherent limitations in any internal control structure, errors or irregularities may nevertheless occur and not be detected. Also, projections of any evaluation of the structure to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

For the purpose of this report, we have classified the significant internal control structure policies and procedures in the following categories; grant revenues and receipts; accounts payable and cash disbursements; and payroll.

For all of the internal control structure categories listed above, we obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation, and we assessed control risk.

## MULTNOMAH COUNTY, OREGON

### AUDIT COMMENTS AND DISCLOSURES, Continued

Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of one or more of the specific internal control structure elements does not reduce to a relatively low level the risk that errors or irregularities in amounts that would be material in relation to the general purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control structure and its operation that we consider to be material weaknesses as defined above.

However, we noted certain matters involving the internal control structure and its operation that we have reported to the management of Multnomah County, Oregon, in a separate letter dated December 9, 1994.

This report is intended for the information of the Board of Commissioners, Audit Committee, management, cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

## MULTNOMAH COUNTY, OREGON

### AUDIT COMMENTS AND DISCLOSURES, Continued

#### Other Audit Comments and Disclosures

We have audited the general purpose financial statements of Multnomah County, Oregon (County), as of and for the year ended June 30, 1994, and have issued our report thereon dated December 9, 1994.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards (1988 revision), issued by the Comptroller General of the United States and the Minimum Standards for Audits of Oregon Municipal Corporations. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement.

Compliance with laws, regulations, contracts, and grants applicable to the County, is the responsibility of the management of the County. As part of obtaining reasonable assurance about whether the general purpose financial statements are free of material misstatement, we performed tests of the County's compliance with certain provisions of:

- the legal requirements relating to debt as prescribed by Oregon Revised Statutes (ORS);
- ORS 294.035 regarding the investment of public monies;
- the appropriate laws, rules, and regulations pertaining to programs funded wholly or partially by other governmental agencies;
- ORS Chapter 279 regarding the awarding of public contracts and the construction of public improvements;
- ORS Chapter 295 relating to collateral requirements of public fund deposits; and
- ORS 294.305 to 294.520 regarding the preparation, adoption and execution of the County's budget for the fiscal years ended June 30, 1994 and June 30, 1995.

However, our objective was not to provide an opinion on overall compliance with such provisions. Accordingly, we do not express such an opinion.

# MULTNOMAH COUNTY, OREGON

## AUDIT COMMENTS AND DISCLOSURES, Continued

The results of our tests of compliance disclosed the following instances of noncompliance concerning overexpenditures in the indicated budgetary categories which were made for the year ended June 30, 1994:

	<u>Amount</u>
General Fund:	
Social Services - Personal Services	\$98
Community Corrections - Materials and Services	2
Special Revenue Funds:	
Federal and State Program - District Attorney - Materials and Services	28
Justice Services Special Operations - Community Corrections - Personal Services	15
County Fair - Environmental Services - Personal Services	4
Inmate Welfare - Sheriff - Personal Services	2
Inmate Welfare - Sheriff - Materials and Services	20
Jail Levy - Health Services - Materials and Services	14
Internal Service Fund:	
Data Processing - Environmental Services - Personal Services	54

Additionally, on certain occasions during the year ended June 30, 1994, the County was not in compliance with Oregon Revised Statutes relating to the types of Investments and the required diversification thereof.

Instances of noncompliance with appropriate laws, rules, and regulations pertaining to the Single Audit Act of 1984 have been reported to the County in a separate report dated December 9, 1994.

We considered the aforementioned instances of noncompliance in forming our opinion on whether the County's 1994 general purpose financial statements are presented fairly, in all material respects, in conformity with generally accepted accounting principles, and this report does not affect our report dated December 9, 1994, on those general purpose financial statements.

Except as described above, the results of our tests of compliance indicate that, with respect to the items tested, the County, complied, in all material respects, with the provisions referred to in the third paragraph of this report, and with respect to items not tested, nothing came to our attention that caused us to believe that the County had not complied, in all material respects, with those provisions.

Additionally, we make the following other comments:

- We found the County's accounting records to be adequate for audit purposes.
- We reviewed the County's insurance and fidelity bond coverage at June 30, 1994 and ascertained such policies appeared to be in force. We are not competent by training to state whether the insurance policies covering County-owned property in force at June 30, 1994 are adequate.

This report is intended for the information of the Board of Commissioners, Audit Committee, management, cognizant agent, and other federal and state audit agencies. However, this report is a matter of public record and its distribution is not limited.

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MEETING DATE: February 21, 1995

AGENDA NO: B-3

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: 1995 Legislative Update

BOARD BRIEFING Date Requested: February 21, 1995

Amount of Time Needed: 30 Minutes

REGULAR MEETING: Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Non-Departmental DIVISION: Chair's Office

CONTACT: Rhys Scholes TELEPHONE #: 248-3308  
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Laurie Beth English & Rhys Scholes

**ACTION REQUESTED:**

INFORMATIONAL ONLY     POLICY DIRECTION     APPROVAL     OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Update on the 1995 Legislative Se-sion.

BOARD OF  
COUNTY COMMISSIONERS  
1995 FEB 15 AM 10:57  
MULTNOMAH COUNTY  
OREGON

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: Beverly Stein

OR

DEPARTMENT MANAGER: \_\_\_\_\_

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

DRAFT

DRAFT

DRAFT

DRAFT

2-21-95  
Handout #1  
B-3

## **What's at stake for Multnomah County? Priority Issues at the Oregon Legislature**

### **Maximize Efficiency and Effectiveness in the Public Safety System**

The current overhaul of the public safety system must consider all of the impacts of proposed changes. Changes that increase demand for county jail beds need to provide funds to build and staff those beds. Changes that increase demand on community corrections must include funds for additional parole and probation officers and community sanctions. A full range of intermediate sanctions must be maintained to protect public safety and minimize costs to taxpayers. Funding formulas must fairly reflect the impact of urban crime.

### **Use the Balanced Approach to Juvenile Justice Reform**

The increasing quantity and severity of juvenile crime justifies increasing state funding for the system and the number of beds in state facilities. Responsibility for sentenced youth must remain with the state. The balanced approach that protects public safety while emphasizing rehabilitation and training is the best long-term solution to this problem and requires adequate funding.

### **Preserve Services for People with Mental Illness**

Current services for people with mental illness are not adequate. Proposed reductions in services will create a tremendous hardship on consumers and their families. Quality of life for all Multnomah County citizens is decreased when mental health services are diminished.

### **Protect Integrity of Land Use Planning Process**

Oregon's system of land use planning has been very successful for more than 20 years. Appropriately managing growth and promoting economic development while preserving natural and scenic values requires the careful balancing provided by statewide planning goals. Multnomah County opposes all efforts to weaken land use planning.

### **Maintain Fairness in Tax Assessments**

Any proposal that caps property assessments and causes identical properties to be valued for tax purposes at different amounts is unfair and erodes confidence in the tax system. Homeowner ability to pay problems are best addressed through programs such as HARRP, split roll or home exemptions.

### **Preserve Local Control in Taxation**

Local voters and elected officials should not be restricted in their efforts to craft a fair and equitable tax system. Preemption by the state legislature of city and county taxing alternatives such as real estate transfer or transient lodging taxes is inappropriate.

### **Maintain Transportation Infrastructure**

We support the Oregon Transportation Finance Committee proposal for additional transportation funding to preserve and maintain the existing transportation network, protect critical bridges from earthquake damage, respond to growth and maintain economic stability.

FOR YOUR INFORMATION  
SENATOR JEANNETTE HAMBY  
ROOM S 312 - STATE CAPITOL  
SALEM, OR 97310

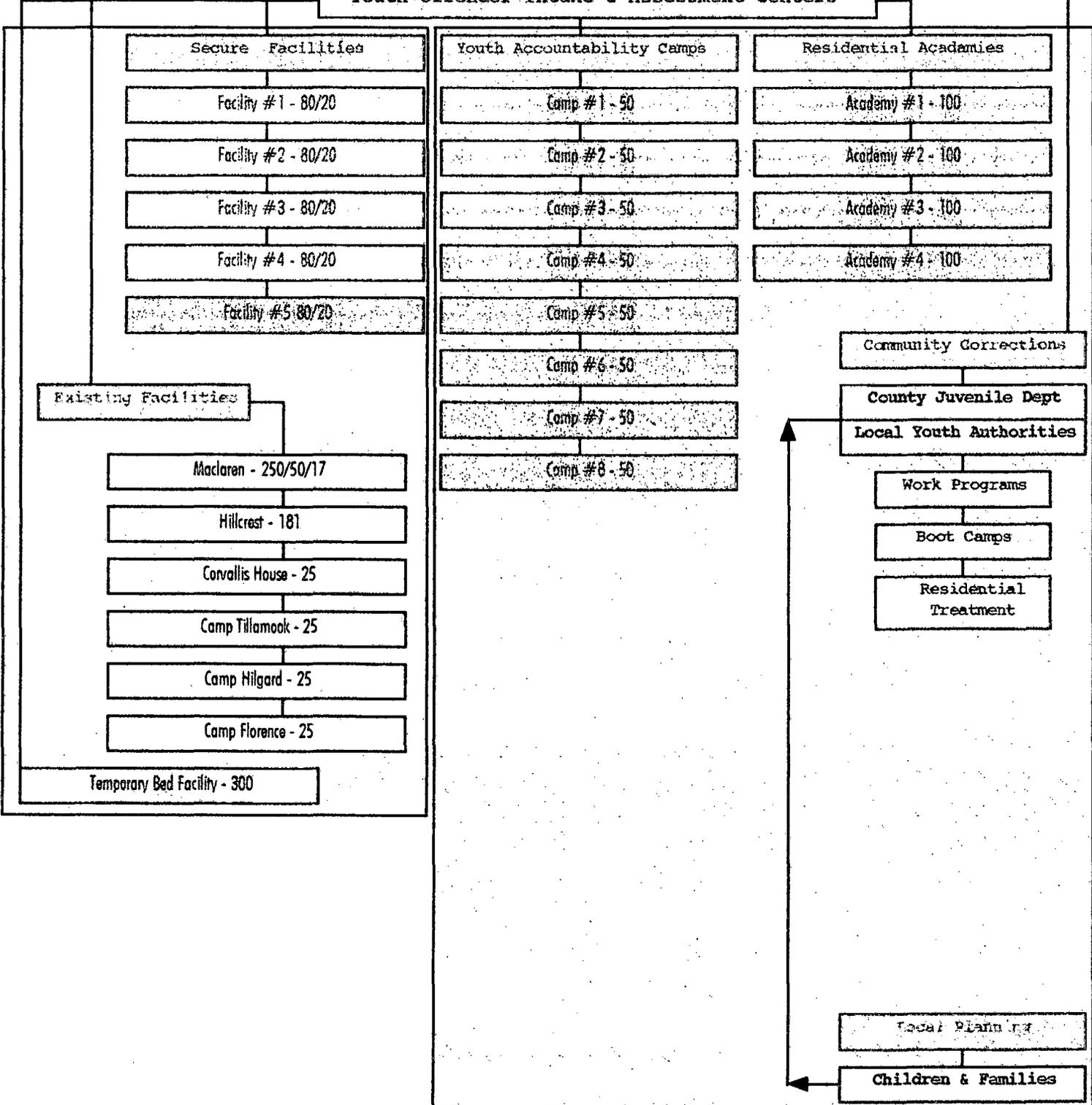
- unfunded
- County Case Management
- funded
- State Case Management
- existing
- funded
- County

???????

### Youth Authority

— Youth Offender. REVISION 10/16 (#2.5)

### Youth Offender Intake & Assessment Centers



2-21-95  
Handout #3  
8-3

**MEMORANDUM**

**February 21, 1995**

**TO:** Board of Commissioners

**FR:** Gina Mattioda, *Gina* Public Affairs Coordinator

**RE:** Board Briefing on Senate Bill 1

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The purpose of this memorandum is twofold; (1) inform the Board of various activities related to Senate Bill 1, and (2) provide the Board with some analysis of SB 1.

**WHAT IS SENATE BILL 1:** In short, SB 1 is an aggressive attempt to reform the current juvenile justice system. The bill responds both to concerns raised during the Governor's Task Force's Juvenile Justice and Ballot Measure 11 which provides that juveniles aged 15 to 17 who are charged with committing any of 15 listed violent offenses will be tried as adults.

**OVERVIEW:** SB 1 was introduced by Gordon Smith and Neil Bryant at the request of the Governor's Task Force on Juvenile Justice. The task force was created by Governor Barbara Roberts a year ago and chaired by Attorney General Ted Kulongoski. In early January, Kulongoski presented the Legislature with "Governor's Task Force on Juvenile Justice - Final Report." Much of the contents of this Final Report is found in SB 1.

**TIMELINE:** Currently, SB 1 is in Senate Judiciary's Subcommittee on Juvenile Justice chaired by Sen. Jeannette Hamby (R- Hillsboro) along with Dick Springer (D- Portland) and Shirley Stull (R- Keizer).

This legislation is on an extremely fast track, according to Senate leadership SB 1 must be to the House by March 1. In order to accomplish this goal, SB 1 must be approved by the subcommittee as well as the full Senate Judiciary Committee and pass the Senate floor.

Membership of Senate Judiciary is as follows: Chair Neil Bryant (R- Bend), Vice-Chair Randy Miller (R- Lake Oswego), Ken Baker (R- Clackamas), Jeannette Hamby (R- Hillsboro), Peter Sorenson (D- Eugene), Dick Springer (D- Portland), and Shirley Stull (R- Keizer).

Once on the House side, SB 1 will be referred to the House Judiciary's Subcommittee on Juvenile Justice and then the full committee before venturing to Ways and Means for allocation of General Fund dollars. Presently it is unclear which subcommittee of Ways and Means SB 1 will be referred to - either Human Resources or Public Safety/Regulations. Membership of the Sub-committee on Juvenile Justice consist of: Chair Del Parks (R- Klamath Falls), Vice-Chair Lisa Naito (D- Portland), Kate Brown (D- Portland), Floyd Prozanski (D- Eugene), Eileen Qutub (R- Beaverton), and Veral Tarno (R- Coos Bay). Full membership of Judiciary includes; Chuck Carpenter (R- Beaverton), Peter Courtney (D- Salem); Jerry Grisham (R- Beavercreek), Bryan Johnston (D- Salem), Leslie Lewis (R- Newburg), and Bob Tiernan (R- Lake Oswego).

**AN EVENT TO ATTEND:** A hearing on SB 1, coordinated by Rep. Avel Gordly will be held on Saturday, February 25th from 9:00 am to noon at the King Facility, located at 4815 NE 7th. According to Gordly's press release, "SB 1 will have a major impact on minority youth, especially African Americans, who are currently over-represented and disproportionately confined in the juvenile justice system. These are the residents of North and Northeast Portland. This public hearing will be an opportunity for members of the community most affected to voice its opinions and concerns." I encourage Commissioners to attend the February 25th hearing for more information contact Rep. Gordly's office at 986-1419.

**AREAS OF INTEREST:** SB 1 has 10 parts and 139 sections. Below I have highlighted some areas of interest.

Part I - section 1 - 13 Establishes the Department of Youth Authority, currently the Senate subcommittee is debating over a division or a department. This entity would supervise the management and administration of the youth correction facilities, state parole and probation services, community out-of-home placement for youth offenders and other functions related to state programs for youth corrections. The entity may accept and retain legal or physical custody of youth offenders over 11 years old and under 25 years old.

Part II - section 14 - 23 Creates the Youth Offender Review Panel, which consist of 3 to 5 members appointed by the Governor and confirmed by the Senate. The panel has the authority to transfer youth offenders from one level of custody to another. In addition, the panel can authorize any youth offender to go on parole.

Part III - section 24 - 26 (A) States general philosophy of Youth Correction Facilities - "Different levels of custody in youth correction facilities reflect the differences between the level of security and direct supervision of the facilities."

Part III - section 27 - 28 (B) Allows for the creation of up to *five* Secure Regional Youth Facilities. *Four of the five facilities are funded.* A facility would house no more than 100 youth offenders. Education, job and life skills training and drug and alcohol treatment would be provided. These items are not included in Governor's budget, therefore the question becomes who pays for these services.

Part III - section 29- 30 (C) Allows for the creation of up to *eight* Regional Youth Accountability Camps. *No funds have been allocated for these camps.* A camp would serve no more than 50 youth offenders and no longer than 210 days in duration. The camp would be based on a military basic training model that includes extensive discipline, physical work and exercise and military drill. Drug and alcohol treatment would be provided.

Part III - section 31- 32 (D) Allows for the creation of up to *four* Regional Residential Academies. *No funds have been allocated for these academies.* An academy would serve no more than 100 youth offenders. These academies would provide a secure, closed residential campus and provide year-round education, job and life skills, vocational training and apprenticeship programs, as well as drug and alcohol treatment.

*Please note that the Youth Offender Review Panel is solely responsible for determining which youth offender are eligible and where to place them.*

Part IV - section 33 - 43 Establishment and timeline of Emergency Youth Correction Facility Siting Authority. HB 2136 is currently under consideration in the House Judiciary Committee.

Part V - section 44 - 52 Transfers all duties, functions and responsibilities relating to juvenile court delinquency from CSD to Department or Division of Youth Authority. There is discussion on whether to keep the Youth Authority within DHR or move it into the Dept. of Corrections.

Part VI - section 53 - 56

Section 53 -Deletes reference to 15 to 17 years old.

Section 54 -Defines "charged" and "prosecuted" which is substituted for "tried" as adults/ demarcates juvenile court - adult court jurisdiction in Ballot Measure 11 cases. Need for Multnomah County Amendment.

Section 55 -Adds seven new offenses. (*aggravated murder; conspiracy, solicitation, and attempt to commit aggravated murder; conspiracy, solicitation, and attempt to commit murder*) and limits the second-degree kidnapping and second-degree sex offenses covered by BM 11 to those involving the use of threatened use of a deadly weapon. In addition, states 15 to 17 year old found guilty of "personally" committing the following crimes are sentenced to full BM 11 term and committed to the Dept. of Corrections. (*crimes are aggravated murder; murder; manslaughter in the first degree; first degree rape, sodomy, or unlawful sexual penetration, where the victim is subjected to forcible compulsion; or assault in the first degree, which causes permanent injury or disability*). The other 15 to 17 year old convicted of BM 11 are sentenced to full BM 11 term, committed to Youth Authority and are subject to the "Second Look"

Section 56 -Requires adult prosecutions and BM 11 sentencing for 14 year old charged and convicted for following crimes: aggravated murder, murder, rape in the first degree; where the victim is subjected to forcible compulsion, sodomy in the first degree; where the victim is subjected to forcible compulsion, and unlawful sexual penetration in the first degree; where the victim is subject to forcible compulsion. If found to have "personally" committed the crime, the juvenile is sentenced to full BM 11 term and committed to the Dept. of Correction, if not "personally" committed juvenile serves full BM 11 and goes to Youth Authority and is subject to "Second Look"

Part VII section 57 - 62 Describes "Second Look" hearing process. States juveniles convicted of having "personally" committed the most serious BM 11 offenses do not get a "Second Look." Describes overall "Second Look" process.

## IMPACT OF KITZHABER'S BUDGET ON MENTAL HEALTH

Governor Kitzhaber's recommended budget calls for elimination of payments to counties for outpatient mental health services to non-Medicaid eligible clients and transfer of mental health services for Medicaid clients to the Oregon Health Plan (OHP). The Governor's budget calls for roughly \$31.7 million cuts to mental health funding. About \$20 million of the cuts are due to freezing cost of living increases for workers in community-based agencies. **These cuts will have a significant impact on mental health services and community safety in Multnomah County.** The major policy change in the budget is the elimination of outpatient services for the non-Medicaid populations.

The vast majority of cuts would be made to state-wide community programs are as follows:

Elimination of outpatient services for non-Medicaid	
adult	\$7,979,309
children	2,400,000
Early Intervention	150,000
Local Inpatient	550,000

**The Situation:** Under the Oregon Health Plan (OHP), all persons with family incomes below the Federal Poverty Level are eligible for Medicaid. To provide state matching funds required for the scheduled expansion of OHP to include mental health benefits, the state mental health division proposed cutting services to non-Medicaid clients and transferring these funds to new services for eligible Medicaid clients. Working individuals, regardless of the seriousness of their mental health needs and the danger they pose to themselves and/or society, will no longer qualify for publicly-funded community mental health care. All of these patients are severely mentally ill. Many would deteriorate, exhibit disruptive or dangerous behavior, and require law enforcement intervention, including arrest and jail.

**Client Impact on Multnomah County:** The impact of these cuts are **brutal** to Multnomah County's mental health community which serves the most seriously mentally ill.

In the area of children and youth, direct outpatient services for **more than 400** children and families who are non-Medicaid eligible or otherwise have **no other source of payment will not be served.** See attachment entitled Children and Youth Policy Budget Impact for additional details. For adult mental health **more than 1,700** persons receiving **direct adult outpatient services will not be served.** See attachment entitled Additional Impact of Kitzhaber's Budget on Adult Mental Health.

	AOCMHP - MED SURVEY,			January 27, 1995		
	Total Cost MED	Total # Clients	# Medicaid Clients	% Medicaid Clients	# Non-Medicaid Clients	% Non-Medicaid Clients
Baker						
Benton						
Clackamas						
Clatsop	\$ 1,008,008	805	715	88.8	90	11.2
Columbia	\$ 952,778	838	436	52.0	402	48.0
Coos	\$ 1,023,000	1,508	1,002	66.4	506	33.6
Crook	\$ 255,750	625	313	50.1	312	49.9
Curry					-	
Deschutes	\$ 1,202,597	1,507	510	33.8	997	66.2
Douglas	\$ 1,900,073	2,508	1,791	71.4	717	28.6
Grant	\$ 337,393	220	97	44.1	123	55.9
Harney					-	
Jackson	\$ 4,344,795	2,028	1,029	50.7	999	49.3
Jefferson	\$ 273,632	449	167	37.2	282	62.8
Josephine	\$ 2,292,898	2,858	2,406	84.2	452	15.8
Klamath	\$ 1,121,872	952	776	81.5	176	18.5
Lake					-	
Lane					-	
Lincoln	\$ 897,768	748	488	65.2	260	34.8
Linn	\$ 1,731,528	1,411	932	66.1	479	33.9
Malheur					-	
Marion	\$ 7,762,944	3,548	2,085	58.8	1,463	41.2
Mid-Columbia	\$ 710,057	892	458	51.3	434	48.7
Morrow	\$ 207,131	335	276	82.4	59	17.6
Multnomah	\$ 17,111,953	4,419	3,334	75.4	1,085	24.6
Polk	\$ 824,397	883	366	41.4	517	58.6
Tillamook	\$ 372,520	700	435	62.1	265	37.9
Umatilla					-	
Union	\$ 1,616,982	912	562	61.6	350	38.4
Wallowa	\$ 198,597	134	60	44.8	74	55.2
Conf. Tribes					-	
Washington	\$ 1,927,537				-	
Yamhill					-	
<b>TOTAL</b>	<b>\$ 48,074,210</b>	<b>28,280</b>	<b>18,238</b>	<b>64.5</b>	<b>10,042</b>	<b>35.5</b>

**CHILDREN AND YOUTH POLICY BUDGET IMPACT**  
Proposed Governor's Budget Fiscal Year 1995-96

1. Outpatient MHS 22, \$380,504 SGF is being cut.

Impact: Direct outpatient services for children and families who are non-Medicaid eligible or otherwise have no other source of payment will not be served.

2. Local administrative dollars for the Medicaid Authorization Specialists is at risk of being cut. The decision has not been determined as of this date. Funds affected will be \$778,520.

Impact: Medicaid Authorization Specialists who assure mental health services are delivered at the most appropriate level of care in the most cost effective way is at risk.

**MANAGED BEHAVIORAL HEALTH FOR CHILDREN**

1. Based on last fiscal year, the Partners Project pool of dollars to serve 150 children totaled \$2,912,400.80.

The current funding commitments for pooling of dollars to serve 150 children and families will end June 30, 1995. This amounts to \$2,192,400.80. Current contributions are made as follows:

<u>Contributor</u>	<u>Total Contribution</u>
<u>Private Resources</u>	
Robert Wood Johnson Foundation	\$ 33,333
RWJ unspent grant award	156,109
<u>State Agencies</u>	
MHDDSD	368,237
CSD - Central Office	551,233
CSD - Regional	0
OMAP	0
Medicaid	1,215,665
<u>Local Resources</u>	
Multnomah County	139,953
Education	276,105
<u>Carry Over - Mult. Co. Partners</u>	
Funds are not to be used for match	<u>169,765</u>
 Total Revenues	 \$2,912,400

The division is in discussion with current and additional partners to continue a pooled resource for services. However, proposed Governor's budget cuts will likely affect our current partners governmental agencies or funding, therefore continuation for managed care coordinators and nontraditional services that stabilize and maintain children who would otherwise be in more costly and restrictive settings.

Impact: All current services and staffing would be eliminated.

## ADDITIONAL IMPACT OF KITZHABER'S BUDGET ON ADULT MENTAL HEALTH

Noted 2/2/95:

**Background: Funds currently held harmless.** Multnomah County started this year with \$5,545,805 in Non-residential Adult Service General Funds. It has been reduced by \$2.1 million recently to pay the match for growth in Medicaid billings beyond our allocated, pre-matched funds during the two years of this biennium (\$977,926 of which was for FY95). In making that reduction, the State held harmless from cut, funds necessary to provide crisis services, pre-commitment investigations, specialized programs serving difficult-to-treat persons leaving Dammasch due to the downsizing, and the package of acute care "wrap-around" services that accompanied the addition of our acute care center project (the Ryles Center) in 1990. A break-out of FY94 funding of these programs is shown on the attached table.

Wrap-around services include second-leg transport from a hospital to the Ryles Center; short-term outpatient to stabilize non-chronic acutely ill consumers who in the past have been frequent users of the State hospitals; and 1-14 day respite beds to forestall escalation to the point of needing involuntary hospitalization. We consider these wrap-around services critical to keeping numbers of individuals out of the hospital, just as the State sees its specialized programs key to maintaining ex-hospital patients in the community. While these programs are expensive, they serve large numbers of high-risk individuals, for whom the cost of hospitalization would very quickly dwarf the cost of "wrap-around" care. Holding these funds harmless was driven by the need to protect the public safety and to meet the statutory mandate to serve all people in psychiatric crisis (regardless of Medicaid status).

We have requested to use \$59,950 in savings of hospital costs (saved through care management and centralized investigations) into MHS 20 for FY96 to convert a temporary hire currently paid with carryover to a permanent position. New State administrative rules have expanded the role and time required of the investigators, so this position is needed on an ongoing basis. To date, the State has not commented on holding this amount harmless. If it moves into the unprotected pool of MHS 20 and becomes part of the redistribution of crisis funds around the State, our savings may not go to our own benefit.

**Other key services.** Among the services maintained by General Fund but not specifically held harmless are two County-operated functions:

- **Hospital discharge planning.** A County staff of three care manage the hospital stays of County residents on commitment and arrange community placements for them as soon as they become dischargeable. This has accounted for much of the County's ability to reduce its use of State hospital beds; and once wards began closing, to keep commitment bed costs in the community from escalating. They work in concert with Washington and Clackamas counties in a regional sharing of resources.
- **Trial visit monitoring.** Once performed by case managers in quadrant programs, this service has been shifted to the County as a direct service through an opinion of the Attorney General, who indicated that the public safety required that the County not delegate such authority. At State bidding, the Adult Mental Health Program submitted a plan for direct monitoring of trial community placements of committed patients approaching discharge, by two County staff to be hired February, 1996.

**Redistribution of funds in FY96.** Beginning July 1, 1995, the State will recover all categories of Non-Residential Adult General Funds, with the one exception of State specialized programs serving ex-Dammasch patients. The State will then RE-distribute a portion of the recovered funds across the State to provide crisis and pre-commitment services. The functions no longer protected are:

- Wrap-around services
- Hospital discharge planning
- Trial visit monitoring

Multnomah County will lose Non-residential Adult service funds in the approximate amount of \$4,943,951. A first draft of State redistribution figures shows we will receive only \$1,821,593 (or \$3,643,187 for the 95-97 biennium). Net loss for FY96 is \$3,122,358.

**Impact.**

1. Our projected costs for crisis and pre-commitment services at present levels without adding COLA are \$2,099,323. The State redistribution plan leaves us with a shortfall of \$277,730 to provide these mandated services.
2. The lack of wrap-around services in the acute care system reduces it from a system to Ryles Center standing alone with few resources to divert persons. There will be few available services that are a step-up from regular outpatient into which Ryles clients may be discharged, which will cause longer lengths of stay. As a result, fewer individuals will be served, more outpatients in the community will escalate, and the total need for already limited hospital and residential beds will skyrocket.
3. Without the hospital discharge planner function at the county, committed patients will also experience greater length of stay. There will be increased pressure to release patients into the community sooner than may be safe, with no intermediate-level services to assist them. The County cost of hospital beds will go up, wiping out the recent trend in hospital cost reductions; and public safety issues will increase. The good of the individual consumers takes the biggest hit of all.
4. To maintain the trial visit monitoring capacity would require a reduction of non-direct service staff in County mental health. Reduction of administrative or support staff in order to maintain trial visit staff will preserve the positions without adequate supervision or technical and clerical support. Loss of the trial visit monitoring function will increase the incidence of inappropriate placements and create safety issues for both consumers and the community.
5. Reduction of administration during a time of overall system growth (in the Medicaid sector) leaves an enormous population of vulnerable individuals receiving publicly funded services without sufficient oversight to ensure quality care. As the many pieces of the system go without central coordination, accessibility and breadth of services begin to vary in different sectors of the County. The Medicaid budget is frozen at current levels, which can only be achieved by monitoring.
6. The Director of DHR recently strongly encouraged the County Chair to consolidate our crisis services into a centralized triage unit. Planning efforts have identified the major benefits to be gained from such a unit, and an additional cost. Part would be defrayed by very low rental of space for the unit from the State, an offer which has now been withdrawn. Planning to date has assumed the availability of the previously protected acute care services funding to redeploy in support of the unit. The governor's budget removes these funds without plans for restoration, a move that not only eliminates the financial feasibility of creating a crisis triage unit, but also creates greater demand for those very services.

## EFFECT OF MENTAL HEALTH CUTS IN THE KITZHABER BUDGET FOR FY96

Current programs covered by MHS 20	FY95 Funding	Cuts	Redistributed Funds	MHS 20 for FY96	Service capacity
			1,821,593	1,821,593	
Adult Outpatient*	2,094,052	(2,094,052)		0	877 individuals in FY95
Crisis Services	1,333,333	(1,333,333)		0	3153 indiv./4305 episodes in FY95
Wrap-around Acute Care					
Int. short-term outp.	435,798	(435,798)		0	830 indiv. in FY95
Respite Care	238,560	(238,560)		0	Avg. 44/month, or 528/year
Transport	112,423	(112,423)		0	693 transports in FY95
Specialized programs					
365 Plans	189,437			189,437	capacity of 30 individuals
PASSAGES Programs	122,964			122,964	capacity of 40 individuals
Pre-commitment Svcs	700,000	(700,000)		0	2193 indiv/ 2774 holds
Hospital Discharge Plan.	127,935	(127,935)		0	461 discharges in FY95
Trial Visit Monitoring*	173,487	(173,487)		0	Approx 160 in a year
Protective Services in RCF's	17,816	(17,816)		0	covers 191 RCF beds
	5,545,805				
Less FY95 Medicaid match	(977,926)				
<b>TOTAL</b>	<b>4,567,879</b>	<b>(5,233,404)</b>	<b>1,821,593</b>	<b>2,133,994</b>	

\*To help illustrate annual impact, the cost of monitoring trial visits has been annualized and moved from adult outpatient to its own service category in the table, even though the actual service shift begins in February.

2-21-95  
Handout #5  
B-3

GM HEARING SCHEDULE AS OF 2-20-95

<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>	<u>BILL#</u>	<u>TITLE</u>	<u>SUBJECT</u>	<u>COMMITTEE</u>
1-19-95			HB 2070	DUII - Diversion	CFSD;AD	Judic S. CL & JA
1-19-95			HB 2072	DUII-No Due Process	CFSD	Judic S. CL & JA
1-19-95			HB 2073	DUII Diversion.	CFSD;AD	Judic S CL & JA
1-19-95			HB 2074	DUII-Suspension	CFSD;A&D	Judic S CL & KA
1-19-95			HB 2075	DUII	CFSD	Judic S CL & JA
1-19-95			HB 2076	DUII	CFSD	Judiciary S. CLJA
2-01-95	am 10:00	HR 357	HB 2136	Sites for Juv.	CFSD/JJD	Judiciary S CL & J
2-02-95			HB 2336	Child Abuse	CFSD	Children & Fam
2-03-95	am 8:00	HR D	HB 2133	Or. Housing Fund	CFSD	HR & Ed/WM
2-08-95	am 8:00	HR D	HB 2071	DUII Treatment	CFSD	HR & Ed/WM
2-20-95	am 8:30	HR D	HB 2461	Public Assistance	CFSD	HR & E S HR
2-20-95	am 8:30	HR D	HB 2525	Adult Foster Care	ASD	HR & Ed S. HR
2-20-95	pm 3:00	HR C	SB 001	Juv. Justice Reform	CFSD/JJD	Judiciary/WM
2-22-95	am 8:30	HR 357	HB 2164	Med. Ex.	HD	Judiciary S C & J
2-22-95	am 8:30	HR D	HB 2225	Peer Ed. Teen Parents	HD	HR & Ed S on Ed
2-22-95	pm 3:30	HR 357	SB 393	Liability/Professional Corp.	HD	Judiciary
2-23-95	am 8:00	HR 343	SB 002	Title Priv. OHSU	HD	EdWM
2-23-95	am 8:30	HR 170	HB 2356	Expands Healthy Start	CFSD	C & F/WM
2-24-95	am 8:30	HR 357	HB 2485	DUII-Driving Privileges	CFSD	Judic S CL&JA
2-24-95	am 8:30	HR 357	HB 2509	DUII; 2nd Degree	CFSD	Judiciary/WM
2-27-95	pm 3:00	HR B	SB 121	M.H. Authority	CFSD	Health & Human
2-27-95	pm 3:00	HR B	SB 384	Family Support	CFSD	H & H/L & GO
			HB 2028	Child Abuse Reporting Training	CFSD/HD	Judiciary
			HB 2165	Fees H.D.	HD	Commerce
			HB 2208	DUII	CFSD	Judiciary
			HB 2224	School Based Clinics	HD	Children & Fam.
			HB 2226	Family Life Ed.	HD	HR & Ed
			HB 2231	Gambling	CFSD	Commerce/WM
			HB 2248	15 Age - 12 JJD	CFSD, JJD	Judiciary
			HB 2250	DUII	CFSD	Judiciary
			HB 2251	DUII	CFSD	Judiciary
			HB 2297	Man. Sentencing	CFSD/JJD	Judiciary
			HB 2301	Man. Min. Sentencing	CFSD/JJD	Judiciary
			HB 2308	A & D	CFSD	Judiciary
			HB 2339	Est. Juv. Div.	CFSD/JJD	Judiciary
			HB 2348	HIV	HD	Judiciary
			HB 2469	Temp. Restaurant	HD	Commerce
			HB 2479	Sentencing	CFSD/JJD	Judiciary
			HB 2482	Homless-Camping	CFSD	GG & RR
			HB 2510	DUII; Criminal Law	CFSD	Judiciary/WM
			HB 2511	Local C & F; Juv.	CFSD	Children & Fam
			HB 2512	Privilege Tax. Blw.	CFSD	St Sch & F/WM
			HB 2564	Adult Foster Care	ASD	Labor
			SB 049	Sanitarian	HD	Health & Human
			SB 111	Drugs	CFSD	Health & Human
			SB 112	Welfare Reform	CFSD	Health & Human
			SB 118	DUII	CFSD	Judiciary
			SB 122	Mental Disease	CFSD	Judiciary
			SB 273	Reg. Training	CFSD, JJD	Judiciary
			SB 274	Juv. Training	CFSD/HD	Judiciary
			SB 275	OHSU	HD	L & Gov Ops/WM
			SB 290	Health Care Panel	HD	Health & Human
			SB 374	Lottery; Gambling	CFSD	T & E/WM
			SB 5501	Budget C & F	CFSD	WM S on HR
			SB 5534	Dept. Of Youth Auth	CFSD, JJD	WM

**SUMMARY TITLE PAGE GM 2-20-95**

<u>BILL#</u>	<u>TITLE</u>	<u>SUBJECT</u>	<u>STAFF</u>	<u>PP POSITION</u>	<u>F POSITION</u>	<u>CC POSITION</u>	<u>REVIEWER</u>	<u>PRIORITY</u>
HB 2028	Child Abuse Reporting Training	CFSD/HD	GM				CFSD/HD-E	2
HB 2070	DUII - Diversion	CFSD;AD	GM	Neg	Neg	Neg	CFSD-Oska	1
HB 2071	DUII Treatment	CFSD	GM	Pos	Pos	Pos	CFSD-Osko	1
HB 2072	DUII-No Due Process	CFSD	GM	Neg	Neg	Neg	CFSD-Osko	1
HB 2073	DUII Diversion	CFSD;AD	GM	Pos	Neg	Pos	CFSD-Osko	1
HB 2074	DUII-Suspension	CFSD;A&D	GM	Pos	Neg	Neg	CFSD-Osko	1
HB 2075	DUII	CFSD	GM	Pos	Pos	Neg	CFSD-Osko	2
HB 2076	DUII	CFSD	GM	Neg	Neg	Neg	CFSD-Osko	2
HB 2133	Or. Housing Fund	CFSD	GM	None	None		CFSD-Brow	1
HB 2136	Sites for Juv.	CFSD/JJD	GM	Pos	Neg	Pos	CFSD/JJD-	1
HB 2164	Med. Ex.	HD	GM	Pos	None	None	HD-Oxman	1
HB 2165	Fees H.D.	HD	GM	None	Neg	None	HD-Oxman	1
HB 2208	DUII	CFSD	GM				CFSD-Osko	2
HB 2224	School Based Clinics	HD	GM	Pos	Neg	Pos	HD/Black	1
HB 2225	Peer Ed. Teen Parents	HD	GM				HD	1
HB 2226	Family Life Ed.	HD	GM	Pos	Pos	Pos	HD/Black	1
HB 2231	Gambling	CFSD	GM	Pos	Pos	Pos	CFSD-Osko	1
HB 2248	15 Age - 12 JJD	CFSD, JJD	GM	Neg	Neg	Neg	CFSD, JJD-	1
HB 2250	DUII	CFSD	GM	Pos	Pos	Pos	CFSD-Osko	2
HB 2251	DUII	CFSD	GM	Neg	Neg	Neg	CFSD-Osko	2
HB 2297	Man. Sentencing	CFSD/JJD	GM		Neg	Neg	CFSD/HD-	2
HB 2301	Man. Min. Sentencing	CFSD/JJD	GM		Neg		CFSD/JJD-	2
HB 2308	A & D	CFSD	GM	Pos	Neg	Pos	CFSD-Osko	1
HB 2336	Child Abuse	CFSD	GM				CFSD-Edm	2
HB 2339	Est. Juv. Div.	CFSD/JJD	GM	Pos	Pos	Pos	CFSD/JJD-	1
HB 2348	HIV	HD	GM				HD	1
HB 2356	Expands Healthy Start	CFSD	GM				CFSD	
HB 2461	Public Assistance	CFSD	GM	Pos	Neg	Pos	CFSD-Osko	2
HB 2469	Temp. Restaurant	HD	GM	Neg	Neg	None	HD-Oxman	2
HB 2479	Sentencing	CFSD/JJD	GM					1
HB 2482	Homeless-Camping	CFSD	GM	None	None	Pos	CFSD-Brow	2
HB 2485	DUII-Driving Privileges	CFSD	GM	Neg	Neg	Neg	CFSD-Osko	2
HB 2509	DUII; 2nd Degree	CFSD	GM	Neg	Neg	Neg	CFSD-Osko	2
HB 2510	DUII; Criminal Law	CFSD	GM	None	Neg	Neg	CFSD-Osko	2
HB 2511	Local C & F; Juv.	CFSD	GM				CFSD-Edm	2
HB 2512	Privilege Tax. Blw.	CFSD	GM	Pos	Pos	Pos	CFSD-Osko	1
HB 2525	Adult Foster Care	ASD	GM					1
HB 2564	Adult Foster Care	ASD	GM					1
SB 001	Juv. Justice Reform	CFSD/JJD	GM				CFSD/JJD-	1
SB 002	Title Priv. OHSU	HD	GM					1
SB 049	Sanitarian	HD	GM				HD	1
SB 111	Drugs	CFSD	GM	Neg	Neg	Neg	CFSD-Surfa	1
SB 112	Welfare Reform	CFSD	GM	Pos	Pos	Pos	CFSD-Brow	2
SB 118	DUII	CFSD	GM	Pos	Pos	Pos	CFSD-Osko	2
SB 121	M.H. Authority	CFSD	GM	Neg	Neg	None	CFSD-Surfa	1
SB 122	Mental Disease	CFSD	GM	Pos	None	Pos	CFSD-Surfa	1
SB 273	Reg. Training	CFSD, JJD	GM	Pos		Pos	CFSD, JJD-	1
SB 274	Juv. Training	CFSD/HD	GM	Pos			CFSD/HD-	1
SB 275	OHSU	HD	GM	Pos	Pos	Pos	HD-Hennric	1
SB 290	Health Care Panel	HD	GM				HD	1
SB 374	Lottery; Gambling	CFSD	GM	Pos	Pos	Pos	CFSD-Surfa	1
SB 384	Family Support	CFSD	GM	Neg/Pos	Neg/None	Neg/Pos	CFSD-Surfa	1
SB 393	Liability/Professional Corp.	HD	GM					1
SB 5501	Budget C & F	CFSD	GM				CFSD	1
SB 5534	Dept. Of Youth Auth	CFSD, JJD	GM		Neg		CFSD, JJD-	1

**HB 2028** Child Abuse Reporting Training CFSD/HD STATUS:

PP POSITION F POSITION CC POSITION

Requires Oregon State Bar and certain licensing or registering boards to require evidence of training on legal, medical and psychological aspects of child sexual abuse as part of mandatory continuing education. Requires Children's Services Division to certify and develop training.

**BILL IMPACT**

Who will bear the costs of the training? Excellent idea.

**HB 2070** DUII - Diversion CFSD;AD STATUS:

PP POSITION Neg F POSITION Neg CC POSITION Neg

Requires person whose driving privileges are suspended for failing or refusing breath test to complete treatment program as condition of eligibility for hardship permit or license reinstatement. Requires ignition interlock device as condition of hardship permit for persons suspended for failing or refusing breath test.

**BILL IMPACT**

Would be OK if amended to allow for hardship permits if the person is enrolled and compliant with treatment.

**HB 2071** DUII Treatment CFSD STATUS: Pass C

PP POSITION Pos F POSITION Pos CC POSITION Pos

Directs Office of Alcohol and Drug Abuse Programs to develop and implement system to measure effectiveness of alcohol and drug abuse

**BILL IMPACT**

Yeah! We desperately need a treatment effectiveness study in this environment of limited resources! And this bill appropriates the money too! \$180,000 is reasonable.

**HB 2072** DUII-No Due Process CFSD STATUS:

PP POSITION Neg F POSITION Neg CC POSITION Neg

Deletes 30-day waiting period and imposes immediate suspension of driving privileges on persons who refuse or fail breath test for blood alcohol content.

**BILL IMPACT**

May not be legal. Clients cannot be "punished" before they have had "due process."

**HB 2073** DUII Diversion CFSD;AD STATUS:

PP POSITION Pos F POSITION Neg CC POSITION Pos

Requires person applying for DUII diversion to agree to stipulated facts trial if person violates diversion agreement.

**BILL IMPACT**

It would cost more \$ up front for court appointed attorneys. However, would save time and money for prosecuting cases when client fails diversion. Some cases are three years old. Witnesses are difficult to

x

**HB 2074** DUII-Suspension CFSD;A&D STATUS:

PP POSITION Pos F POSITION Neg CC POSITION Neg

Increases period of suspension of driving privileges on first conviction of DUII to three years. Applies to offenses committed on and after effective date.

**BILL IMPACT**

Changes law to increase suspension time for conviction. More unlicensed drivers; more DWS. May be hardship for some folks.

**HB 2075 DUII CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Neg  
Authorizes forfeiture of vehicles on conviction of DUII if person has prior conviction or diversion.

**BILL IMPACT**

Taking the weapon away from drunk drivers is a good idea. Recouping costs and increasing intoxicated driver fund is good. May mean more storage fees, however we have the space for the storage already and it has plenty of space.

**HB 2076 DUII CFSD STATUS:**

PP POSITION Neg F POSITION Neg CC POSITION Neg  
Authorizes establishment of DUII departments in courts with jurisdiction over DUII. Establishes procedures for Diversion in such departments and for treatment of persons convicted of DUII.

**BILL IMPACT**

Conflicts with Target City Project. No resources provided. Possible conflict of interest with providers determining length of tx.

**HB 2133 Or. Housing Fund CFSD STATUS: Pass C**

PP POSITION None F POSITION None CC POSITION

**BILL IMPACT**

The Housing Lobby Coalition has discussed its desire that the Trust Fund be revised to be more supportive of home ownership.

**HB 2136 Sites for Juv. CFSD/JJD STATUS:**

PP POSITION Pos F POSITION Neg CC POSITION Pos  
Planning is always a good idea! Other county programs funded by the state may suffer.

Good idea! Cill Cost \$\$! Will provide better community protection.

**BILL IMPACT**

Is an integral part of overall Juvenile Corrections Package. Where is coordination with Mental Health for siting - especially since some of those facilities use Title XIX Funding needs.

**HB 2164 Med. Ex. HD STATUS:**

PP POSITION Pos F POSITION None CC POSITION None

**BILL IMPACT**

Looks fine. Track and keep G. Oxman informed status and/or revisions.

**HB 2165 Fees H.D. HD STATUS:**

PP POSITION None F POSITION Neg CC POSITION None

**BILL IMPACT**

This will cause our program to remit additional \$50,000 to State. Cost must be passed to licensees, resulting in fee increases averaging \$25 (5%) before any additional county costs are covered. CLHO compromise is support with phone in at mid-biennium.

**HB 2208 DUII CFSD STATUS:**

PP POSITION F POSITION CC POSITION

Permits OSP to test and certify breath analysis equipment using automated systems. Provides that suspension of driving privileges for DUII is valid whether or not arrest giving rise to request to submit to chemical analysis test is also valid.

**BILL IMPACT**

There are a lot of problems about the calibration and accuracy of the breath analysis machine. If the stop is illegal, then the arrest should not stand. How can you suspend a person's license if they are not charged

**HB 2224 School Based Clinics HD STATUS:**

PP POSITION Pos F POSITION Neg CC POSITION Pos

**BILL IMPACT**

Supplies language is a bright home but this may re-direct SBHC \$ to school districts.

**HB 2225 Peer Ed. Teen Parents HD STATUS:**

PP POSITION F POSITION CC POSITION

**HB 2226 Family Life Ed. HD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

**BILL IMPACT**

Who will be defined as teachers? School staff only or perhaps School Based staff.

**HB 2231 Gambling CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

Yes! We need this one.

**HB 2248 15 Age - 12 JJD CFSD, JJD STATUS:**

PP POSITION Neg F POSITION Neg CC POSITION Neg

**BILL IMPACT**

Bad idea!!

**BILL IMPACT**

If we give up on 12 year olds adn commit them to spend their adolescence and early adulthood knowing only incarceration, what can we expect from that point on? Many of these youth haven't reached puberty. Concern remains - type of program remanded to.

**HB 2250 DUII CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

Requires person who is convicted of DUII to make complete restitution for damages caused if person's driving privileges were suspended at time of DUII incident.

**BILL IMPACT**

I don't know if this is necessary. It seems to me that victims compensation is already included in DUII sanctions. Although may cause more hit and run incidents.

**HB 2251 DUII CFSD STATUS:**

PP POSITION Neg F POSITION Neg CC POSITION Neg

Requires person convicted of DUII to server minimum prison term of two years. Punishes by maximum five years imprisonment, \$100,000 fine or both. Applies to persons arrested on and after effective date of Act.

**BILL IMPACT**

We don't have enough room in the jail, as it is.

**HB 2297 Man. Sentencing CFSD/JJD STATUS:**

PP POSITION F POSITION Neg CC POSITION Neg

**BILL IMPACT**

How much "getting tough" can we afford to pay for?

**HB 2301 Man. Min. Sentencing CFSD/JJD STATUS:**

PP POSITION F POSITION Neg CC POSITION

**BILL IMPACT**

How many more Prison beds will be needed if HB 2297 and this one pass. What is the Cost?

**HB 2308 A & D CFSD STATUS:**

PP POSITION Pos F POSITION Neg CC POSITION Pos

Establishes involuntary committment procedure when court determines a person is incapacitated as a result of alcoholism or drug dependency.

**BILL IMPACT**

There is a need for this, however, unfunded mandate. There would be extensive county time spent doing the investigatory work. Clients who are a danger to themselves or others when under the influence may not meet the criteria by the time the investigation is completed (5 days). Or, may get worse when they come off the drugs.

**HB 2336 Child Abuse CFSD STATUS:**

PP POSITION F POSITION CC POSITION

Transfers administration of Child Abuse Multidisciplinary Intervetion Account from Children's Services Division to State Commission on Children and Families. Increases percentage of funding distribution from Criminal Fine and Assessment Account.

**BILL IMPACT**

Much controversy here. Comm. on Ch/Fam is seen as not helpful to prosecuting perpetrators or treating victims. From Treatment

**HB 2339 Est. Juv. Div. CFSD/JJD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

**BILL IMPACT**

This would appear to be an option to the Youth Authority. This is in line with the "Summit" and Previous County Support.

**BILL IMPACT**

Better Juv. Corrections service to public. For too long corrections issues have been buried under child welfare issues of CSD. This will give Juv. Corrections its own identity.

**HB 2348 HIV HD STATUS:**

PP POSITION F POSITION CC POSITION

**HB 2356 Expands Healthy Start CFSD STATUS:**

PP POSITION F POSITION CC POSITION

**HB 2461 Public Assistance CFSD STATUS:**

PP POSITION Pos F POSITION Neg CC POSITION Pos

Provides for payment of municipal local improvement liens from proceeds of sale of tax foreclosed real property.

**BILL IMPACT**

Would be expensive - public \$ to pay for tax. Is this ethical or legal? Very expensive - publicly funded tax system.

**HB 2469 Temp. Restaurant HD STATUS:**

PP POSITION Neg F POSITION Neg CC POSITION None

Establishes fees for temporary benevolent restaurant license issued by county for event arranged by benevolent organization.

**BILL IMPACT**

This is ridiculous. Many "benevolent" organizations use temp. restaurants repeatedly for fundraising, almost to the extent of profit-making. Bill effectively requirest that local programs subsidize these operations. While we currently do not charge, some counties do. It's a bad idea to statutorily restrict this.

**HB 2479 Sentencing CFSD/JJD STATUS:**

PP POSITION F POSITION CC POSITION

**HB 2482** Homless-Camping CFSD STATUS:  
PP POSITION None F POSITION None CC POSITION Pos  
BILL IMPACT  
Basedon Portland's policy which was worked out at CAPO.

**HB 2485** DUII-Driving Privileges CFSD STATUS:  
PP POSITION Neg F POSITION Neg CC POSITION Neg  
Requires permanent revocation of driving privileges upon third conviction  
of driving while under the influence of intoxicants.  
BILL IMPACT  
Would create more unlicensed drivers, without dealing with their  
alcohol addiction, net effect more hit and run and DWS.

**HB 2509** DUII; 2nd Degree CFSD STATUS:  
PP POSITION Neg F POSITION Neg CC POSITION Neg  
BILL IMPACT  
No room in jails as it is. Increases criminalization but no more tx. not  
helpful.

**HB 2510** DUII; Criminal Law CFSD STATUS:  
PP POSITION None F POSITION Neg CC POSITION Neg  
BILL IMPACT  
Why no just make DUII a capital offense? Unnecessary. Mean  
spirited. No room in jail as it is. What we want is increase tx for  
offenders not stiffer penalties.

**HB 2511** Local C & F; Juv. CFSD STATUS:  
PP POSITION F POSITION CC POSITION  
BILL IMPACT  
Local commissions already have their hands full trying to address  
benchmarks and other mandates. Multnomah Co. already has a  
diversion program process: it incorporated a community peer review for  
more serious diversion offenders. Neighborhood Accountability Boards.

**HB 2512** Privilege Tax. Blw. CFSD STATUS:  
PP POSITION Pos F POSITION Pos CC POSITION Pos  
BILL IMPACT  
Yes! We need this! Basically allocates how \$ will be spent  
appropriated in HB 2506.

**HB 2525** Adult Foster Care ASD STATUS:  
PP POSITION F POSITION CC POSITION

**HB 2564** Adult Foster Care ASD STATUS:  
PP POSITION F POSITION CC POSITION

**SB 001** Juv. Justice Reform CFSD/JJD STATUS:  
PP POSITION F POSITION CC POSITION

**BILL IMPACT**

This is cost-shifting from CSD to JJD. Therefore, there are less dollars for DHR to move towards treatment.

**SB 002** Title Priv. OHSU HD STATUS:  
PP POSITION F POSITION CC POSITION

**SB 049** Sanitarian HD STATUS:  
PP POSITION F POSITION CC POSITION

**SB 111** Drugs CFSD STATUS:  
PP POSITION Neg F POSITION Neg CC POSITION Neg

Prohibits use of psychotropic drugs and convulsive therapy on mentally ill person committed to Mental Health and Developmental Disability Services Division.

**BILL IMPACT**

Would tie hands of program to provide best care. Would increase length of stay in high cost hospitals. Would delay treatment when client is unable to make a decision.

**SB 112 Welfare Reform CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

**BILL IMPACT**

Please support. Our hope is to make this foundational for welfare reform actions.

**SB 118 DUII CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

Authorizes police officer to request urine test from person arrested for DUII to determine presence of controlled substances. Provides that person refusing test will have driving privileges suspended and that suspension time will be increased if person refuses more than one test. Increases period before which DOT may reinstate privileges or issue hardship permit for certain purposes.

**BILL IMPACT**

Yes!

**SB 121 M.H. Authority CFSD STATUS:**

PP POSITION Neg F POSITION Neg CC POSITION None

**SB 122 Mental Disease CFSD STATUS:**

PP POSITION Pos F POSITION None CC POSITION Pos

Defines "mental disease" and "mental defect" for purpose of criminal code. Provides that use of drugs or controlled substances or voluntary intoxication is not mental disease or defect.

**SB 273 Reg. Training CFSD, JJD STATUS:**

PP POSITION Pos F POSITION CC POSITION Pos

This would add needed secure custody beds for youth committed to MacLaren/Hillcrest.

**SB 274 Juv. Training CFSD/HD STATUS:**

PP POSITION Pos F POSITION CC POSITION

**BILL IMPACT**

The best way of establishing control over the population of close custody would be to create a risk assessment tool that measures the community risk of each youth committed to the state institutions. This risk assessment tool would be established in collaboration with Juvenile Departments, District Attorneys and Judges. As maximum population is reached scores are considered in determining who is the first youth to be

**SB 275 OHSU HD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

Oregon needs an academic Health Science University. Will help keep OHSU open and able to continue service to medically indigent population.

**BILL IMPACT**

Is necessary if OHSU is to remain alive in the competitive health market place. May provide a vehicle "down the road" for Care Oregon's possible move into commercial insurance for low income individuals and small employers.

**SB 290 Health Care Panel HD STATUS:**

PP POSITION F POSITION CC POSITION

**SB 374 Lottery; Gambling CFSD STATUS:**

PP POSITION Pos F POSITION Pos CC POSITION Pos

We need this one.

**SB 384 Family Support CFSD STATUS:**

PP POSITION Neg/Pos F POSITION Neg/None CC POSITION Neg/Pos

**BILL IMPACT**

Direct contracting with N.F.P.'s by State bypasses local coordination/oversight.

**BILL IMPACT**

Increases state flexibility - non-profits may be able to respond with less bureaucratic requirements than government. Could decrease the amount of funds coming to Multnomah County. Could cause lay-off. May allow more dollars to flow to individual families due to lower staff

**SB 393 Liability/Professional Corp. HD STATUS:**

PP POSITION F POSITION CC POSITION

**SB 5501 Budget C & F CFSD STATUS:**

PP POSITION F POSITION CC POSITION

**SB 5534** Dept. Of Youth Auth CFSD, JJD STATUS:

PP POSITION F POSITION Neg CC POSITION

Big \$.

**BILL IMPACT**

A necessary bill if the Youth Authority becomes real.

## MEMORANDUM

February 14, 1995

**TO:** Board of Commissioners

**FR:** Gina Mattioda, Public Affairs Coordinator

**RE:** Board Briefing on Senate Bill 1

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The purpose of this memorandum is twofold; (1) inform the Board of various activities related to Senate Bill 1, and (2) provide the Board with some analysis of SB 1.

**OVERVIEW:** SB 1 was introduced at the request of the Governor's Task Force on Juvenile Justice. The task force was created by Governor Barbara Roberts a year ago and chaired by Attorney General Ted Kulongoski. In early January, Kulongoski presented the Legislature with "Governor's Task Force on Juvenile Justice - Final Report." Much of the contents of this Final Report is found in SB 1.

**TIMELINE:** Currently, SB 1 is in Senate Judiciary's Subcommittee on Juvenile Justice chaired by Sen. Jeannette Hamby (R- Hillsboro) along with Dick Springer (D- Portland) and Shirley Stull (R- Keizer).

This legislation is on an extremely fast track, according to Senate leadership SB 1 must be to the House by March 1. In order to accomplish this goal, SB 1 must be approved by the subcommittee as well as the full Senate Judiciary Committee and pass the Senate floor. Membership of Senate Judiciary is as follows: Chair Neil Bryant (R- Bend), Vice-Chair Randy Miller (R- Lake Oswego), Ken Baker (R- Clackamas), Jeannette Hamby (R- Hillsboro), Peter Sorenson (D- Eugene), Dick Springer (D- Portland), and Shirley Stull (R- Keizer).

Once on the House side, SB 1 will be referred to the House Judiciary's Subcommittee on Juvenile Justice and then the full committee before venturing to Ways and Means for allocation of General Fund dollars. Presently it is unclear which subcommittee of Ways and Means SB 1 will be referred to - either Human Resources or Public Safety/Regulations. Membership of the Sub-committee on Juvenile Justice consist of: Chair Del Parks (R- Klamath Falls), Vice-Chair Lisa Naito (D- Portland), Kate Brown (D- Portland), Floyd Prozanski (D- Eugene), Eileen Qutub (R- Beaverton), and Veral Tarno (R- Coos Bay). Full membership of Judiciary includes; Chuck Carpenter (R- Beaverton), Peter Courtney (D- Salem), Jerry Grisham (R- Beavercreek), Bryan Johnston (D- Salem), Leslie Lewis (R- Newburg), and Bob Tiernan (R- Lake Oswego).

**AN EVENT TO ATTEND:** A hearing on SB 1, coordinated by Rep. Avel Gordly will be held on Saturday, February 25th from 9:00 am to noon at the King Facility, located at 4815 NE 7th. According to Gordly's press release, "SB 1 will have a major impact on minority youth, especially African Americans, who are currently over-represented and

disproportionately confined in the juvenile justice system. These are the residents of North and Northeast Portland. This public hearing will be an opportunity for members of the community most affected to voice its opinions and concerns." I urge Commissioners to attend the February 25th hearing, this may be the only time Multnomah County has an opportunity to express our views on SB 1.

**WHAT IS SENATE BILL 1:** In short, SB 1 is an aggressive attempt to reform the current juvenile justice system. The bill responds both to concerns raised during the task force's development of the AG report on juvenile justice and Ballot Measure 11 which provides that juveniles aged 15 to 17 who are charged with committing any of 15 listed violent offenses will be tried as adults.

**AREAS OF INTEREST:** SB 1 has 10 parts and 139 sections. Below I have highlighted some areas of interest.

Part I - section 1 - 13 Establishes the Department of Youth Authority, currently the Senate subcommittee is debating over a division or a department. This entity would supervise the management and administration of the youth correction facilities, state parole and probation services, community out-of-home placement for youth offenders and other functions related to state programs for youth corrections. The entity may accept and retain legal or physical custody of youth offenders over 11 years old and under 25 years old.

Part II - section 14 - 23 Creates the Youth Offender Review Panel, which consist of 3 to 5 members appointed by the Governor and confirmed by the Senate. The panel has the authority to transfer youth offenders from one level of custody to another. In addition, the panel can authorize any youth offender to go on parole.

Part III - section 24 - 26 (A) States general philosophy of Youth Correction Facilities - "Different levels of custody in youth correction facilities reflect the differences between the level of security and direct supervision of the facilities."

Part III - section 27 - 28 (B) Allows for the creation of up to *five* Secure Regional Youth Facilities. *Four of the five facilities are funded.* A facility would house no more than 100 youth offenders. Education, job and life skills training and drug and alcohol treatment would be provided. These items are not included in Governor's budget, therefore the question becomes who pays for these services.

Part III - section 29- 30 (C) Allows for the creation of up to *eight* Regional Youth Accountability Camps. *No funds have been allocated for these camps.* A camp would serve no more than 50 youth offenders and no longer than 210 days in duration. The camp would be based on a military basic training model that includes extensive discipline, physical work and exercise and military drill. Drug and alcohol treatment would be provided.

Part III - section 31- 32 (D) Allows for the creation of up to *four* Regional Residential Academies. *No funds have been allocated for these academies.* An academy would serve no more than 100 youth offenders. These academies would provide a secure, closed residential

campus and provide year-round education, job and life skills, vocational training and apprenticeship programs, as well as drug and alcohol treatment.

*Please note that the Youth Offender Review Panel is solely responsible for determining which youth offender are eligible and where to place them.*

Part IV - section 33 - 43 Establishment and timeline of Emergency Youth Correction Facility Siting Authority. HB 2136 is currently under consideration in the House Judiciary Committee.

Part V - section 44 - 52 Transfers all duties, functions and responsibilities relating to juvenile court delinquency from CSD to Department or Division of Youth Authority. There is discussion on whether to keep the Youth Authority within DHR or move it into the Dept. of Corrections.

Part VI - section 53 - 56

Section 53 -Deletes reference to 15 to 17 years old.

Section 54 -Defines "charged" and "prosecuted" which is substituted for "tried" as adults/ demarcates juvenile court - adult court jurisdiction in Ballot Measure 11 cases. Need for Multnomah County Amendment.

Section 55 -Adds seven new offenses. (*aggravated murder; conspiracy, solicitation, and attempt to commit aggravated murder; conspiracy, solicitation, and attempt to commit murder*) and limits the second-degree kidnapping and second-degree sex offenses covered by BM 11 to those involving the use of threatened use of a deadly weapon. In addition, states 15 to 17 year old found guilty of "personally" committing the following crimes are sentenced to full BM 11 term and committed to the Dept. of Corrections. (*crimes are aggravated murder; murder; manslaughter in the first degree; first degree rape, sodomy, or unlawful sexual penetration, where the victim is subjected to forcible compulsion; or assault in the first degree, which causes permanent injury or disability*). The other 15 to 17 year old convicted of BM 11 are sentenced to full BM 11 term, committed to Youth Authority and are subject to the "Second Look"

Section 56 -Requires adult prosecutions and BM 11 sentencing for 14 year old charged and convicted for following crimes: aggravated murder, murder, rape in the first degree; where the victim is subjected to forcible compulsion, sodomy in the first degree; where the victim is subjected to forcible compulsion, and unlawful sexual penetration in the first degree; where the victim is subject to forcible compulsion. If found to have "personally" committed the crime, the juvenile is sentenced to full BM 11 term and committed to the Dept. of Correction, if not "personally" committed juvenile serves full BM 11 and goes to Youth Authority and is subject to "Second Look"

Part VII section 57 - 62 Describes "Second Look" hearing process. States juveniles convicted of having "personally" committed the most serious BM 11 offenses do not get a "Second Look." Describes overall "Second Look" process.

unfunded

County Case Management

funded

State Case Management

existing

funded

County

???????

Youth Authority

Youth Offender Intake & Assessment Centers

Secure Facilities

Facility #1 - 80/20

Facility #2 - 80/20

Facility #3 - 80/20

Facility #4 - 80/20

Facility #5 - 80/20

Youth Accountability Camps

Camp #1 - 50

Camp #2 - 50

Camp #3 - 50

Camp #4 - 50

Camp #5 - 50

Camp #6 - 50

Camp #7 - 50

Camp #8 - 50

Residential Academies

Academy #1 - 100

Academy #2 - 100

Academy #3 - 100

Academy #4 - 100

Existing Facilities

Maclaren - 250/50/17

Hillcrest - 181

Corvallis House - 25

Camp Tillamook - 25

Camp Hilgard - 25

Camp Florence - 25

Temporary Bed Facility - 300

Community Corrections

County Juvenile Dept

Local Youth Authorities

Work Programs

Boot Camps

Residential Treatment

Local Planning

Children & Families

FOR YOUR INFORMATION  
SENATOR JEANNETTE HAMBY  
ROOM S 312 - STATE CAPITOL  
SALEM, OR 97310

PROPOSED SB 1  
 VERY PRELIMINARY FISCAL IMPACT FIGURES  
 (Dollars in Millions)

**DRAFT**

	No. of New Facilities	No. of Beds Each	Estimated Cost Each Facility	Estimated Total Cost / bien.	Amount in Gov's Budget	Comments
<b>Maximum security facilities</b>						
Operating costs	4	80	\$ 8.5	\$ 33.8		Bill allows up to 5-100 bed facilities. Full biennial cost. Counties have 20 beds in each facility. Assume no reduction to MacLaren/Hillcrest.
Debt service	4	100	1.0	4.4	4.4	
Construction	4	100	10.5	42.0	42.0	Gov. proposes COPs
Education costs	4	80		4.9	4.9	Figures based on 1-400 bed facility (will be more for 4)
<b>Boot camps</b>	8	50				
Operating costs			3.3	26.0	0.0	Assumes 7 mo. stay in program
Education costs			0.8	6.0	0.0	
Construction			Unknown		0.0	
One time costs			0.1	1.0	0.0	Equipment
<b>Intake/assessment center</b>	4	20	Unknown	Unknown	0.0	# not specified in bill
<b>Regional academy</b>	4	100	Unknown	Unknown	0.0	
<b>Youth Offender Review Panel (Juvenile parole board)</b>				0.9	0.0	Full biennium
<b>Administration (Dept of Youth Authority)</b>				↓ 3.4	1.7	One year funding (second yr. of biennium)
<b>Expand services from age 21 to age 25</b>				Unknown	0.0	Addtl institution & parole costs.
<b>Impact on Courts</b>				Unknown	0.0	
<b>Impact on Adult Corrections</b>				Unknown	0.0	

\* NOTE: \$11.4 million operating cost for 300 Measure 11 beds is included in Gov. budget.

*11 " State Police \$703,000*  
*20M only + 5M*  
*0 fingerprinting, etc*

## AMENDMENT TO SB 1 SECTION 54 - 3 (a)

(3) (a) A person charged with a crime under section 55 of this Act who is 16 or 17 years of age [shall] may be detained in custody in a jail or other place where adults are detained subject to release on the same terms and conditions as for adults.

(b) If a person charged with a crime under section 55 or 56 of this Act is under 16 years of age, the person may not be detained, either before conviction or after conviction but before execution of the sentence, in a jail or other place where adults are detained.

### RATIONALE for amendment

1. *Flexibility* - Counties should have the option to hold youth who are aged 16 or 17 in a "juvenile facility" or an "adult facility" pending the jury trial. Counties should have the option to exercise flexibility in determining where additional bed spaces are available in order to hold these youth.
2. *There is agreement on this amendment county wide* - In an effort to anticipate the impact of ballot measure 11 on Multnomah County, a task force was created in December 1994. This task force is a collaborative body comprised of the following: Multnomah County's presiding judge, district attorney, juvenile justice division director, adult correction supervisor, sheriff and chair.

This task force has agreed that all youth charged with ballot measure 11 crimes may be held in either a "juvenile facility" or "adult facility" based upon the supervision needs of the youth until time of trial. At the time of trial, the youth will be moved to the adult facility for the duration of trial and sentencing.

Background The goal is to create a decision tree which follows the youth as they flow through the pre-trial continuum of decision points. Each decision point is assigned a decision maker, decision criteria and decision options. The actual capacity projections at each decision point are not available at this time. Multnomah County's Juvenile Justice Division is currently conducting a pilot test of it's new detention intake screening instrument to determine the capacity needs for the pre-trial supervision system.

EL L. GORDLY  
ULTIMAH COUNTY  
DISTRICT 19

BY TO ADDRESS INDICATED:

House of Representatives

Salem, OR 97310

915 NE 18th St

Portland, OR 97212



HOUSE OF REPRESENTATIVES  
SALEM, OREGON  
97310

*2/8 Copy to Howard & Gina*

**CONTACT: Katy King 986-1419  
FOR IMMEDIATE RELEASE**

**9am, SATURDAY, FEBRUARY 25, KING FACILITY  
HEARING ON SENATE BILL ONE TO BE HELD IN NE PORTLAND  
GORDLY URGES COMMUNITY MEMBERS TO TESTIFY**

A hearing on SB 1, the bill which would implement major changes in the juvenile justice system, will be held from 9 am-noon, Saturday, on February 25th at King Facility, located at 4815 NE 7th, Representative Gordly (D-19) announced.

Representative Gordly worked with Senator Jeanette Hamby, Chair of the Senate Judiciary Subcommittee, to bring the public hearing to NE Portland instead of the normal hearing site at the State Capitol building.

"SB 1 will have a major impact on minority youth, especially African Americans, who are currently overrepresented and disproportionately confined in the juvenile justice system. These are the residents of North and Northeast Portland. This public hearing will be an opportunity for members of the community most affected to voice its opinions and concerns," Gordly said.

Gordly has also invited other members of the Metro area delegation and any other legislators wishing to attend.

Senate Bill 1, was introduced at the request of the Governor's Task Force on Juvenile Justice headed by Attorney General Ted Kulongoski. It would make a number of significant changes including the establishment of a Department of Youth Authority, which would take over all CSD duties relating to delinquent youth; the construction of four 400 bed maximum security facilities; and a multi-tier system of graduated sanctions. It would implement provisions of Measure 11, the ballot measure passed by the voters in November, which requires mandatory sentences for many violent offenders aged 15 or older.

"We have a Supreme Court Task Force report on Racial/Ethnic issues in the judicial system which has also looked at the treatment of juveniles. The report says that we have two systems of justice, one for whites and one for everyone else. The legislative Judiciary committees must deal with this information as they talk about the proposals in SB 1. Currently, that discussion is not taking place and if that isn't corrected, any legislation enacted will be seriously flawed," Gordly said.

To reserve testimony time, please contact Rep. Gordly's office in Salem at 986-1419. The toll free number is 1-800-332-2313.

# Senate Bill 1

Sponsored by Senators SMITH, BRYANT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Establishes Department of Youth Authority. Transfers duties relating to delinquent children from Children's Services Division to Department of Youth Authority.

Creates Youth Offender Review Panel.

Appropriates moneys out of General Fund to panel for biennial expenses.

Establishes different levels of youth correction facilities.

Establishes procedure for emergency siting of youth correction facilities. Sunsets authority when youth correction facilities are sited and all appeals are exhausted.

Implements chapter 2, Oregon Laws 1995 (Measure No. 11) as it relates to persons under 18 years of age. Provides for "second look" for some persons under 18 years of age sentenced under chapter 2, Oregon Laws 1995.

Requires registration of youths found to be within jurisdiction of juvenile court for having committed act which if committed by adult would be sex crime. Allows public disclosure of information about such youths.

Requires fingerprinting and photographing of certain youths. Allows those fingerprint and photograph files to be kept in central state registry.

Expands list of offenses that may be expunged. Requires judicial hearing for expunction of certain records of youth offenders.

Establishes policy of state regarding youth offenders and juvenile delinquency.

Makes related changes.

Establishes Department of Youth Authority Account.

Appropriates moneys from General Fund to Department of Youth Authority to carry out provisions of Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to juvenile justice; creating new provisions; amending ORS 137.124, 161.290, 179.750,  
3 181.517, 181.518, 181.519, 334.195, 419A.004, 419A.200, 419A.250, 419A.255, 419A.260, 419B.328,  
4 419C.005, 419C.230, 419C.239, 419C.250, 419C.352, 419C.374, 419C.411, 419C.443, 419C.450,  
5 419C.470, 419C.501, 419C.504, 419C.575, 420.005, 420.011, 420.014, 420.017, 420.019, 420.021,  
6 420.031, 420.040, 420.045, 420.060, 420.065, 420.070, 420.074, 420.077, 420.120, 420.210, 420.215,  
7 420.220, 420.225, 420.230, 420.235, 420.320, 420.405, 420.500, 420.505, 420.525, 420.855, 420.860,  
8 420.865, 420.870, 420.875, 420.880, 420.885, 420.910 and 420.915 and section 5, chapter 389, Oregon  
9 Laws 1991, section 2, chapter 766, Oregon Laws 1993, and section 1, chapter 2, Oregon Laws  
10 1995; repealing ORS 419A.290 and 420.055 and section 8, chapter 389, Oregon Laws 1991; ap-  
11 propriating money; and declaring an emergency.

12 Be It Enacted by the People of the State of Oregon:

### I. DEPARTMENT OF YOUTH AUTHORITY

13  
14 **SECTION 1.** As used in sections 1 to 52 of this Act, unless the context requires other-  
15 wise:

16 (1) "Cognitive restructuring" means any rehabilitation process that redirects the think-  
17 ing of an offender into more socially acceptable directions and that is generally accepted by  
18 rehabilitation professionals.

19 (2) "Department" means the Department of Youth Authority.

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in boldfaced type.

1 (3) "Director" means the Director of the Department of Youth Authority.

2 (4) "Reformation plan" means a written plan prepared by the Department of Youth Au-  
3 thority that is tailored to the youth offender's unique requirements as identified by the ini-  
4 tial assessment. "Reformation plan" includes, but is not limited to, a plan for medical,  
5 educational, vocational, social and psychological services and training as well as other  
6 rehabilitative services designed to provide the youth offender with clear expectations about  
7 what programs must be successfully completed by the youth offender.

8 (5) "Youth correction facility" has the meaning given that term in ORS 420.005.

9 (6) "Youth offender" has the meaning given that term in ORS 419A.004.

10 SECTION 2. (1) The Department of Youth Authority is established. The department shall:

11 (a) Supervise the management and administration of the youth correction facilities, state  
12 parole and probation services, community out-of-home placement for youth offenders and  
13 other functions related to state programs for youth corrections;

14 (b) Provide capital improvements and capital construction necessary for the implemen-  
15 tation of all youth correction facilities;

16 (c) Carry out dispositions and sentences of youth offenders committed to its legal cus-  
17 tody;

18 (d) Exercise custody over those youth offenders sentenced to a period of confinement  
19 until the time that a lawful release authority authorizes release;

20 (e) Provide adequate food, clothing, health and medical care, sanitation and security for  
21 confined youth offenders;

22 (f) Provide youth offenders with opportunities for self-improvement and work;

23 (g) Conduct investigations and prepare reports for release authorities; and

24 (h) Supervise youth offenders sentenced or placed in the community for the period of  
25 time specified and in accordance with conditions of supervision ordered by the release au-  
26 thority.

27 (2) To meet the individual circumstances of each youth offender, the department shall:

28 (a) Develop a flexible fee-for-service provider system that can respond quickly to each  
29 youth offender's identified and changing circumstances; and

30 (b) Develop a process for joint state and county review of contracts entered into under  
31 paragraph (a) of this subsection based on:

32 (A) Measurable outcomes including:

33 (i) Academic progress;

34 (ii) Social adjustments;

35 (iii) Behavioral improvements;

36 (iv) Rearrests; and

37 (v) Other measurements as determined by the department;

38 (B) Performance measurements including:

39 (i) Fiscal accountability;

40 (ii) Compliance with state and federal regulations;

41 (iii) Record keeping; and

42 (iv) Reporting; and

43 (C) Provision of services identified under a youth offender's reformation plan.

44 (3) The department may accept and retain legal or physical custody of youth offenders  
45 over 11 years of age and under 25 years of age who are committed to the department pur-

1 suant to:

2 (a) An adjudication under ORS 419C.400; or

3 (b) A finding of guilt and judgment of conviction in a criminal court.

4 (4) The department may provide consultation services related to the juvenile justice  
5 system to local or statewide public or private agencies, groups and individuals or may initiate  
6 such consultation services. Consultation services include, but are not limited to, conducting  
7 studies and surveys, sponsoring or participating in educational programs and providing ad-  
8 vice and assistance. Nothing in sections 1 to 52 of this Act is intended to diminish the state's  
9 efforts to plan, evaluate and deliver effective human services programs to youth offenders,  
10 either in a youth correction facility or on probation or parole. Therefore, the Department  
11 of Youth Authority and the Department of Human Resources shall jointly develop and im-  
12 plement needed social and rehabilitative services.

13 (5) The department shall be the recipient of all federal funds paid or to be paid to the  
14 state to enable the state to provide youth correction programs and services assigned to the  
15 Department of Human Resources prior to July 1, 1996.

16 SECTION 3. The enumeration of duties, functions and powers in section 2 of this Act is  
17 not intended to be exclusive nor to limit the duties, functions and powers imposed on or  
18 vested in the Department of Youth Authority by other statutes.

19 SECTION 4. The Department of Youth Authority shall incorporate the following princi-  
20 ples and guidelines into the programs administered by the department:

21 (1) Individual accountability and responsibility for past, present and future conduct;

22 (2) Restitution to victims;

23 (3) Restitution to the community;

24 (4) Parental involvement and responsibility;

25 (5) Mandatory education and skill development;

26 (6) Clearly defined expectations and goals;

27 (7) Certainty and consistency of sanctions and dispositions;

28 (8) Zero tolerance for noncompliance with standards of conduct and conditions of place-  
29 ment;

30 (9) Return to responsible citizenship through transitional programs;

31 (10) Consistency of similar programs in all youth correction facilities; and

32 (11) Public safety as the highest priority.

33 SECTION 5. (1) The Department of Youth Authority is under the supervision and control  
34 of a director, who is responsible for the performance of the duties, functions and powers of  
35 the department.

36 (2) The Governor shall appoint the director, who holds office at the pleasure of the Gov-  
37 ernor.

38 (3) The director shall receive a salary as provided by law or, if not so provided, as pre-  
39 scribed by the Governor, and shall be reimbursed for all expenses actually and necessarily  
40 incurred by the director in the performance of official duties.

41 (4) For purposes of administration, subject to the approval of the Governor, the Director  
42 of the Department of Youth Authority may organize and reorganize the department as the  
43 director considers necessary to conduct properly the work of the department.

44 (5) The director may divide the functions of the department into administrative divisions.  
45 Each division is under the supervision of a person appointed by the director, subject to the

1 approval of the Governor, to serve at the pleasure of the director and not to be subject to  
 2 the Personnel Relations Law. Each person must be well qualified by technical training and  
 3 experience in the functions to be performed by the individual.

4 SECTION 6. The appointment of the Director of the Department of Youth Authority is  
 5 subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

6 SECTION 7. (1) The Director of the Department of Youth Authority may appoint, subject  
 7 to the approval of the Governor, a deputy director to serve at the pleasure of the director,  
 8 with authority to act for the director in the absence of the director but subject to the control  
 9 of the director at all times. The designation of the deputy director must be by written order,  
 10 filed with the Secretary of State.

11 (2) Subject to any applicable provisions of the State Personnel Relations Law, the director  
 12 shall appoint all subordinate officers and employees of the department, prescribe their duties  
 13 and fix their compensation.

14 SECTION 8. In accordance with applicable provisions of ORS 183.310 to 183.550, the di-  
 15 rector may adopt rules necessary for the administration of the laws that the department is  
 16 charged with administering.

17 SECTION 9. (1) The Director of the Department of Youth Authority may authorize an  
 18 individual youth correction officer or group of youth correction officers to exercise the  
 19 powers and authority of a peace officer in the supervision and custody of youth offenders.

20 (2) The authority of a youth correction officer acting as a peace officer under subsection  
 21 (1) of this section includes but is not limited to:

22 (a) Preventing an escape from the grounds of a youth correction facility by a youth  
 23 offender; and

24 (b) Going beyond the grounds of a youth correction facility to:

25 (A) Pursue a youth offender who is in the act of escaping from the youth correction fa-  
 26 cility;

27 (B) Search for a youth offender who is in the act of escaping from a youth correction  
 28 facility; and

29 (C) Recapture a youth offender who is in the act of escaping from a youth correction  
 30 facility.

31 (3) A youth correction officer who has been granted the authority of a peace officer un-  
 32 der subsection (1) of this section retains the authority until the law enforcement agency that  
 33 has general jurisdiction over the area in which the escape or attempted escape took place  
 34 assumes responsibility for recapturing the youth offender.

35 (4) The Department of Youth Authority shall inform the appropriate law enforcement  
 36 agency of the escape or attempted escape of a youth offender as soon as is reasonably  
 37 practicable.

38 SECTION 10. (1) The Department of Youth Authority Account is established in the Gen-  
 39 eral Fund of the State Treasury. Except for moneys otherwise designated by statute, all fees,  
 40 assessments, federal apportionments or contributions and other moneys received by the De-  
 41 partment of Youth Authority shall be paid into the State Treasury and credited to the ac-  
 42 count. All moneys in the account are appropriated continuously and shall be used by the  
 43 department for purposes authorized by law.

44 (2) The department shall keep a record of all moneys deposited in the account. The re-  
 45 cord shall indicate by separate cumulative accounts the sources from which the moneys are

1 derived and the individual activity or program against which each withdrawal is charged.

2 SECTION 11. There is appropriated to the Department of Youth Authority, for the  
3 biennium beginning \_\_\_\_\_, 1995, out of the General Fund, the sum of \$\_\_\_\_\_ for the  
4 purpose of carrying out the provisions of this Act.

5 SECTION 12. (1) Upon written request of the Department of Youth Authority, the Oregon  
6 Department of Administrative Services shall establish a revolving fund not to exceed \$15,000,  
7 including unreimbursed advances, by drawing warrants on amounts appropriated to the De-  
8 partment of Youth Authority for operating expenses. The revolving fund shall be deposited  
9 with the State Treasurer, to be held in a special account against which the Department of  
10 Youth Authority may draw checks.

11 (2) The revolving fund established under subsection (1) of this section may be used by the  
12 Department of Youth Authority to pay for:

13 (a) Travel expenses for employees of the Department of Youth Authority and for any  
14 consultants or advisors for whom payment of travel expenses is authorized by law, or ad-  
15 vances therefor;

16 (b) Purchases not exceeding \$100 each, which may be required from time to time;

17 (c) Receipt or disbursement of federal funds available under federal law;

18 (d) Emergency expenses of indigent youth offenders released on any form of temporary  
19 release or transitional leave; or

20 (e) Settlement of legal claims against the Department of Youth Authority in cases where  
21 immediate payment is necessary or advisable.

22 (3) The revolving fund shall be reimbursed by warrants drawn by the Oregon Department  
23 of Administrative Services upon the verified claims of the Department of Youth Authority  
24 charged against the appropriate fund or account.

25 SECTION 13. (1) The Department of Youth Authority may establish and operate youth  
26 correction facilities. The department shall site the facilities in accordance with applicable  
27 state and local laws.

28 (2) Youth correction facilities must be used for the confinement of youth offenders placed  
29 in the custody of the department and for the development of youth offenders into productive  
30 members of society.

## 31 II. YOUTH OFFENDER REVIEW PANEL

32 SECTION 14. (1) The Youth Offender Review Panel is created. The panel consists of at  
33 least three but no more than five members.

34 (2) The Governor shall appoint the members of the panel for four-year terms. The ap-  
35 pointment of a member is subject to confirmation by the Senate in the manner provided in  
36 ORS 171.562 and 171.565. If the number of members falls below three, the Governor shall  
37 appoint a person, the appointment to become effective immediately, to fill the position for  
38 the unexpired term. The Governor at any time may remove a member for inefficiency, neg-  
39 lect of duty or malfeasance of office.

40 (3) Each member shall devote the member's entire time to the performance of the duties  
41 imposed on the panel and may not engage in any partisan political activity.

42 (4) The members shall receive a salary set by the Governor. In addition, members shall  
43 receive actual and necessary travel and other expenses incurred in the performance of offi-  
44 cial duties within limits as provided under ORS 292.220 and 292.230 or as otherwise provided  
45 by law.

1 (5) The Director of the Department of Youth Authority is an ex officio nonvoting member  
2 of the panel.

3 SECTION 15. (1) Notwithstanding the term of office specified in section 14 of this Act,  
4 of the members first appointed to the panel:

5 (a) One member shall serve for a term ending June 30, 1998.

6 (b) One member shall serve for a term ending June 30, 1999.

7 (c) The remaining members shall serve for terms ending June 30, 2000.

8 (2) Notwithstanding any other law, the Governor may appoint the members of the panel  
9 before July 1, 1996, and the panel may take any action before that date that is necessary to  
10 enable the panel to exercise, on and after July 1, 1996, the duties, functions and powers given  
11 the panel under this Act.

12 SECTION 16. (1) The Governor shall select one of the members of the Youth Offender  
13 Review Panel as chairperson and another member as vice chairperson. The Governor shall  
14 establish the length of the terms of the chairperson and vice chairperson. The chairperson  
15 and vice chairperson have the duties and powers, in addition to those established by law, as  
16 established by the Governor.

17 (2) A majority of the members of the panel constitutes a quorum for decisions concerning  
18 rules and policies.

19 (3) Except as otherwise provided in sections 14 to 32 of this Act, the panel shall make  
20 decisions affecting persons under the jurisdiction of the panel as provided by rules of the  
21 panel.

22 SECTION 17. (1) In hearings conducted by the Youth Offender Review Panel, the panel  
23 may sit together or in subpanels.

24 (2) Subpanels may consist of one or two panel members or of one member and one  
25 hearings officer, appointed by the chairperson as a designated representative of the panel.  
26 A subpanel consisting of one member or of one member and one hearings officer may be used  
27 only when considering youth offenders found to be within the jurisdiction of the juvenile  
28 court for having committed an act that if committed by an adult would constitute a non-  
29 person crime as defined in the rules of the State Sentencing Guidelines Board. The chair-  
30 person of the panel from time to time shall make assignments of members to the subpanels.  
31 The chairperson of the panel may participate on any subpanel.

32 (3) The chairperson shall apportion matters for decision to the subpanels. Each subpanel  
33 may hear and determine all questions before it. However:

34 (a) If there is a division in the subpanel so that a decision is not unanimous, another  
35 member shall vote after administrative review of the record.

36 (b) If the subpanel consists of one panel member, another member shall vote after ad-  
37 ministrative review of the record.

38 (c) If the original subpanel was made up of one panel member and the member voting  
39 after administrative review of the record disagrees with the decision, the chairperson shall  
40 reassign the matter to a subpanel made up of the remaining panel members. If the second  
41 subpanel agrees with neither the first panel member nor the member who reviewed the re-  
42 cord, the chairperson shall refer the matter to a hearing before the full panel.

43 (4) The chairperson may elect to conduct the hearings described in this section by con-  
44 ference call with the youth offender.

45 SECTION 18. (1) The Youth Offender Review Panel may authorize the transfer of a youth

1 offender from one level of custody to another.

2 (2) Before a transfer under subsection (1) of this section may take place, the panel shall  
3 review the record of the youth offender and enter an order granting or denying the transfer.

4 (3) The youth offender subject to a transfer order, or an order denying transfer, may  
5 request a hearing. The request must be in writing and submitted no later than 10 days after  
6 receipt of the order.

7 (4) In a hearing that would result in the transfer of a youth offender to a less restrictive  
8 setting, the youth offender has the burden of demonstrating that the transfer is warranted  
9 and consistent with section 80 of this Act.

10 SECTION 19. The Youth Offender Review Panel may adopt rules necessary to carry out  
11 the provisions of sections 14 to 32 of this Act. The rules must include but need not be limited  
12 to:

13 (1) Procedures by which youth offenders may apply for transfers from one level of cus-  
14 tody to another; and

15 (2) Rules applicable to parole of youth offenders.

16 SECTION 20. (1) The Youth Offender Review Panel may authorize any youth offender to  
17 go upon parole, subject to conditions of supervision and custody established by the panel and  
18 subject to being taken into custody and detained under written order of the panel or as  
19 provided in section 23 of this Act.

20 (2) The panel shall determine whether violations of conditions of parole have occurred.

21 SECTION 21. When the Youth Offender Review Panel makes a decision affecting a youth  
22 offender found to be within the jurisdiction of the juvenile court for having committed an  
23 act that resulted in the death of a person, the full panel shall review the decision affecting  
24 the youth offender.

25 SECTION 22. There is appropriated to the Youth Offender Review Panel, for the biennium  
26 beginning \_\_\_\_\_, 1995, out of the General Fund, the sum of \$\_\_\_\_\_ for the purpose  
27 of carrying out the duties created by this Act.

28 SECTION 23. (1) The Department of Youth Authority, upon being informed and having  
29 reasonable grounds to believe that the person has violated the conditions of parole, probation  
30 or other conditional release from custody, may order that a person under the department's  
31 supervision or control be taken into custody and detained. Before issuing such an order, the  
32 department shall investigate to determine whether the conditions of parole, probation or  
33 other conditional release have been violated.

34 (2) Notwithstanding subsection (1) of this section, the department may order that a per-  
35 son under the department's supervision or control be taken into custody and detained if the  
36 department has reasonable grounds to believe that the person is a danger to self or others.  
37 Within a reasonable time after taking a person into custody under this subsection, the de-  
38 partment shall hold a hearing to determine whether probable cause exists to continue de-  
39 tention pending a final determination of the case.

### 40 III. YOUTH CORRECTION FACILITIES

#### 41 A. GENERALLY

42 SECTION 24. Different levels of custody in youth correction facilities reflect the differ-  
43 ences between the level of security and direct supervision of the facilities.

44 SECTION 25. (1) It is the policy of the State of Oregon that:

45 (a) Rules regulating the conduct of youth offenders be based on the following principles

1 and goals:

2 (A) Concrete expectations and goals for the conduct of youth offenders;

3 (B) Safety of youth correction facility staff, the public, visitors and youth offenders;

4 (C) Maintaining order within youth correction facilities;

5 (D) Maintaining a structured environment within youth correction facilities; and

6 (E) Maintaining an atmosphere necessary for effective education, training, treatment and  
7 reform within youth correction facilities.

8 (b) Dispositions for violations of rules regulating the conduct of youth offenders must:

9 (A) Be immediate;

10 (B) Be appropriate for the severity and frequency of the violations committed by the  
11 youth offender; and

12 (C) Not be erratic, inconsistent or subjective.

13 (2) The Department of Youth Authority shall strictly enforce violations of the rules of  
14 conduct for youth correction facilities.

15 (3) The superintendent of a youth correction facility may immediately impose any dispo-  
16 sition established by the Department of Youth Authority for a violation of a rule of conduct  
17 that occurs within the superintendent's facility.

18 (4) The Youth Offender Review Panel shall review any disposition that results in the  
19 transfer of a youth offender to a different youth correction facility no later than 72 hours  
20 after the transfer.

21 SECTION 26. (1) The Department of Youth Authority may establish intake assessment  
22 centers.

23 (2) Upon commitment to the department, the department shall place youth offenders in  
24 an intake assessment center.

25 (3) The intake assessment centers shall provide youth offenders with:

26 (a) A copy of the rules of conduct for youth offenders in youth correction facilities; and

27 (b) Information concerning the process for transferring from one level of custody to an-  
28 other.

29 (4) The intake assessment centers shall conduct the following for each youth offender:

30 (a) A physical health evaluation;

31 (b) An educational evaluation including evaluations for special education;

32 (c) A psychiatric, psychologic and vocational evaluation; and

33 (d) A drug and alcohol abuse evaluation.

34 (5) Following evaluation, observation and orientation, the department shall submit a  
35 recommendation for initial placement of the youth offender to the Youth Offender Review  
36 Panel. The department shall base the recommendation on:

37 (a) The evaluations required by subsection (4) of this section;

38 (b) The severity of the conduct engaged in by the youth offender;

39 (c) The juvenile record of the youth offender; and

40 (d) The conduct of the youth offender during the assessment.

41 B. SECURE REGIONAL YOUTH FACILITIES

42 SECTION 27. (1) The Department of Youth Authority may establish up to five secure  
43 regional youth facilities.

44 (2) A secure regional youth facility may serve no more than 100 youth offenders.

45 (3) A secure regional youth facility shall:

1 (a) Provide secure incarceration;

2 (b) Provide education and job and life skills training including, but not limited to, anger  
3 management and self-control; and

4 (c) Include a drug and alcohol treatment component that meets standards generally ac-  
5 cepted by mental health professionals.

6 SECTION 28. (1) The Youth Offender Review Panel is solely responsible for determining  
7 which youth offenders are eligible to participate in, and which youth offenders are accepted  
8 for, a secure regional youth facility. The sentencing court may recommend to the Depart-  
9 ment of Youth Authority that a youth offender be placed in a secure regional youth facility,  
10 but the recommendation is not binding on the department or the Youth Offender Review  
11 Panel.

12 (2) The department may suspend a youth offender from a secure regional youth facility  
13 for administrative or disciplinary reasons.

14 C. REGIONAL YOUTH ACCOUNTABILITY CAMPS

15 SECTION 29. (1) The Department of Youth Authority may establish up to eight regional  
16 youth accountability camps.

17 (2) A regional youth accountability camp may serve no more than 50 youth offenders.

18 (3) A regional youth accountability camp shall:

19 (a) Be based on a military basic training model that includes extensive discipline, physical  
20 work, physical exercise and military drill;

21 (b) Provide for cognitive restructuring in conformance with generally accepted  
22 rehabilitative standards;

23 (c) Include a drug and alcohol treatment component that meets standards generally ac-  
24 cepted by mental health professionals; and

25 (d) Be no longer than 210 days in duration.

26 SECTION 30. (1) The Youth Offender Review Panel is solely responsible for determining  
27 which youth offenders are eligible to participate in, and which youth offenders are accepted  
28 for, a regional youth accountability camp. The sentencing court may recommend to the De-  
29 partment of Youth Authority that a youth offender be placed in a regional youth account-  
30 ability camp, but the recommendation is not binding on the department or the Youth  
31 Offender Review Panel.

32 (2) In determining whether to place a youth offender in a regional youth accountability  
33 camp, the Youth Offender Review Panel must find that the youth offender is physically and  
34 mentally able to withstand the rigors of the program. If the Youth Offender Review Panel  
35 determines that a youth offender's acceptance into a regional youth accountability camp is  
36 consistent with the safety of the community, the welfare of the youth offender, the objec-  
37 tives of the regional youth accountability camp and the rules of the department, the Youth  
38 Offender Review Panel may place the youth offender into the program.

39 (3) The department may suspend a youth offender from a regional youth accountability  
40 camp for administrative or disciplinary reasons.

41 D. REGIONAL RESIDENTIAL ACADEMIES

42 SECTION 31. (1) The Department of Youth Authority may establish up to four regional  
43 residential academies.

44 (2) A regional residential academy may serve no more than 100 youth offenders.

45 (3) A regional residential academy shall:

- 1 (a) Provide a secure, closed residential campus;
- 2 (b) Provide year-round education, job and life skills, vocational training and apprentice-
- 3 ship programs; and
- 4 (c) Include a drug and alcohol treatment component that meets standards generally ac-
- 5 cepted by mental health professionals.

6 SECTION 32. (1) The Youth Offender Review Panel is solely responsible for determining  
 7 which youth offenders are eligible to participate in, and which youth offenders are accepted  
 8 for, a regional residential academy. The sentencing court may recommend to the Department  
 9 of Youth Authority that a youth offender be placed in a regional residential academy, but the  
 10 recommendation is not binding on the department or the Youth Offender Review Panel.

11 (2) The department may suspend a youth offender from a regional residential academy  
 12 for administrative or disciplinary reasons.

13 **IV. EMERGENCY YOUTH CORRECTION FACILITY SITING AUTHORITY**

14 SECTION 33. The Legislative Assembly finds that:

15 (1) The dramatic increase in violent juvenile crime and the limits placed on the state ju-  
 16 venile training schools in 1985 under ORS 420.014 have resulted in a shortage of medium se-  
 17 curity and maximum security juvenile facilities in this state. Immediate youth correction  
 18 facility planning requires an expedited process. An emergency exists to site an additional  
 19 400 maximum security beds located regionally throughout the state. There is no statewide  
 20 youth correction plan to meet these needs.

21 (2) The statewide land use planning goals do not adequately address the need to site  
 22 youth correction facilities that serve several counties regionally.

23 (3) Because the need for additional youth correction facilities was not apparent when the  
 24 statewide land use goals were developed and when many of the comprehensive land use plans  
 25 were acknowledged, siting of such facilities could involve prolonged proceedings to obtain  
 26 related plan amendments and zoning approvals. Because of the lack of an overall siting pro-  
 27 gram, local comprehensive plans and regulations are not equipped to deal with an expedited  
 28 siting program.

29 (4) The uncoordinated planning and development of youth correction facilities threatens  
 30 the stability of the juvenile justice and correction processes of this state. Once emergency  
 31 needs are met, the promotion of coordinated youth correction planning requires the devel-  
 32 opment of a statewide youth correction plan under ORS 197.180.

33 (5) Once the emergency has been met, it is the intent of the Legislative Assembly that  
 34 the statewide youth correction plan be the standard for developing any youth correction fa-  
 35 cilities in the future.

36 SECTION 34. As used in sections 33 to 43 of this Act, unless the context requires other-  
 37 wise:

38 (1) "Authority" means the Emergency Youth Correction Facilities Siting Authority as  
 39 established in section 38 of this Act.

40 (2) "Youth correction facility" has the meaning given that term in ORS 420.005.

41 (3) "Department" means the Department of Youth Authority.

42 SECTION 35. (1) The Department of Youth Authority shall determine no more than 14  
 43 locations for youth correction facilities pursuant to sections 33 to 43 of this Act at sites ca-  
 44 pable of initially accommodating between 50 to 300 youth offenders at each site.

45 (2) The department shall establish, by rule, mandatory and desirable criteria to be used

1 in the site nominations made under section 36 of this Act.

2 SECTION 36. Within 105 days after the effective date of this Act, the Department of  
3 Youth Authority shall:

4 (1) Nominate no more than 20 sites in the state, based on the criteria established by the  
5 department and the following criteria:

6 (a) The interest demonstrated by local jurisdictions in having a site selected for a youth  
7 correction facility within their jurisdiction.

8 (b) The availability or the ability of the local jurisdictions to provide adequate  
9 infrastructure to serve the facility.

10 (c) Having natural features that allow design to promote compatibility with surroundings.

11 (d) The availability of or ability to provide local educational and support facilities.

12 (e) The cost of developing the proposed facility, including but not limited to:

13 (A) The cost of land acquisition and construction, including the availability of land or  
14 facilities owned by the State of Oregon.

15 (B) The cost of operating the facility.

16 (f) The location and dispersal of social service residential facilities and other youth cor-  
17 rection facilities.

18 (2) Publish an initial report stating the conclusions of the department with regard to  
19 each site nominated.

20 (3) Provide copies of the report to:

21 (a) Each of the county commissioners in the county where a nominated site is located;

22 (b) Each of the city council members where a nominated site is located if any one of the  
23 sites is in a city;

24 (c) Governmental agencies that may be called upon to provide services to the facility at  
25 any of the sites, including education, police, fire protection, water, sewage, roads and public  
26 transit; and

27 (d) Any member of the public who requests a copy and pays a fee as set by the depart-  
28 ment.

29 (4) Provide media notice regarding the process and the sites nominated, including but not  
30 limited to publication in a newspaper of general circulation in the county or counties where  
31 the sites are located.

32 SECTION 37. Within 105 days after the effective date of this Act, the Department of  
33 Youth Authority shall hold a meeting or multiple meetings with the elected local government  
34 officials involved to discuss the site selections, the on-site and off-site improvements needed  
35 at each site and the site preferences of the local governments.

36 SECTION 38. (1) There is established an Emergency Youth Correction Facilities Siting  
37 Authority. Subject to the approval of the Governor, the siting authority shall make youth  
38 correction facility site selection decisions as set forth in section 39 of this Act. The siting  
39 authority shall consist of five persons, to be appointed by the Governor and to serve at the  
40 Governor's pleasure.

41 (2) In making appointments under this section the Governor shall select commission  
42 members as follows:

43 (a) One shall be or shall have been employed in law enforcement;

44 (b) One shall be or shall have been a judge in this state with experience in juvenile court  
45 matters;

1 (c) One shall be a juvenile court director; and

2 (d) One shall be or shall have been a county commissioner in this state.

3 (3) A majority of the siting authority members constitutes a quorum for the transaction  
4 of business. Members of the siting authority are entitled to compensation and expenses as  
5 provided in ORS 292.495. Any vacancy shall be filled by the Governor.

6 (4) The siting authority shall:

7 (a) Direct such staff as assigned to it by the Department of Youth Authority;

8 (b) Consult with the site nomination committees, local government officials and others  
9 as it deems necessary;

10 (c) Hold hearings; and

11 (d) Make decisions on the emergency siting of minimum security corrections facilities.

12 (5) As soon as practicable after making a siting decision, the authority shall notify the  
13 Governor and shall make available for the Governor's review any documents or materials  
14 that the Governor may request.

15 SECTION 39. (1) Within 30 days after nomination of sites as set forth in section 36 of this  
16 Act, the Emergency Youth Correction Facilities Siting Authority shall hold a hearing within  
17 the region where each nominated site is located to receive testimony regarding the sites  
18 nominated and conditions proposed therefor, including testimony from the Department of  
19 Youth Authority, local government, neighborhoods, law enforcement agencies and the public.

20 (2) Not later than 10 days before the hearing held by the authority as required by sub-  
21 section (1) of this section, any affected local government or any person may submit proposed  
22 conditions to the authority. Each proposed condition shall:

23 (a) Be stated separately;

24 (b) Be in writing;

25 (c) Identify the site to which the condition, if approved, would attach;

26 (d) Be specific;

27 (e) Directly relate to any site or its proposed development, infrastructure, access thereto  
28 or physical condition on or in the immediate vicinity of such site; and

29 (f) Be supported by a statement of the need or reasons therefor.

30 (3) Within 45 days after nomination of the sites as set forth in section 36 of this Act, the  
31 siting authority shall select up to five sites and specify site development conditions for each  
32 site, based on substantial evidence in the record as a whole and supported by findings, which  
33 findings shall address only:

34 (a) The criteria established by the department pursuant to section 35 of this Act and  
35 criteria specified under section 36 of this Act.

36 (b) The reasons for not adopting any of the proposed conditions that were submitted in  
37 accordance with subsection (2) of this section for the selected sites.

38 (4) If one or more of the nominated sites meet the mandatory criteria established by the  
39 department pursuant to section 35 of this Act and criteria specified under section 36 of this  
40 Act, if the local jurisdiction demonstrates interest as described in subsection (5) of this sec-  
41 tion and if the siting authority selects a site in which the local jurisdiction has not demon-  
42 strated interest as described under subsection (5) of this section, the siting authority shall  
43 make findings that demonstrate why it selected the site in which the local jurisdiction did  
44 not demonstrate interest.

45 (5) A local jurisdiction may demonstrate interest by presenting to the site nomination

1 committee a resolution that sets forth such interest no later than 30 days from the effective  
2 date of this Act.

3 SECTION 40. (1) As soon as practicable after making the siting decisions, the Emergency  
4 Youth Correction Facilities Siting Authority shall notify the Governor and shall make avail-  
5 able for the Governor's review any documents or materials that the Governor may request.

6 (2) Within 15 days after receiving the notification required by subsection (1) of this sec-  
7 tion, the Governor shall approve or disapprove any or all of the sites selected.

8 (3) One or more sites may be developed and used to capacity before development is ini-  
9 tiated on the other sites.

10 SECTION 41. (1) Notwithstanding ORS 169.690, 197.180, 215.130 (4) and 227.286 or any  
11 other provision of law, including but not limited to statutes, ordinances, regulations and  
12 charter provisions, the decisions of the Emergency Youth Correction Facilities Siting Au-  
13 thority, if approved by the Governor, shall bind the state and all counties, cities and political  
14 subdivisions in this state as to the approval of the sites and the construction and operation  
15 of the proposed youth correction facilities. Affected state agencies, counties, cities and pol-  
16 itical subdivisions shall issue the appropriate permits, licenses and certificates necessary for  
17 construction and operation of the facilities, subject only to the conditions of the siting deci-  
18 sions.

19 (2) Each state or local governmental agency that issues a permit, license or certificate  
20 shall continue to exercise enforcement authority over the permit, license or certificate.

21 (3) Nothing in sections 33 to 43 of this Act expands or alters the obligations of cities,  
22 counties and political subdivisions to pay for infrastructure improvements for the proposed  
23 youth correction facilities.

24 SECTION 42. (1) Notwithstanding ORS 183.400, 183.482, 183.484 and 197.825 or any other  
25 law, exclusive jurisdiction for review of any decision relating to the establishment of, addi-  
26 tion to or remodeling or siting of a youth correction facility, including the establishment of  
27 criteria under section 35 of this Act, the nomination of sites under section 36 of this Act or  
28 any actions under section 39 or 40 of this Act, is conferred upon the Supreme Court.

29 (2) Proceedings for review shall be instituted when any person or local government ad-  
30 versely affected files a petition with the Supreme Court that meets the following require-  
31 ments:

32 (a) The petition shall be filed within 21 days of issuance of the specific decision on which  
33 the petition is based or 21 days after the effective date of this Act, whichever is later.  
34 Notwithstanding the proposal of a site as provided in section 36 of this Act, a decision made  
35 pursuant to section 39 or 40 of this Act with respect to any site may be reviewed by the  
36 Supreme Court as provided in this section.

37 (b) The petition shall state the nature of the decision the petitioner desires reviewed, in  
38 what manner the decision below rejected the position raised by the petitioner below and shall  
39 state, by supporting affidavit, the facts showing how the petitioner is adversely affected. In  
40 the case of a decision by the Emergency Youth Correction Facilities Siting Authority, the  
41 petitioner is adversely affected only when the petitioner can establish by clear and convinc-  
42 ing evidence in the affidavit that:

43 (A) The petitioner participated before the siting authority;

44 (B) The petitioner will be within sight or sound of the facility or will be adversely affected  
45 economically in excess of \$5,000 in value; and

1 (C) The petitioner proposed conditions as required by section 39 (2) of this Act, which  
2 were rejected by the siting authority.

3 (c) Copies of the petition shall be served by registered or certified mail upon the De-  
4 partment of Youth Authority.

5 (d) Within 30 days after service of the petition, the department shall transmit to the  
6 Supreme Court, or a special master it designates, the original or a certified copy of the en-  
7 tire record and any findings that may have been made. The court shall not substitute its  
8 judgment for that of the Governor, the department or the authority regarding any issue of  
9 fact or issue within executive branch discretion.

10 (3) If the petition is for review of a decision made by the siting authority, the record shall  
11 include only:

12 (a) The report of the siting authority.

13 (b) The conditions, if any, on the nomination.

14 (c) The transcript of the hearing before the siting authority.

15 (d) The transcript of the decision-making meeting of the siting authority.

16 (e) The authority findings and decision.

17 (4) Upon review, the Supreme Court may reverse or remand the decision if the Supreme  
18 Court finds that the department, the siting authority or the Governor:

19 (a) Exceeded the statutory or constitutional authority of the decision maker; or

20 (b) Made a decision not supported by substantial evidence. For purposes of this sub-  
21 section, "substantial evidence" means evidence that, taken in isolation, a reasonable mind  
22 could accept as adequate to support a conclusion. The substantiality of the evidence shall  
23 not be evaluated by considering the whole record.

24 (5) Proceedings for review under this section shall be given priority over all other mat-  
25 ters before the Supreme Court.

26 SECTION 43. After the youth correction facilities are sited and all appeals are exhausted,  
27 the Emergency Youth Correction Facilities Siting Authority shall cease to exist.

28 V. TRANSFER

29 SECTION 44. There are imposed upon, transferred to and vested in the Department of  
30 Youth Authority all the duties, functions and powers of the Children's Services Division re-  
31 lating to persons found to be within the jurisdiction of the juvenile court under ORS 419C.005.

32 SECTION 45. The Assistant Director for Children's Services shall deliver to the Director  
33 of the Department of Youth Authority all records and property within the jurisdiction of the  
34 assistant director that relate to the duties, functions and powers transferred by this Act and  
35 shall transfer those employees engaged primarily in the exercise of the duties, functions and  
36 powers so transferred. The Director of the Department of Youth Authority shall take pos-  
37 session of such property and shall take charge of such employees and employ them in the  
38 exercise of their duties, functions and powers assigned or transferred by this Act, without  
39 reduction of compensation but subject to change or termination of employment or compen-  
40 sation as provided by law. Any dispute as to transfers of property and employees under this  
41 section shall be resolved by the Governor, and the Governor's decision is final.

42 SECTION 46. Except as otherwise provided in section 51 of this Act, all unexpended  
43 moneys appropriated or otherwise available to the Children's Services Division for the pur-  
44 poses of any of its duties, functions or powers transferred by this Act to the Department of  
45 Youth Authority are appropriated to the Department of Youth Authority.



1 subsection 2 of this section is 15, 16 or 17-years of age, at the time the charges are filed, that person  
2 shall be tried as an adult.]

3 (2) The offenses to which subsection (1) of this section applies and the sentences are:

4 (a) Murder, as defined in

5 ORS 163.115.....300 months

6 (b) Manslaughter in the

7 first degree, as defined

8 in ORS 163.118.....120 months

9 (c) Manslaughter in the second

10 degree, as defined in

11 ORS 163.125.....75 months

12 (d) Assault in the first

13 degree, as defined in

14 ORS 163.185.....90 months

15 (e) Assault in the second

16 degree, as defined in

17 ORS 163.175.....70 months

18 (f) Kidnapping in the first

19 degree, as defined

20 in ORS 163.235.....90 months

21 (g) Kidnapping in the second

22 degree, as defined in

23 ORS 163.225.....70 months

24 (h) Rape in the first degree,

25 as defined in ORS 163.375....100 months

26 (i) Rape in the second degree,

27 as defined in ORS 163.365.....75 months

28 (j) Sodomy in the first degree,

29 as defined in ORS 163.405....100 months

30 (k) Sodomy in the second degree,

31 as defined in ORS 163.395.....75 months

32 [(7)] (L) Unlawful sexual

33 penetration in the first

34 degree, as defined in

35 ORS 163.411.....100 months

36 (m) Unlawful sexual penetration

37 in the second degree, as

38 defined in ORS 163.408.....75 months

39 (n) Sexual abuse in the first

40 degree, as defined in

41 ORS 163.427.....75 months

42 (o) Robbery in the first degree,

43 as defined in ORS 164.415.....90 months

44 (p) Robbery in the second degree,

45 as defined in ORS 164.405.....70 months

1 **SECTION 54.** (1)(a) As used in this section and sections 55 and 56 of this Act:

2 (A) "Charged" means the filing of an accusatory instrument in a court of criminal ju-  
3 risdiction alleging the commission of an offense listed in section 55 or 56 of this Act.

4 (B) "Prosecuted" includes pretrial and trial procedures, requirements and limitations  
5 provided for in criminal cases.

6 (b) Unless otherwise provided in sections 55 and 56 of this Act, ORS chapters 137 and 138  
7 apply to proceedings under section 55 or 56 of this Act.

8 (2)(a) Notwithstanding ORS 419B.100 and 419C.005, a person under 18 years of age may  
9 be charged with the commission of an offense listed in section 55 or 56 of this Act and may  
10 be prosecuted as an adult.

11 (b) The district attorney shall notify the juvenile court and the juvenile department when  
12 a person under 18 years of age is charged with an offense listed in section 55 or 56 of this  
13 Act.

14 (c) Except as provided in ORS 419C.250 (5), the filing of an accusatory instrument in a  
15 criminal court under section 55 or 56 of this Act divests the juvenile court of jurisdiction in  
16 the matter if juvenile court jurisdiction is based on the conduct alleged in the accusatory  
17 instrument or any conduct arising out of the same act or transaction. Upon receiving notice  
18 from the district attorney under paragraph (b) of this subsection, the juvenile court shall  
19 dismiss, without prejudice, the juvenile court proceeding and enter any order necessary to  
20 transfer the matter or transport the person to the criminal court for further proceedings.  
21 Nothing in this paragraph affects the authority or jurisdiction of the juvenile court with re-  
22 spect to other matters or conduct.

23 (3)(a) A person charged with a crime under section 55 of this Act who is 16 or 17 years  
24 of age shall be detained in custody in a jail or other place where adults are detained subject  
25 to release on the same terms and conditions as for adults.

26 (b) If a person charged with a crime under section 55 or 56 of this Act is under 16 years  
27 of age, the person may not be detained, either before conviction or after conviction but be-  
28 fore execution of the sentence, in a jail or other place where adults are detained.

29 **SECTION 55.** (1) Notwithstanding any other provision of law, when a person charged with  
30 an offense listed in subsection (5) of this section is 15, 16 or 17 years of age at the time the  
31 charges are filed, and the offense is committed on or after April 1, 1995, the person shall be  
32 prosecuted as an adult in criminal court.

33 (2) When a person charged under this section is convicted of the offense, the court shall  
34 impose at least the presumptive term of imprisonment provided for the offense in subsection  
35 (5) of this section. The court may impose a greater presumptive term if otherwise permitted  
36 by law, but may not impose a lesser term.

37 (3) Except as otherwise provided in subsection (4) of this section, the court shall commit  
38 the person to the legal and physical custody of the Department of Youth Authority. After  
39 sentencing and the initial commitment to the Department of Youth Authority, the term and  
40 conditions of the person's incarceration must be determined under sections 57 to 62 of this  
41 Act.

42 (4) If the accusatory instrument charges, and the trier of fact finds, that the person  
43 personally committed any of the following offenses, the court shall commit the person to the  
44 legal and physical custody of the Department of Corrections as provided in ORS 137.124:

45 (a) Aggravated murder under ORS 163.095;

- 1 (b) Murder under ORS 163.115;
- 2 (c) Manslaughter under ORS 163.118;
- 3 (d) Rape in the first degree under ORS 163.375 (1)(a);
- 4 (e) Sodomy in the first degree under ORS 163.405 (1)(a);
- 5 (f) Unlawful sexual penetration in the first degree under ORS 163.411 (1)(a); or
- 6 (g) Assault in the first degree under ORS 163.185 that results in permanent injury or
- 7 disability.

8 (5) The offenses to which this section applies and the presumptive sentences are:

- 9 (a) Aggravated murder under
- 10 ORS 163.095..... months
- 11 (b) Conspiracy to commit
- 12 aggravated murder under
- 13 ORS 163.095 and 161.450 ..... months
- 14 (c) Attempted aggravated murder
- 15 under ORS 163.095 and
- 16 161.405 ..... months
- 17 (d) Solicitation to commit
- 18 aggravated murder under
- 19 ORS 163.095 and 161.435 ..... months
- 20 (e) Murder under ORS
- 21 163.115 ..... months
- 22 (f) Conspiracy to commit
- 23 murder under ORS 163.115
- 24 and 161.450 ..... months
- 25 (g) Attempted murder under
- 26 ORS 163.115 and 161.405..... months
- 27 (h) Solicitation to commit
- 28 murder under ORS 163.115
- 29 and 161.435 ..... months
- 30 (i) Manslaughter in the first
- 31 first degree under
- 32 ORS 163.118 .....120 months
- 33 (j) Manslaughter in the
- 34 second degree under
- 35 ORS 163.125.....75 months
- 36 (k) Assault in the
- 37 first degree
- 38 under ORS 163.185 .....90 months
- 39 (L) Assault in the
- 40 second degree under
- 41 ORS 163.175.....70 months
- 42 (m) Kidnapping in the first
- 43 degree under ORS
- 44 163.235.....90 months
- 45 (n) Kidnapping in the second

- 1 degree under ORS 163.225,
- 2 if the offender commits
- 3 the offense by using or
- 4 threatening to use a
- 5 deadly weapon.....70 months
- 6 (o) Rape in the first degree
- 7 under ORS 163.375.....100 months
- 8 (p) Rape in the second degree
- 9 under ORS 163.365, if
- 10 the person commits the
- 11 offense by using or
- 12 threatening to use a
- 13 deadly weapon.....75 months
- 14 (q) Sodomy in the first
- 15 degree under
- 16 ORS 163.405.....100 months
- 17 (r) Sodomy in the second
- 18 degree under ORS 163.395,
- 19 if the person commits
- 20 the offense by using
- 21 or threatening to use
- 22 a deadly weapon.....75 months
- 23 (s) Unlawful sexual
- 24 penetration in the
- 25 first degree under
- 26 ORS 163.411.....100 months
- 27 (t) Unlawful sexual
- 28 penetration in the
- 29 second degree under
- 30 ORS 163.408, if the
- 31 person commits the
- 32 offense by using or
- 33 threatening the use of
- 34 a deadly weapon.....75 months
- 35 (u) Sexual abuse in the
- 36 first degree under
- 37 ORS 163.427.....75 months
- 38 (v) Robbery in the first
- 39 degree under ORS
- 40 164.415.....90 months
- 41 (w) Robbery in the second
- 42 degree under ORS 164.405,
- 43 if the person commits
- 44 the offense by using or
- 45 threatening to use a

1 deadly weapon.....70 months

2 (6) If a person charged with an offense under this section is found guilty of a lesser in-  
3 cluded offense and the lesser included offense is:

4 (a) An offense listed in subsection (5) of this section, the court shall sentence the person  
5 as provided in subsection (2) of this section.

6 (b) Not an offense listed in subsection (5) of this section, the court shall not sentence the  
7 person. The court shall:

8 (A) Order that a presentence report be prepared;

9 (B) Set forth in a memorandum any observations and recommendations that the court  
10 deems appropriate; and

11 (C) Enter an order transferring the case to juvenile court for disposition pursuant to  
12 section 89 of this Act and ORS 419C.411.

13 (7) When a person is charged under this section, other charges arising out of the same  
14 act or transaction must be consolidated for trial whether or not the other charges are listed  
15 in subsection (5) of this section. If the person is found guilty of an offense listed in sub-  
16 section (5) of this section and one or more other offenses, the court shall impose the sen-  
17 tence for the offense listed in subsection (5) of this section as provided in subsection (2) of  
18 this section and shall impose sentences for the other offenses as otherwise provided by law.

19 (8) When a person is tried on consolidated charges as provided in subsection (7) of this  
20 section and is not found guilty of an offense listed in subsection (5) of this section nor of a  
21 lesser included offense as provided in subsection (6) of this section, but is found guilty of one  
22 of the other charges, the court may not sentence the person. The court shall:

23 (a) Order that a presentence report be prepared;

24 (b) Set forth in a memorandum any observations and recommendations that the court  
25 deems appropriate; and

26 (c) Enter an order transferring the case to the juvenile court for disposition pursuant  
27 to section 89 of this Act and ORS 419C.411.

28 SECTION 56. (1) Notwithstanding any other provision of law, when a person charged with  
29 an offense listed in subsection (5) of this section is 14 years of age at the time the charges  
30 are filed, and the offense is committed on or after April 1, 1995, the person shall be prose-  
31 cuted as an adult in criminal court.

32 (2) When a person is charged under this section and convicted of a crime listed in sub-  
33 section (5) of this section, the court shall impose at least the presumptive term of  
34 imprisonment provided for the offense in subsection (5) of this section. The court may im-  
35 pose a greater presumptive term if otherwise permitted by law, but may not impose a lesser  
36 term.

37 (3) Except as otherwise provided in subsection (4) of this section, the court shall commit  
38 the person to the legal and physical custody of the Department of Youth Authority. After  
39 sentencing and the initial commitment to the Department of Youth Authority, the term and  
40 conditions of the person's incarceration must be determined as provided in sections 57 to 62  
41 of this Act.

42 (4) If the accusatory instrument charges, and the trier of fact finds, that the person  
43 personally committed an offense listed in subsection (5) of this Act, the court shall commit  
44 the person to the legal and physical custody of the Department of Corrections as provided  
45 in ORS 137.124.

(5) The offenses to which this section applies and the presumptive sentences are:

- (a) Aggravated murder under  
ORS 163.095..... months
- (b) Murder under  
ORS 163.115..... months
- (c) Rape in the first degree  
under ORS 163.375 (1)(a) ..100 months
- (d) Sodomy in the first degree  
under ORS 163.405 (1)(a) ..100 months
- (e) Unlawful sexual  
penetration under ORS  
163.411 (1)(a).....100 months

(6) If a person charged with an offense under this section is found guilty of a lesser included offense and the lesser included offense is:

- (a) An offense listed in subsection (5) of this section, the court shall sentence the person as provided in subsection (2) of this section.
- (b) Not an offense listed in subsection (5) of this section, the court shall not sentence the person. The court shall:

- (A) Order that a presentence report be prepared;
- (B) Set forth in a memorandum any observations and recommendations that the court deems appropriate; and
- (C) Enter an order transferring the case to the juvenile court for disposition pursuant to section 89 of this Act and ORS 419C.411.

(7) When a person is charged under this section, other charges arising out of the same act or transaction must be consolidated for trial regardless of whether or not the other charges are listed in subsection (5) of this section. If the person is found guilty of an offense listed in subsection (5) of this section and one or more other offenses, the court shall impose the sentence for the offense listed in subsection (5) of this section as provided in subsection (2) of this section and shall impose sentences for the other offenses as otherwise provided by law.

(8) When a person is tried on consolidated charges as provided in subsection (7) of this section and is not found guilty of an offense listed in subsection (5) of this section nor of a lesser included offense as provided in subsection (6) of this section, but is found guilty of one of the other charges, the court shall not sentence the person. The court shall:

- (a) Order that a presentence report be prepared;
- (b) Set forth in a memorandum any observations and recommendations that the court deems appropriate; and
- (c) Enter an order transferring the case to the juvenile court for disposition pursuant to section 89 of this Act and ORS 419C.411.

VII. SECOND LOOK

SECTION 57. (1) Except as provided in sections 58 to 62 of this Act, the Department of Youth Authority may not conditionally release or discharge a person sentenced and committed to the department's custody under section 55 or 56 of this Act before the entire sentence has been served.

(2) A person may not continue in the physical custody of the Department of Youth Au-

1 thority after the person attains 25 years of age.

2 SECTION 58. (1) A person committed to the legal custody of the Department of Youth  
3 Authority under section 55 (4) or 56 (4) of this Act or under ORS 137.124 who attains 25 years  
4 of age before serving one-half of the sentence imposed must be transferred to the Depart-  
5 ment of Corrections as provided in subsection (2) of this section.

6 (2)(a) At least 60 days before the person attains 25 years of age, the Department of Youth  
7 Authority shall file with the sentencing court a motion requesting that the court vacate the  
8 commitment to the Department of Youth Authority and commit the person to the legal and  
9 physical custody of the Department of Corrections. The Department of Youth Authority shall  
10 serve the person with a copy of the motion on or before the date of filing.

11 (b) The sentencing court shall grant the motion.

12 (3) Section 59 of this Act applies to persons transferred from the Department of Youth  
13 Authority to the Department of Corrections under this section.

14 SECTION 59. (1) Except as otherwise provided in section 60 of this Act, when a person  
15 sentenced under section 55 or 56 of this Act has served one-half of the sentence imposed, the  
16 sentencing court shall determine what further commitment or disposition is appropriate as  
17 provided in this section.

18 (2)(a) No more than 120 days and not less than 60 days before the date on which a person  
19 has served one-half of the sentence imposed, the Department of Youth Authority or the  
20 Department of Corrections, whichever department has custody of the person, shall file in the  
21 sentencing court a notice and request that the court set a time and place for the hearing  
22 required under this section. The department shall serve the person with a copy of the notice  
23 and request for hearing on or before the date of filing.

24 (b) The sentencing court shall schedule a hearing upon receiving the notice and request  
25 under paragraph (a) of this subsection.

26 (c) The court shall notify the following of the time and place of the hearing:

- 27 (A) The person and the person's parents;
- 28 (B) The Attorney General; and
- 29 (C) The district attorney who prosecuted the case.

30 (d) The court shall make reasonable efforts to notify the following of the time and place  
31 of the hearing:

- 32 (A) The Department of Youth Authority;
- 33 (B) The Department of Corrections;
- 34 (C) The victim and the victim's parents or legal guardian; and
- 35 (D) Any other person who has filed a written request with the court to be notified of any  
36 hearing concerning the transfer, discharge or release of the person.

37 (3) In a hearing under this section:

38 (a) The person has the right to appear with counsel. If the person requests that the court  
39 appoint counsel and the court determines that the person meets the eligibility standards of  
40 ORS 135.050, the court shall order that counsel be appointed.

41 (b) The district attorney represents the state.

42 (c) The person, the state, the Department of Youth Authority and the Department of  
43 Corrections are parties to the proceeding. The Attorney General represents both depart-  
44 ments.

45 (d) The court may consider, when relevant, written reports of the Department of Youth

1 Authority, the Department of Corrections and qualified experts in addition to the testimony  
2 of witnesses.

3 (e) Within a reasonable time before the hearing, as determined by the court, the person  
4 must be given the opportunity to examine all reports and other documents concerning the  
5 person that the state, the Department of Youth Authority or the Department of Corrections  
6 intends to submit for consideration by the court at the hearing.

7 (f) Except as otherwise provided by law or by order of the court based on good cause, the  
8 person must be given access to the records maintained in the person's case by the Depart-  
9 ment of Youth Authority and the Department of Corrections.

10 (g) The person may examine all of the witnesses called by the other parties, may  
11 subpoena and call witnesses to testify on the person's behalf and may present evidence and  
12 argument.

13 (h) The hearing must be recorded.

14 (i) The hearing and the record of the hearing are open to the public.

15 (j) The question to be decided is which of the dispositions provided in subsection (4) of  
16 this section should be ordered in the case.

17 (k) The person has the burden of proving by clear and convincing evidence that, if con-  
18 ditionally released, the person would not be a threat to the safety of the victim, the victim's  
19 family or the community and that the person would comply with the release conditions.

20 (4)(a) At the conclusion of the hearing and after considering and making findings re-  
21 garding each of the factors in paragraph (b) of this subsection, the court shall order one of  
22 the following dispositions:

23 (A) Vacate a commitment to the Department of Youth Authority and commit the person  
24 to the legal and physical custody of the Department of Corrections to serve the remainder  
25 of the person's sentence.

26 (B) Continue a commitment to the Department of Corrections until the person has  
27 served the remainder of the person's sentence.

28 (C) Continue a commitment to the Department of Youth Authority until the person has  
29 served the remainder of the person's sentence, if the person's sentence will end before the  
30 person attains 25 years of age.

31 (D) Postpone the determination under this section and continue the hearing until such  
32 time as the court may order.

33 (E) Conditionally release the person under section 62 of this Act if the court finds that  
34 the person:

35 (i) Has been rehabilitated and reformed;

36 (ii) Is not a threat to the safety of the victim, the victim's family or the community; and

37 (iii) Will comply with the conditions of release.

38 (b) In making the determination under this section, the court shall consider:

39 (A) The experiences and character of the person before and after commitment to the  
40 Department of Youth Authority or the Department of Corrections;

41 (B) The person's juvenile and criminal records;

42 (C) The person's mental, emotional and physical health;

43 (D) The gravity of the loss, damage or injury caused, or attempted, during or as part of  
44 the criminal act for which the person was convicted and sentenced;

45 (E) The manner in which the person committed the criminal act for which the person

1 was convicted and sentenced;

2 (F) The person's efforts, participation and progress in rehabilitation programs since the  
3 person's conviction;

4 (G) The results of any mental health or substance abuse treatment;

5 (H) Whether the person demonstrates accountability and responsibility for past and fu-  
6 ture conduct;

7 (I) Whether the person has made and will continue to make restitution to the victim and  
8 the community;

9 (J) Whether the person will comply with and benefit from all conditions that would be  
10 imposed if the person is conditionally released;

11 (K) The safety of the victim, the victim's family and the community;

12 (L) The recommendations of the district attorney, the Department of Youth Authority  
13 and the Department of Corrections; and

14 (M) Any other relevant factors or circumstances raised by the state, the Department of  
15 Youth Authority, the Department of Corrections or the person.

16 (5) The person, state, Department of Youth Authority or Department of Corrections may  
17 appeal an order entered under this section. On appeal, the appellate court's review is limited  
18 to claims that:

19 (a) The disposition is not authorized under this section;

20 (b) The court failed to comply with the requirements of this section in imposing the dis-  
21 position; or

22 (c) The findings of the court are not supported by substantial evidence in the record.

23 SECTION 60. Section 59 of this Act does not apply to a person sentenced and committed  
24 to the Department of Corrections under section 55 (4) or 56 (4) of this Act.

25 SECTION 61. (1) The Department of Youth Authority may file a notice and request for  
26 a hearing in the sentencing court to determine whether the person should be committed to  
27 the legal and physical custody of the Department of Corrections at any time the Department  
28 of Youth Authority determines that a person over 16 years of age:

29 (a) Poses a substantial danger to Department of Youth Authority staff or other persons  
30 committed to the custody of the Department of Youth Authority; or

31 (b) Is not likely, within the foreseeable future, to benefit from the rehabilitation and  
32 treatment programs of the Department of Youth Authority.

33 (2) The Department of Youth Authority shall serve the person with a copy of the notice  
34 and request for hearing on or before the date of filing.

35 (3) Upon receiving a notice and request for a hearing, the court shall schedule the hear-  
36 ing.

37 (4) At the conclusion of the hearing, the court shall:

38 (a) Deny the request; or

39 (b) Enter an order vacating the person's commitment to the Department of Youth Au-  
40 thority and committing the person to the legal and physical custody of the Department of  
41 Corrections.

42 SECTION 62. (1)(a) If, after the hearing required by section 59 of this Act, the court de-  
43 termines that conditional release is the appropriate disposition, the court shall direct the  
44 Department of Corrections to prepare a proposed release plan. The Department of Cor-  
45 rections shall submit the release plan at least 45 days prior to the proposed release date. The

1 Department of Corrections shall incorporate any conditions recommended by the court and  
 2 shall consider any recommendations made by the Department of Youth Authority. The re-  
 3 lease plan submitted to the court must include:

4 (A) A description of support services and program opportunities available to the person;

5 (B) The recommended conditions of the release and supervision;

6 (C) The level of supervision required;

7 (D) Conditions or requirements that provide for the safety of the victim, the victim's  
 8 family and the community;

9 (E) For persons whose sentence includes a requirement to make restitution or to pay  
 10 compensatory fines or attorney fees and who have not yet made full payment, a payment  
 11 schedule;

12 (F) Any conditions reasonably necessary to further the reform and rehabilitation of the  
 13 person and to insure compliance with the other conditions imposed; and

14 (G) Any special conditions necessary because of the person's individual circumstances.

15 (b) If the court does not approve the proposed release plan, the court shall return the  
 16 plan to the Department of Corrections with recommended modifications and additions. The  
 17 Department of Corrections shall submit a revised plan to the court at least 15 days prior to  
 18 the proposed release date.

19 (c) If the court does not approve the revised plan, the court shall make any changes that  
 20 the court deems appropriate and prepare the final release plan. The final release plan must  
 21 require, in addition to any other conditions, that the person:

22 (A) Comply with the conditions of post-release supervision;

23 (B) Be under the supervision of the Department of Corrections and its representatives  
 24 and follow the direction and counsel of the Department of Corrections and its represen-  
 25 tatives;

26 (C) Answer all reasonable inquiries of the court or the supervisory authority of the De-  
 27 partment of Corrections;

28 (D) Report to the supervision officer as directed by the court or the supervisory au-  
 29 thority of the Department of Corrections;

30 (E) Not own, possess or be in control of any dangerous weapon or deadly weapon, as  
 31 those terms are defined in ORS 161.015;

32 (F) Respect and obey all municipal, county, state and federal laws;

33 (G) Participate in a victim impact treatment program; and

34 (H) Pay any restitution, compensatory fine or attorney fees ordered and regularly per-  
 35 form any community service ordered.

36 (2) When the court has approved a final release plan, the court shall enter an order  
 37 conditionally releasing the person. The order of conditional release shall:

38 (a) State the conditions of release;

39 (b) Require the person to comply fully with all of the conditions of release;

40 (c) Confirm that the person has been given a copy of the conditions of release;

41 (d) If the person is in the legal custody of the:

42 (A) Department of Youth Authority, vacate the commitment to the Department of Youth  
 43 Authority and commit the person to the legal custody of the Department of Corrections; or

44 (B) Department of Corrections, continue the person's commitment;

45 (e) Provide that the Department of Corrections or its designee shall supervise the person;

1 (f) Provide that the period of supervision is the entire remaining term of the sentence  
2 imposed, unless the conditional release is revoked or suspended; and

3 (g) Require that the Department of Corrections submit a report to the court no later  
4 than 90 days after the person is conditionally released and at least every 180 days thereafter  
5 informing the court of the person's circumstances and progress on conditional release.

6 (3)(a) A person conditionally released under this section remains within the jurisdiction  
7 of the sentencing court for the period of the conditional release.

8 (b) At any time after the entry of an order of conditional release, the court, on its own  
9 motion or on motion of the Department of Corrections, may amend the conditional release  
10 order to modify the conditions of the person's release and supervision, providing that the  
11 modifications are consistent with the requirements for conditions of release in subsections  
12 (1) and (2) of this section. Before entering an amended order under this paragraph, the court  
13 shall provide the Department of Corrections and the person with a reasonable amount of  
14 time to comment on the proposed modifications. The court shall serve the Department of  
15 Corrections and the person with a copy of the amended order at least 15 days before the  
16 order takes effect.

17 (c) The Department of Corrections and the supervisory authority may adjust the level  
18 of the person's supervision as is appropriate to the person's progress and conduct in the  
19 community.

20 (4)(a) If an officer of the Department of Corrections or the supervisory authority or a law  
21 enforcement officer has reasonable grounds to believe that a person released under this  
22 section has violated a condition of the release, the officer may take the person into custody  
23 and detain the person pending a hearing on the alleged violation as provided in paragraph (c)  
24 of this subsection. No later than 24 hours after a person is taken into custody under this  
25 subsection, the Department of Corrections or the supervisory authority shall file a notice  
26 and affidavit with the court as provided in paragraph (b) of this subsection and serve a copy  
27 of the notice and affidavit on the person.

28 (b) When a notice and affidavit is filed under paragraph (a) of this subsection and if the  
29 court finds that the notice and affidavit state reasonable grounds to believe the person has  
30 violated a condition of the release, the court shall issue an order that the person appear and  
31 show cause why the conditional release should not be revoked or suspended as a sanction for  
32 the alleged violation. When a court issues an order under this paragraph, the court shall:

33 (A) Serve a copy of the order to show cause on the person and the district attorney; and

34 (B) Provide the person with written notice containing the following information:

35 (i) The time, place and purpose of the hearing;

36 (ii) That the person has the right to have adverse witnesses present at the hearing for  
37 purpose of confrontation and cross-examination unless the court determines that good cause  
38 exists for not permitting confrontation;

39 (iii) That the person has the right to subpoena witnesses and present documentary evi-  
40 dence and testimony of witnesses;

41 (iv) That the person has the right to be represented by counsel and, if indigent, to have  
42 counsel appointed at state expense as provided in paragraph (d) of this subsection; and

43 (v) The possible sanction authorized if the court determines that the person has violated  
44 the conditions of release.

45 (c) The court shall hold the hearing no more than 15 days after issuing the order to ap-

1 pear and show cause. The court may order the person to be detained pending the hearing  
 2 and disposition.

3 (d) In a hearing under this subsection:

4 (A) The person has the right to be represented by counsel and, if indigent, to have  
 5 counsel appointed at state expense if the court determines, after request, that the request  
 6 is based on a timely and colorable claim that:

7 (i) The person has not committed the alleged violation of the release conditions;

8 (ii) Even if the violation is a matter of public record or is uncontested, there are sub-  
 9 stantial reasons that justify or mitigate the violation and make revocation inappropriate and  
 10 the reasons are complex or otherwise difficult to develop or present; or

11 (iii) The person, in doubtful cases, appears to be incapable of speaking effectively on the  
 12 person's own behalf;

13 (B) The Department of Corrections or the supervisory authority has the burden of  
 14 proving the alleged violation by a preponderance of the evidence;

15 (C) The state is a party and is represented by the district attorney;

16 (D) The standards for the introduction and admissibility of evidence in contested case  
 17 hearings under ORS 183.450 (1) and (2) apply in the hearing;

18 (E) If the court finds that the person has violated the conditions of release and that  
 19 subsection (5) of this section does not apply, the person has the burden of establishing good  
 20 cause why the conditional release should not be suspended; and

21 (F) At the conclusion of the hearing, the court shall enter an order containing findings  
 22 of fact and, if the court finds that the person violated a condition of release, stating what  
 23 sanctions are imposed.

24 (e) Except as provided in subsection (5) of this section, when the court finds that the  
 25 person has violated a condition of release, the court shall impose one or more of the follow-  
 26 ing sanctions:

27 (A) Adjustments to the level of supervision;

28 (B) Modifications of the conditions of release;

29 (C) Any appropriate available local sanctions including, but not limited to, community  
 30 service work, house arrest, electronic surveillance, restitution centers, work release centers  
 31 or day centers; or

32 (D) Suspension of conditional release for up to 180 days.

33 (5) At the conclusion of the hearing, the court shall revoke the person's conditional re-  
 34 lease and order the person committed to the physical custody of the Department of Cor-  
 35 rections to be confined for the remainder of the sentence imposed, if the court finds that:

36 (a) The person has been convicted of a new criminal offense;

37 (b) The person has violated the condition prohibiting ownership, possession or control of  
 38 a dangerous weapon or deadly weapon as those terms are defined in ORS 161.015;

39 (c) The person's conditional release has been suspended twice under this section within  
 40 the past 18 months; or

41 (d) Conditional release of the person is no longer in the best interests of the community.

42 (6)(a) The state or the person may appeal from an order of conditional release under this  
 43 section. The appellate court's review is limited to claims that the court failed to comply with  
 44 the requirements of law in ordering the conditional release.

45 (b) The state, the Department of Corrections or the person may appeal from an order

1 of the court entered under subsection (4) or (5) of this section. The appellate court's review  
 2 is limited to claims that:

3 (A) The disposition is not authorized under this section;

4 (B) The court failed to comply with the requirements of law; and

5 (C) The finding of the court that the person did or did not violate a condition of release  
 6 is not supported by substantial evidence in the record.

7 **VIII. MISCELLANEOUS PROVISIONS**

8 **SECTION 63.** ORS 137.124 is amended to read:

9 137.124. (1) Except as otherwise provided in section 55 or 56 of this 1995 Act and sub-  
 10 section (4) of this section, if the court imposes a sentence of imprisonment upon conviction of a  
 11 felony, it shall not designate the correctional facility in which the defendant is to be confined but  
 12 shall commit the defendant to the legal and physical custody of the Department of Corrections.

13 (2) After assuming custody of the convicted person the Department of Corrections may transfer  
 14 inmates from one correctional facility to another such facility for the purposes of diagnosis and  
 15 study, rehabilitation and treatment, as best seems to fit the needs of the inmate and for the pro-  
 16 tection and welfare of the community and the inmate.

17 (3) If the court imposes a sentence of imprisonment upon conviction of a misdemeanor, it shall  
 18 commit the defendant to the custody of the executive head of the correctional facility for the  
 19 imprisonment of misdemeanants designated in the judgment.

20 (4)(a) When a person under 18 years of age is sentenced and committed to the Depart-  
 21 ment of Corrections under section 55 (4) or 56 (4) of this 1995 Act, the Department of Cor-  
 22 rections shall transfer the physical custody of the person to the Department of Youth  
 23 Authority as provided in ORS 420.011.

24 (b) When a person under 18 years of age is waived under ORS 419C.349, 419C.352, 419C.364 or  
 25 419C.370 and subsequently is sentenced to a term of imprisonment, the court shall commit the  
 26 person to the legal and physical custody of the Department of Youth Authority. The terms  
 27 and conditions of the person's incarceration are governed by sections 57 to 62 of this 1995  
 28 Act [*in the custody of the Department of Corrections, the department shall transfer the person to a*  
 29 *juvenile training school for physical custody as provided in ORS 420.011 (3)*].

30 [(b)] (c) When a person under 16 years of age is waived under ORS 419C.349, 419C.352, 419C.364  
 31 or 419C.370 and subsequently is sentenced to a term of imprisonment in the county jail, the sheriff  
 32 shall transfer the person to a [*juvenile training school*] youth correction facility for physical cus-  
 33 tody as provided in ORS 420.011 (3).

34 **SECTION 64.** ORS 161.290 is amended to read:

35 161.290. (1) A person who is tried as an adult in a court of criminal jurisdiction is not criminally  
 36 responsible for any conduct which occurred when the person was under [14] 12 years of age.

37 (2) Incapacity due to immaturity, as defined in subsection (1) of this section, is a defense.

38 **SECTION 65.** ORS 181.517 is amended to read:

39 181.517. As used in ORS 181.518 and 181.519:

40 (1)(a) "Correctional facility" means any place used for the confinement of persons:

41 (A) Charged with or convicted of a crime or otherwise confined under a court order.

42 (B) Found to be within the jurisdiction of the juvenile court for having committed an act  
 43 which if committed by an adult would constitute a crime.

44 (b) "Correctional facility" [*does not include a juvenile facility, and*] applies to a state hospital  
 45 only as to persons detained therein charged with or convicted of a crime, or detained therein after

1 being found guilty except for insanity under ORS 161.290 to 161.370.

2 (2) "Sex crime" means:

3 (a) Rape in any degree;

4 (b) Sodomy in any degree;

5 (c) Unlawful sexual penetration in any degree;

6 (d) Sexual abuse in any degree;

7 (e) Incest with a child victim;

8 (f) Using a child in a display of sexually explicit conduct;

9 (g) Dealing in depictions of a child's sexual conduct;

10 (h) Transporting child pornography into the state;

11 (i) Paying for viewing a child's sexually explicit conduct;

12 (j) Compelling prostitution;

13 (k) Promoting prostitution; or

14 (L) Any attempt to commit any of the crimes set forth in paragraphs (a) to (k) of this subsection.

15 **SECTION 66.** ORS 181.518 is amended to read:

16 181.518. (1)(a) [*When a person is discharged, paroled or released on any form of supervised or*  
 17 *conditional release from a jail, prison or other correctional facility in this state at which the person*  
 18 *was confined as a result of conviction of a sex crime or as a result of having been found guilty except*  
 19 *for insanity of a sex crime or when a person convicted in another jurisdiction of a crime that would*  
 20 *constitute a sex crime if committed in this state is paroled to this state under ORS 144.610,] The official  
 21 in charge of supervising [*the*] a person shall obtain the address where the person will reside upon  
 22 release and shall enter into the Law Enforcement Data System the person's name and description,  
 23 a description of the methodology of the offense, the person's address and the originating code of the  
 24 parole or probation agency that is located closest to the address of the person when a person:*

25 (A) Is discharged, paroled or released on any form of supervised or conditional release  
 26 from a jail, prison or other correctional facility in this state at which the person was con-  
 27 fined as a result of:

28 (i) Conviction of a sex crime;

29 (ii) Having been found guilty except for insanity of a sex crime; or

30 (iii) Having been found to be within the jurisdiction of the juvenile court for having  
 31 committed a crime that if committed by an adult would constitute a sex crime; or

32 (B) Is paroled to this state under ORS 144.610 after being convicted in another jurisdic-  
 33 tion of a crime that would constitute a sex crime if committed in this state.

34 (b) The person in charge of supervising a person on active parole or other supervised or condi-  
 35 tional release shall enter into the Law Enforcement Data System any change in the address of the  
 36 parolee or person being supervised.

37 (2) Following discharge, release from active parole or other supervised or conditional release,  
 38 the person shall provide, in [*writing*] person, the residence address of the person to the Oregon  
 39 State Police, a city police department or a county sheriff's office:

40 (a) No later than 72 hours after release from a correctional facility;

41 (b) Within 30 days of a change of residence; and

42 [*b*] (c) Once each year regardless of whether the person changed [*address*] residence.

43 **SECTION 67.** ORS 181.519 is amended to read:

44 181.519. (1)(a) Except as otherwise provided in paragraph (b) of this subsection, [*when a person*  
 45 *is convicted in this state of a sex crime and is released on probation by the court or when a person*

1 convicted in another jurisdiction of a crime that would constitute a sex crime if committed in this state  
 2 is released on probation to this state under ORS 144.610,] the probation agency of the county in  
 3 which [the] a person intends to reside upon release shall enter into the Law Enforcement Data  
 4 System the person's name and description, the description of the methodology of the offense, the  
 5 address where the person expects to reside upon release and the originating code of the probation  
 6 agency that is located closest to the address of the person when a person is released on pro-  
 7 bation:

8 (A) By the court after being convicted in this state of a sex crime;

9 (B) By the juvenile court after being found to be within the jurisdiction of the juvenile  
 10 court for having committed an act that if committed by an adult would constitute a sex  
 11 crime; or

12 (C) To this state under ORS 144.610 after being convicted in another jurisdiction of a  
 13 crime that would constitute a sex crime if committed in this state.

14 (b) When the court discharges the person or places the person on bench probation, the district  
 15 attorney shall cause the information required by paragraph (a) of this subsection to be entered into  
 16 the Law Enforcement Data System.

17 (2)(a) Except as otherwise provided in paragraph (b) of this subsection, when a person is found  
 18 guilty except for insanity of a sex crime and is discharged or released on conditional release by the  
 19 court or the Psychiatric Security Review Board, the Psychiatric Security Review Board shall cause  
 20 to be entered into the Law Enforcement Data System the person's name and description, the de-  
 21 scription of the methodology of the offense and the address where the person expects to reside upon  
 22 release.

23 (b) When the person is discharged by the court, the district attorney shall cause the information  
 24 required by paragraph (a) of this subsection to be entered into the Law Enforcement Data System.

25 (3) Following discharge, release from active parole or other supervised or conditional release,  
 26 the person shall provide, in [writing] person, the residence address of the person to the Oregon  
 27 State Police, a city police department or a county sheriff's office:

28 (a) No later than 72 hours after release from a correctional facility;

29 (b) Within 30 days of a change of residence; and

30 [(b)] (c) Once each year regardless of whether the person changed [address] residence.

31 **SECTION 68.** Notwithstanding any other provision of law, the Oregon State Police, the  
 32 chief of police of a city police department or a county sheriff may disclose to any member  
 33 of the public the following information about a person registered or required to register un-  
 34 der ORS 181.518 or 181.519 after being found to be within the jurisdiction of the juvenile court  
 35 for having committed an act that if committed by an adult would constitute a sex crime:

36 (1) The person's name and address;

37 (2) A physical description of the person including, but not limited to, the person's age,  
 38 height, weight and eye and hair color;

39 (3) The type of vehicle the person is known to drive;

40 (4) Any conditions or restrictions upon the person's release;

41 (5) A description of the person's primary and secondary victims of choice;

42 (6) A description of the person's method of offense;

43 (7) A current photograph of the person; and

44 (8) The name or telephone number of the person's parole or probation officer.

45 **SECTION 69.** Section 5, chapter 389, Oregon Laws 1991, is amended to read:

1       **Sec. 5.** (1) No sooner than 10 years after termination of active supervision on probation, condi-  
 2       tional release, parole or post-prison supervision, a person required to register as required by ORS  
 3       181.518 and 181.519 may file a petition in the circuit court of the county in which the person resides  
 4       for an order relieving the person of the duty to register. The district attorney of the county shall  
 5       be named and served as the respondent in the petition.

6       (2) The court shall hold a hearing on the petition. In determining whether to grant the relief  
 7       requested, the court shall consider:

8       (a) The nature of the offense that required registration;

9       (b) The age and number of victims;

10      (c) The degree of violence involved in the offense;

11      (d) Other criminal and relevant noncriminal behavior of the petitioner both before and after the  
 12      conviction that required registration;

13      (e) The period of time during which the petitioner has not reoffended; and

14      (f) Any other relevant factors.

15      (3) If the court is satisfied by clear and convincing evidence that the petitioner is rehabilitated  
 16      and that the petitioner does not pose a threat to the safety of the public, the court shall enter an  
 17      order relieving the petitioner of the duty to register.

18      (4) No sooner than 10 years after the termination of juvenile court wardship of a person  
 19      required to register under ORS 181.518 and 181.519, the person may file a petition in the cir-  
 20      cuit court for relief from the duty to register as provided in subsections (1) to (3) of this  
 21      section.

22      **SECTION 70.** Section 8, chapter 389, Oregon Laws 1991, is repealed.

23      **SECTION 71.** ORS 419A.004 is amended to read:

24      419A.004. As used in this chapter and ORS chapters 419B and 419C, unless the context requires  
 25      otherwise:

26      (1) "CASA Volunteer Program" means a program approved or sanctioned by the juvenile court  
 27      to recruit, train and supervise volunteer persons to serve as court appointed special advocates.

28      (2) "Child" means a person within the jurisdiction of the juvenile court as provided in ORS  
 29      419B.100 [and 419C.005].

30      (3) "Child care center" means a residential facility for the care and supervision of children that  
 31      is licensed under the provisions of ORS 418.240.

32      (4) "Community service" has the meaning given that term in ORS 137.126.

33      (5) "Conflict of interest" means a person appointed to a local citizen review board who has a  
 34      personal or pecuniary interest in a case being reviewed by that board.

35      (6) "Counselor" means a juvenile department counselor.

36      (7) "Court" means the juvenile court.

37      (8) "Court appointed special advocate" or "CASA" means a person appointed by the court pur-  
 38      suant to a CASA Volunteer Program to act as special advocate for a child pursuant to ORS  
 39      419A.170.

40      (9) "Detention" or "detention facility" means a facility established under ORS 419A.010 to  
 41      419A.020 and 419A.050 to 419A.063 for the detention of dependent or delinquent children pursuant  
 42      to a judicial commitment or order.

43      (10) "Director" means the director of a juvenile department established under ORS 419A.010 to  
 44      419A.020 and 419A.050 to 419A.063.

45      (11) "Division" means the Children's Services Division.

- 1 (12) "Guardian" means guardian of the person and not guardian of the estate.
- 2 (13) "Indian child" means any unmarried person less than 18 years of age who is:
- 3 (a) A member of an Indian tribe;
- 4 (b) Eligible for membership in an Indian tribe and is the biological child of a member of an In-
- 5 dian tribe; or
- 6 (c) Covered by the terms of an Indian Child Welfare Act agreement between Oregon and an
- 7 Indian tribe.
- 8 (14) "Juvenile court" means the court having jurisdiction of juvenile matters in the several
- 9 counties of this state.
- 10 (15) "Local citizen review board" means the board specified by ORS 419A.090 and 419A.092.
- 11 (16) "Parent" means the biological or adoptive mother of the child and the legal or adoptive
- 12 father of the child. A legal father includes:
- 13 (a) A nonimpotent, nonsterile man who was cohabiting with his wife, who is the mother of the
- 14 child, at the time of conception;
- 15 (b) A man married to the mother of the child at the time of birth, where there is no decree of
- 16 separation and the presumption of paternity has not been disputed;
- 17 (c) A biological father who marries the mother of the child after the birth of the child;
- 18 (d) A biological father who has established or declared paternity through filiation proceedings
- 19 or under ORS 416.400 to 416.470; and
- 20 (e) A biological father who has, with the mother, established paternity through a joint declara-
- 21 tion of paternity under ORS 109.070.
- 22 (17) "Records" means any information in written form, pictures, photographs, charts, graphs,
- 23 recordings or documents pertaining to a case.
- 24 (18) "Resides" or "residence," when used in reference to the residence of a child, means the
- 25 place where the child is actually living and not the legal residence or domicile of the parent or
- 26 guardian.
- 27 (19) "Restitution" has the meaning given that term in ORS 137.103.
- 28 (20) "Shelter care" means a home or other facility suitable for the safekeeping of a child who
- 29 is taken into temporary custody pending investigation and disposition where the circumstances are
- 30 such that the child does not need to be kept in secure custody.
- 31 (21) "Substitute care" means an out-of-home placement directly supervised by the division or
- 32 other agency, including placement in a foster family home, group home or other child caring insti-
- 33 tution or facility. "Substitute care" does not include care in:
- 34 (a) A detention facility, forestry camp or *[training school]* **youth correction facility**;
- 35 (b) A family home which the court has approved as a child's permanent placement, where a
- 36 private child caring agency has been appointed guardian of the child and where the child's care is
- 37 entirely privately financed; or
- 38 (c) In-home placement subject to conditions or limitations.
- 39 (22) "Surrogate" means a person appointed by the court to protect the right of the child to re-
- 40 ceive procedural safeguards with respect to the provision of free appropriate public education.
- 41 (23) "Tribal court" means a court with jurisdiction over child custody proceedings and that is
- 42 either a Court of Indian Offenses, a court established and operated under the code of custom of an
- 43 Indian tribe or any other administrative body of a tribe that is vested with authority over child
- 44 custody proceedings.
- 45 (24) "Youth" means a person under 18 years of age who is alleged to have committed an

1 act that is a violation, or, if done by an adult would constitute a violation, of a law or ordi-  
 2 nance of the United States or a state, county or city.

3 (25) "Youth care center" has the meaning given that term in ORS 420.855.

4 (26) "Youth offender" means a person at least 12 years of age and under 18 years of age  
 5 who has been:

6 (a) Found to be within the jurisdiction of the juvenile court under ORS 419C.005; or

7 (b) Convicted of a crime under sections 54 to 56 of this 1995 Act, or following waiver  
 8 under ORS 419C.349, 419C.352, 419C.364 or 419C.370.

9 **SECTION 72.** ORS 419A.200 is amended to read:

10 419A.200. (1) Except as provided in ORS 419A.190, any person including, but not limited to,  
 11 the state or a juvenile department agency whose right or duties are adversely affected by a final  
 12 order of the juvenile court may appeal therefrom. An appeal from a circuit court shall be taken to  
 13 the Court of Appeals, and an appeal from a county court shall be taken to the circuit court.

14 (2) If the proceeding is in the circuit court and no record of the proceedings was kept, the court,  
 15 on motion made not later than 15 days after the entry of the court's order, shall grant a rehearing  
 16 and shall direct that a record of the proceedings be kept. However, the court shall not grant a re-  
 17 hearing in a case barred by ORS 419A.190 without the consent of the child affected by such case.  
 18 If a rehearing is held, the time for taking an appeal shall run from the date of entry of the court's  
 19 order after the rehearing.

20 (3)(a) The appeal may be taken by causing a notice of appeal, in the form prescribed by ORS  
 21 19.029, to be served:

22 (A) On all parties who have appeared in the proceeding;

23 (B) On the clerk of the juvenile court; and

24 (C) On the juvenile court reporter, if a transcript is designated in connection with the appeal.

25 (b) The original of the notice with proof of service shall be filed with:

26 (A) The Court of Appeals if the appeal is from a circuit court; or

27 (B) The circuit court if the appeal is from a county court.

28 (c) The notice shall be filed not later than 30 days after the entry of the court's order. On appeal  
 29 from the county court, the circuit court shall hear the matter de novo and its order shall be  
 30 appealable to the Court of Appeals in the same manner as if the proceeding had been commenced  
 31 in the circuit court.

32 (4)(a) Upon motion of a person, other than the state, entitled to appeal under subsection (1) of  
 33 this section, if the person was not represented by counsel in the proceeding from which the appeal  
 34 is being taken, the appellate court shall grant the person leave to file a notice of appeal after the  
 35 time limits described in subsection (3) of this section if the person shows a colorable claim of error  
 36 in the proceeding from which the appeal is taken.

37 (b) A person other than the state shall not be entitled to relief under this subsection for failure  
 38 to file timely notice of cross-appeal when the state appeals pursuant to subsection (7) of this section.

39 (c) The request for leave to file a notice of appeal after the time limits prescribed in subsection  
 40 (3) of this section shall be filed no later than 90 days after entry of the order being appealed and  
 41 shall be accompanied by the notice of appeal sought to be filed. A request for leave under this  
 42 subsection may be filed by mail and shall be deemed filed on the date of mailing if the request is  
 43 mailed as provided in ORS 19.028.

44 (d) The court shall not grant relief under this subsection unless the state has notice and op-  
 45 portunity to respond to the person's request for relief.

1 (5) An appeal to the Court of Appeals shall be conducted in the same manner as an appeal in  
2 an equity suit and shall be advanced on the court's docket in the same manner as appeals in crim-  
3 inal cases.

4 (6) Except as provided in subsection (8) of this section or when otherwise ordered by the ap-  
5 pellate court, the filing of an appeal does not suspend the order of the juvenile court nor discharge  
6 the child from the custody of the person, institution or agency in whose custody the child may have  
7 been placed, nor preclude the trial court after notice and hearing from entering such further orders  
8 relating to the child's custody pending final disposition of the appeal as it finds necessary by reason  
9 only of matters transpiring subsequent to the order appealed from. Certified copies of any such  
10 order shall be filed by the clerk of the juvenile court forthwith with the Court of Appeals.

11 (7) **In addition to the state's right to appeal under subsection (1) of this section**, in a ju-  
12 venile proceeding, the state may take an appeal from the order of a judge or referee from:

13 (a) An order made prior to an adjudicatory hearing dismissing or setting aside a delinquency  
14 petition;

15 (b) An order made after an adjudicatory hearing in which the juvenile is found to be within the  
16 jurisdiction of the court, setting aside the petition for delinquency;

17 (c) An order made prior to an adjudicatory hearing suppressing or limiting evidence or refusing  
18 to suppress or limit evidence; [or]

19 (d) An order made prior to an adjudicatory hearing for the return or restoration of things  
20 seized; or

21 (e) **An order under ORS 419C.411. In an appeal under this paragraph, the appellate court's**  
22 **review is limited to the issue of whether:**

23 (A) **The disposition is authorized under ORS chapter 419C; or**

24 (B) **The court complied with the requirements of law in imposing the disposition.**

25 (8) If the state pursuant to subsection (7) of this section appeals a preadjudicatory order, and  
26 the child is in detention in the same proceeding pursuant to ORS 419C.109, 419C.136, 419C.139,  
27 419C.170 and 419C.173, the juvenile court shall consider release of the child from detention during  
28 the pendency of the appeal in accordance with the following provisions:

29 (a) When the child is charged with an act which would be murder if committed by an adult,  
30 release shall be denied when the proof is evident or the presumption strong that the child committed  
31 the act.

32 (b) The child shall be released upon the child's personal recognizance unless release criteria  
33 show to the satisfaction of the juvenile court that the child would not be likely to appear before the  
34 court as ordered upon later appearance dates and that such a release is therefore unwarranted.  
35 Release criteria shall include the following:

36 (A) The child's education and employment status and history and financial condition;

37 (B) The nature and extent of the child's family relationships;

38 (C) The child's past and present residences;

39 (D) Identification of persons who agree to assist the child in attending court at the proper time;

40 (E) The nature of the current petition;

41 (F) The child's juvenile record, if any, and, if the child has previously been released pending  
42 trial, whether the child appeared as required;

43 (G) Any facts indicating the possibility of violations of law if the child is released without re-  
44 strictions;

45 (H) Any facts tending to indicate that the child has strong ties to the community; and

1 (I) Any other facts tending to indicate the likelihood of the child's appearing before the court  
2 as ordered upon later appearance dates.

3 (c) If the court finds that release of the child on the child's personal recognizance is unwar-  
4 ranted, it shall order conditional release. The court may impose upon the released child one or more  
5 of the following conditions, but shall impose the least onerous condition reasonably likely to assure  
6 the child's later appearance:

7 (A) Release of the child into the care of a parent or other responsible person or organization  
8 for supervising the child and assisting the child in appearing in court. The supervisor shall notify  
9 the court immediately in the event that the child breaches the terms of the conditional release.

10 (B) Reasonable restrictions on the activities, movements, associations and residences of the  
11 child.

12 (C) Any other reasonable restriction designed to assure the child's appearance.

13 (9) If the child, parent or guardian is shown to be without sufficient financial means to employ  
14 suitable counsel possessing skills and experience commensurate with the nature and complexity of  
15 the case to represent the person in an appeal as provided in subsections (1) to (8) of this section,  
16 the court, upon request of the person or upon its own motion, shall appoint suitable counsel to  
17 represent the person. Counsel appointed by the court shall be paid compensation determined by the  
18 appellate court as provided in ORS 135.055 if the circuit court is the appellate court or as provided  
19 in ORS 138.500 if the Court of Appeals or Supreme Court is the appellate court.

20 (10) Where the court appoints counsel to represent the child, it may require the parent, if able,  
21 or guardian of the estate, if the estate is able, to pay compensation for counsel and costs and ex-  
22 penses necessary to the appeal. The test of the parent's or estate's ability to pay such compensation,  
23 costs and expenses shall be the same test as applied to appointment of counsel for defendants under  
24 ORS 135.050. The court's order of payment shall be enforceable in the same manner as an order of  
25 support under ORS 419B.408 and 419C.600.

26 (11) Where the court appoints counsel and the child, parent or guardian is without sufficient  
27 financial means to employ counsel, the compensation for counsel and costs and expenses necessary  
28 to the appeal shall be allowed and paid as provided in ORS 135.055 if the circuit court is the ap-  
29 pellate court or as provided in ORS 138.500 if the Court of Appeals or Supreme Court is the appel-  
30 late court.

31 (12) The district attorney or Attorney General shall represent the state in the appeal.

32 **SECTION 73.** ORS 419A.250 is amended to read:

33 419A.250. (1) A child or youth may be photographed or fingerprinted by a law enforcement  
34 agency:

35 (a) Pursuant to a search warrant;

36 (b) According to laws concerning adults if the [child] youth has been transferred to criminal  
37 court for prosecution;

38 [(c) If a child is taken into custody for the commission of an act which if committed by an adult  
39 would constitute a felony or a Class A misdemeanor and the child's photograph or fingerprints are  
40 needed to complete the investigation of a crime;]

41 [(d)] (c) Upon consent of both the child or youth and the child's or youth's parent after advice  
42 that they are not required to give such consent;

43 [(e)] (d) Upon request or consent of the child's parent alone if the child is less than 10 years  
44 of age, and if the law enforcement agency delivers the original photographs or fingerprints to the  
45 parent and does not make or retain any copies thereof; or

1       [(f)] (e) By order of the juvenile court[; or]

2       [(g) If a child is taken into custody and a law enforcement agency has probable cause to believe  
3 that the child is involved in a conspiracy or a conspiratorial relationship with others to commit acts  
4 that if committed by an adult would constitute a felony or a Class A misdemeanor].

5       (2) A [child may] **youth shall** be photographed or fingerprinted after the [child has been found  
6 to be within the jurisdiction of the juvenile court for an act which if committed by an adult would  
7 constitute a felony or a Class A misdemeanor] **youth has been taken into custody**.

8       (3) Fingerprint and photograph files or records of children shall be kept separate from those of  
9 adults, and fingerprints and photographs known to be those of a child shall be maintained on a local  
10 basis only and not sent to a central state or federal depository.

11       (4) Fingerprint and photograph files or records of a child [shall be kept separate from the records  
12 and files of adults and] shall be open to inspection only by, or the contents disclosed only to, the  
13 following:

14       (a) Public agencies for use in investigation or prosecution of crimes and of conduct by a child  
15 which if committed by an adult would be an offense, provided that a law enforcement agency may  
16 provide information to another agency only when the information is pertinent to a specific investi-  
17 gation by that agency;

18       (b) The juvenile department and the juvenile court having the child before it in any proceeding;

19       (c) Caseworkers and counselors taking action or otherwise responsible for planning and care of  
20 the child;

21       (d) The parties to the proceeding and their counsel; **and**

22       [(e) A criminal court to which jurisdiction of the child has been transferred;]

23       [(f) A criminal court for the purpose of a presentence report or other dispositional proceeding fol-  
24 lowing conviction of a criminal offense; and]

25       [(g)] (e) The victim or a witness of an act or behavior described under ORS 419C.005 (1) or the  
26 victim's parent, guardian, personal representative or subrogee, when necessary to identify the child  
27 committing the act or behavior and identifying the apparent extent of the child's involvement in the  
28 act or behavior.

29       (5)(a) [Notwithstanding subsections (3) and (4) of this section, fingerprint and photograph files or  
30 records of children found to be within the jurisdiction of the juvenile court for an act which if com-  
31 mitted by an adult would constitute one of the crimes listed in paragraph (b) of this subsection need  
32 not be kept separate from those of adults but may] **Fingerprint and photograph files or records**  
33 **of youths shall** be sent to a central state depository in the same manner as fingerprint and photo-  
34 graph files or records of adults. The fingerprint and photograph files or records of a [child] **youth**  
35 sent to a central depository under this subsection shall be open to inspection in the same manner  
36 and under the same circumstances as fingerprint and photograph files or records of adults.

37       [(b) Paragraph (a) of this subsection applies to the following crimes:]

38       [(A) Tampering with a witness under ORS 162.285;]

39       [(B) Hindering prosecution under ORS 162.325;]

40       [(C) Aggravated murder under ORS 163.095;]

41       [(D) Murder under ORS 163.115;]

42       [(E) Manslaughter in the first degree under ORS 163.118;]

43       [(F) Manslaughter in the second degree under ORS 163.125;]

44       [(G) Criminally negligent homicide under ORS 163.145;]

45       [(H) Assault in the second degree under ORS 163.175;]

- 1        *[(I) Assault in the first degree under ORS 163.185;]*
- 2        *[(J) Kidnapping in the second degree under ORS 163.225;]*
- 3        *[(K) Kidnapping in the first degree under ORS 163.235;]*
- 4        *[(L) Coercion under ORS 163.275;]*
- 5        *[(M) Rape in the third degree under ORS 163.355;]*
- 6        *[(N) Rape in the second degree under ORS 163.365;]*
- 7        *[(O) Rape in the first degree under ORS 163.375;]*
- 8        *[(P) Sodomy in the third degree under ORS 163.385;]*
- 9        *[(Q) Sodomy in the second degree under ORS 163.395;]*
- 10       *[(R) Sodomy in the first degree under ORS 163.405;]*
- 11       *[(S) Unlawful sexual penetration in the second degree under ORS 163.408;]*
- 12       *[(T) Unlawful sexual penetration in the first degree under ORS 163.411;]*
- 13       *[(U) Sexual abuse in the second degree under ORS 163.425;]*
- 14       *[(V) Sexual abuse in the first degree under ORS 163.427;]*
- 15       *[(W) Burglary in the first degree under ORS 164.225;]*
- 16       *[(X) Arson in the second degree under ORS 164.315;]*
- 17       *[(Y) Arson in the first degree under ORS 164.325;]*
- 18       *[(Z) Criminal mischief in the first degree under ORS 164.365;]*
- 19       *[(AA) Robbery in the third degree under ORS 164.395;]*
- 20       *[(BB) Robbery in the second degree under ORS 164.405;]*
- 21       *[(CC) Robbery in the first degree under ORS 164.415;]*
- 22       *[(DD) Intimidation in the second degree under ORS 166.155;]*
- 23       *[(EE) Intimidation in the first degree under ORS 166.165;]*
- 24       *[(FF) Unlawful possession of machine guns, certain short-barreled firearms and firearms silencers*
- 25 *under ORS 166.272;]*
- 26       *[(GG) Use of a firearm during the commission of a felony under ORS 166.429;]*
- 27       *[(HH) Promoting prostitution under ORS 167.012; and]*
- 28       *[(II) Compelling prostitution under ORS 167.017.]*

(b) The juvenile court shall notify the central state registry of the following:

(A) The filing of a petition alleging that a youth committed an act that if committed by an adult would constitute a crime;

(B) The dismissal of a petition alleging that a youth committed an act that if committed by an adult would constitute a crime; and

(C) The disposition of a case in which jurisdiction is based on ORS 419C.005.

(c) The Department of State Police shall delete the fingerprint and photograph files or records of a youth from the registry and destroy the files or records relating to the conduct that caused the files or records to be sent to the registry:

(A) One year after receiving the files, if the central state registry has not received notice under paragraph (b) of this subsection;

(B) No later than one year following receipt of a notice of dismissal of a petition under paragraph (b)(B) of this subsection; or

(C) In all other circumstances, no later than five years and 30 days after fingerprint and photograph files or records are sent to the central state registry [*under paragraph (a) of this subsection, the Department of State Police shall delete the files and records from the registry and destroy the files and records*].

1 (6) Fingerprint and photograph files and records of a child or youth shall be destroyed when  
2 the juvenile court orders expunction of a child's or youth's record pursuant to ORS 419A.260 and  
3 419A.262.

4 [(7)(a) Fingerprint and photograph files of a child who is adjudicated and found not to be within  
5 the jurisdiction of the juvenile court for an act, which if committed by an adult would constitute a fel-  
6 ony or a misdemeanor, shall be destroyed by the officer charged with the maintenance of those files  
7 within 60 days from the date of adjudication.]

8 [(b) Fingerprint and photograph files of a child who is not adjudicated and found to be within the  
9 jurisdiction of the juvenile court for an act, which if committed by an adult would constitute a felony  
10 or a misdemeanor, within two years from the date on which the fingerprints or photograph were ob-  
11 tained, shall be destroyed by the officer charged with the maintenance of those files.]

12 [(8)] (7) The parent or guardian of a missing child may submit a fingerprint card and photograph  
13 of the child to a law enforcement agency at the time a missing person report is made. The law  
14 enforcement agency may submit the fingerprint file to the Department of State Police Bureau of  
15 Criminal Identification. The information shall be entered into the Law Enforcement Data System and  
16 the Western Identification Network Automated Fingerprint Identification System.

17 [(9)] (8) When fingerprint files or records are submitted under subsection [(8)] (7) of this section,  
18 the Department of State Police shall enter in a special index in the computerized criminal history  
19 files the name of the child and the name of the county or agency that submitted the fingerprint file  
20 or record.

21 [(10)] (9) Fingerprints and other information entered in any data system pursuant to subsection  
22 [(8)] (7) of this section shall be deleted when the child is located.

23 SECTION 74. ORS 419A.255 is amended to read:

24 419A.255. (1) The clerk of the court shall keep a record of each case, including therein the  
25 summons and other process, the petition and all other papers in the nature of pleadings, motions,  
26 orders of the court and other papers filed with the court, but excluding reports and other material  
27 relating to the child's or youth's history and prognosis. The record of the case shall be withheld  
28 from public inspection but shall be open to inspection by the child or youth, parent, guardian, court  
29 appointed special advocate, surrogate or a person allowed to intervene in a proceeding involving the  
30 child or youth under ORS 109.119 (1), and their attorneys. The attorneys are entitled to copies of  
31 the record of the case.

32 (2) Reports and other material relating to the child's or youth's history and prognosis are  
33 privileged and, except at the request of the child or youth, shall not be disclosed directly or indi-  
34 rectly to anyone other than the judge of the juvenile court, those acting under the judge's direction  
35 and to the attorneys of record for the child or youth or the child's or youth's parent, guardian,  
36 court appointed special advocate, surrogate or person allowed to intervene in a proceeding involving  
37 the child or youth under ORS 109.119 (1). The attorneys are entitled to examine and obtain copies  
38 of any reports or other material relating to the child's or youth's history and prognosis. Any at-  
39 torney who examines or obtains copies of such reports or materials shall be responsible for pre-  
40 serving their confidentiality and shall return the copies to the court upon the conclusion of the  
41 attorney's involvement in the case.

42 (3) Except as otherwise provided in subsection (6) of this section, no information appearing in  
43 the record of the case or in reports or other material relating to the child's or youth's history or  
44 prognosis may be disclosed to any person not described in subsection (2) of this section without the  
45 consent of the court, except for purposes of evaluating the child's or youth's eligibility for special

1 education as provided in ORS chapter 343, and no such information may be used in evidence in any  
 2 proceeding to establish criminal or civil liability against the child, whether such proceeding occurs  
 3 after the child or youth has reached 18 years of age or otherwise, except for the following purposes:

4 (a) In connection with a presentence investigation after the guilt of the [child] youth has been  
 5 admitted or established in a criminal court.

6 (b) In connection with a proceeding in another juvenile court concerning the child or youth or  
 7 an appeal from the juvenile court.

8 (4) If the court finds that the child or youth or parent is without financial means to purchase  
 9 all or a necessary part of the transcript of the evidence or proceedings, the court shall order upon  
 10 motion the transcript or part thereof to be furnished. The transcript or part thereof furnished under  
 11 this subsection shall be paid for in the same manner as furnished transcripts are paid for in criminal  
 12 cases.

13 (5) Notwithstanding any other provision of law, the name and date of birth of the [juvenile]  
 14 child or youth, the basis for the juvenile court's jurisdiction over the [juvenile] child or youth, the  
 15 date, time and place of any juvenile court proceeding in which the [juvenile] child or youth is in-  
 16 volved, the act alleged in the petition that if committed by an adult would constitute a crime  
 17 if jurisdiction is based on ORS 419C.005 and that portion of the juvenile court order providing for  
 18 the legal disposition of the [juvenile] child or youth where jurisdiction is based on ORS 419B.100  
 19 (1)(g) or 419C.005 shall not be confidential and is not exempt from disclosure.

20 (6)(a) Information contained in reports and other materials relating to a child's or youth's his-  
 21 tory and prognosis that, in the professional judgment of the juvenile counselor, caseworker, teacher  
 22 or detention worker to whom the information for the reports or other materials has been provided,  
 23 indicates a clear and immediate danger to another person or to society shall be disclosed to the  
 24 appropriate authority and the person or entity who is in danger from the child or youth.

25 (b) An agency or a person who discloses information under paragraph (a) of this subsection shall  
 26 have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed for  
 27 making the disclosure.

28 (c) Nothing in this subsection affects the provisions of ORS 146.750, 146.760, 419B.035, 419B.040  
 29 and 419B.045. The disclosure of information under this section does not make the information ad-  
 30 missible in any court or administrative proceeding if it is not otherwise admissible.

31 **SECTION 75.** ORS 419A.260 is amended to read:

32 419A.260. (1) As used in this section and ORS 419A.262:

33 (a) "Contact" means any instance in which a person's act or behavior, or alleged act or behav-  
 34 ior, which could result in a juvenile court's assumption of jurisdiction under ORS 419B.100 (1)(a) to  
 35 (c) and (f) or 419C.005 comes to the attention of an agency specified in paragraph (d) of this sub-  
 36 section.

37 (b) "Expunction" means:

38 (A) The removal and destruction of a judgment or order related to a contact;

39 (B) The removal and destruction of all records and all references; and

40 (C) Where a record is kept by the Children's Services Division or the Department of Youth  
 41 Authority, either the sealing of such record by the division or the Department of Youth Au-  
 42 thority[] or, in a multiperson file, the affixing to the front of the file, by the division, a stamp or  
 43 statement identifying the name of the individual, the date of expunction and instruction that no  
 44 further reference shall be made to the material that is subject to the expunction order except upon  
 45 an order of a court of competent jurisdiction.

1 (c) "Person" includes a person under 18 years of age.

2 (d) "Record" includes a fingerprint or photograph file, report, exhibit or other material which  
 3 contains information relating to a person's contact with any law enforcement agency or juvenile  
 4 court or juvenile department and is kept manually, through the use of electronic data processing  
 5 equipment, or by any other means by a law enforcement or public investigative agency, a juvenile  
 6 court or juvenile department or an agency of the State of Oregon. "Record" does not include:

7 (A) A transcript of a student's academic record at MacLaren School [*for Boys*] or Hillcrest  
 8 School of Oregon;

9 (B) Material on file with a public agency which is necessary for obtaining federal financial  
 10 participation regarding financial assistance or services on behalf of a person who has had a contact;

11 (C) Records kept or disseminated by the Department of Transportation, State Marine Board and  
 12 State Fish and Wildlife Commission pursuant to juvenile or adult order or recommendation;

13 (D) Police and court records related to an order of waiver where the matter is still pending in  
 14 the adult court or on appeal therefrom, or to any disposition as an adult pursuant to such order;

15 (E) Records related to a support obligation;

16 (F) Medical records;

17 (G) Records of a proposed or adjudicated termination of [*parent-child relationship*] parental  
 18 rights and adoptions;

19 (H) Any law enforcement record of a person who currently does not qualify for expunction or  
 20 of current investigations or cases waived to the adult court;

21 (I) Records and case reports of the Oregon Supreme Court and the Oregon Court of Appeals;

22 (J) Any records in cases under ORS 419C.005 in which a juvenile court found a person to be  
 23 within the jurisdiction of the court based upon the person's commission of an act which would  
 24 constitute child abuse as defined in ORS 419B.005 and if done by an adult would constitute one of  
 25 the following offenses:

26 [(i) *Criminal mistreatment in the first degree under ORS 163.205;*]

27 [(ii) *Rape in the third degree under ORS 163.355;*]

28 [(iii) *Rape in the second degree under ORS 163.365;*]

29 [(iv)] (i) Rape in the first degree under ORS 163.375;

30 [(v) *Sodomy in the third degree under ORS 163.385;*]

31 [(vi) *Sodomy in the second degree under ORS 163.395;*]

32 [(vii)] (ii) Sodomy in the first degree under ORS 163.405; and

33 [(viii) *Unlawful sexual penetration in the second degree under ORS 163.408;*]

34 [(ix)] (iii) Unlawful sexual penetration in the first degree under ORS 163.411;

35 [(x) *Sexual abuse in the third degree under ORS 163.415;*]

36 [(xi) *Sexual abuse in the second degree under ORS 163.425;*]

37 [(xii) *Sexual abuse in the first degree under ORS 163.427;*]

38 [(xiii) *Promoting prostitution under ORS 167.012; and*]

39 [(xiv) *Compelling prostitution under ORS 167.017;*]

40 (K) Blood samples, autoradiographs and other physical evidence and identification information  
 41 obtained, stored or maintained by the Department of State Police under authority of ORS 137.076,  
 42 181.085 or 419C.473; [*or*]

43 (L) Any records in cases under ORS 419C.005 in which a juvenile court found a person to be  
 44 within the jurisdiction of the court based upon the person's commission of an act which if done by  
 45 an adult would constitute one of the following offenses:

- 1 (i) Aggravated murder under ORS 163.095;
- 2 (ii) Murder under ORS 163.115;
- 3 (iii) Attempt, solicitation or conspiracy to commit murder or aggravated murder; or
- 4 [(iii)] (iv) Manslaughter in the first degree under ORS 163.118; or
- 5 [(iv) Manslaughter in the second degree under ORS 163.125; or]
- 6 [(v) Criminally negligent homicide under ORS 163.145.]
- 7 (M) Records maintained in the Law Enforcement Data System under ORS 181.518 and
- 8 181.519.

9 (e) "Termination" means:

10 (A) For a person who is the subject of a record kept by a juvenile court or juvenile department,  
 11 the final disposition of a case by informal means, by a decision not to place the person on probation  
 12 or make the person a ward of the court after the person has been found to be within the court's  
 13 jurisdiction, or by a discontinuance of probation or of the court's wardship [under ORS 419A.290].

14 (B) For a person who is the subject of a record kept by a law enforcement or public investi-  
 15 gative agency, a juvenile court or juvenile department or an agency of the State of Oregon, the final  
 16 disposition of the person's most recent contact with a law enforcement agency.

17 (2) The juvenile court or juvenile department shall make reasonable effort to provide written  
 18 notice to a child who is within the court's jurisdiction under ORS 419B.100 (1)(a) to (c) and (f) or  
 19 to a youth who is within the court's jurisdiction under 419C.005, and to the child's or youth's  
 20 parent, of the procedures for expunction of a record, the right to counsel under this chapter, and  
 21 the legal effect of an expunction order, at the following times:

- 22 (a) At any dispositional hearing or at any informal disposition;
- 23 (b) At the time of termination;
- 24 (c) Upon notice to the subject of an expunction pending pursuant to application of a juvenile  
 25 department or motion on a juvenile court; and
- 26 (d) At the time of notice of execution of an expunction order.

27 **SECTION 76.** Section 77 of this Act is added to and made a part of ORS chapter 419A.

28 **SECTION 77.** (1) Notwithstanding ORS 419A.262, a juvenile court may not enter an order  
 29 of expunction for any of the following without a hearing:

30 (a) Records in cases in which the person was found to be within the court's jurisdiction  
 31 under ORS 419C.005 for having committed an act that would constitute child abuse as de-  
 32 scribed in ORS 419B.005 and if done by an adult would constitute:

- 33 (A) Criminal mistreatment in the first degree under ORS 163.205;
- 34 (B) Rape in the third degree under ORS 163.355;
- 35 (C) Rape in the second degree under ORS 163.365;
- 36 (D) Sodomy in the third degree under ORS 163.385;
- 37 (E) Sodomy in the second degree under ORS 163.395;
- 38 (F) Unlawful sexual penetration in the second degree under ORS 163.408;
- 39 (G) Sexual abuse in the third degree under ORS 163.415;
- 40 (H) Sexual abuse in the second degree under ORS 163.425;
- 41 (I) Promoting prostitution under ORS 167.012;
- 42 (J) Compelling prostitution under ORS 167.017; or
- 43 (K) An attempt to commit a crime listed in this paragraph; and

44 (b) Records in cases in which the person was found to be within the court's jurisdiction  
 45 under ORS 419C.005 for having committed an act that if done by an adult would constitute:

1 (A) Manslaughter in the second degree under ORS 163.125;

2 (B) Criminally negligent homicide under ORS 163.145; or

3 (C) An attempt to commit a crime listed in this paragraph.

4 (2) A hearing under this section must be commenced in the county where the person  
5 subject to the record resided at the time of the most recent termination.

6 (3) Upon application to a juvenile court by a person subject to a record listed in sub-  
7 section (1) of this section, the juvenile court, after a hearing, may order expunction of all  
8 or any part of the person's record if the court:

9 (a) Makes the findings listed in ORS 419A.262 (2); and

10 (b) Based on the considerations in subsection (4) of this section, finds that expunction is  
11 in the best interests of the person and the public.

12 (4) In making the findings required by subsection (3) of this section, the court shall  
13 consider:

14 (a) The extent of physical or emotional injury suffered by the victim;

15 (b) The use or threatened use of force during the offense;

16 (c) The number of offenses committed by the person;

17 (d) The statements and recommendations of the victim or the victim's parents if the  
18 victim was under 18 years of age;

19 (e) The premeditated and willful manner in which the offense was committed;

20 (f) The age difference between the victim and the person;

21 (g) The person's willingness to accept personal responsibility for the offense;

22 (h) The person's participation in, and the duration of participation in, appropriate  
23 crime-specific treatment and rehabilitation programs;

24 (i) Reports and recommendations from the person's treatment providers;

25 (j) The person's efforts to pay the victim's expenses for counseling and other trauma-  
26 related services or other efforts to mitigate the effects of the crime;

27 (k) The person's employment history;

28 (L) The protection afforded the public by the continued existence of the records; and

29 (m) The person's subsequent criminal history, if any.

30 (5) A person may submit no more than two applications for the expunction of a record  
31 under this section. At least two years must elapse between the applications.

32 (6) The provisions of ORS 419A.262 (8) apply to an application for expunction under this  
33 section. In addition, the application must be accompanied by a fee, payable to the court, in  
34 an amount, determined by the court, to cover the actual costs incurred by the court, juvenile  
35 departments, institutions and law enforcement and other agencies in expunging the records.

36 (7) The court shall notify the following of an application for expunction under this section  
37 and of the time and place of the hearing:

38 (a) The district attorney of the county in which the expunction proceeding is commenced  
39 and the district attorney of each county in which a record sought to be expunged is kept;

40 (b) The juvenile department of each county in which a record sought to be expunged is  
41 kept; and

42 (c) The victim, and the victim's parents if the victim was under 18 years of age.

43 (8) The court shall conduct a hearing on an application for expunction in accordance with  
44 the provisions of ORS 419B.195, 419B.198, 419B.201, 419B.205, 419B.208, 419B.310, 419B.317 and  
45 419B.320. Rules of evidence are the same as in a hearing to establish juvenile court jurisdic-

1 tion. The person requesting expunction has the burden of proof.

2 (9) At the conclusion of the hearing, the court shall issue an order granting or denying  
3 the application. The order is a final order for purposes of appeal.

4 (10) When a court grants an application for expunction, the court shall send a copy of  
5 the order to each agency subject to the order. The provisions of ORS 419A.262 (10) to (25)  
6 apply to an order of expunction under this section.

7 SECTION 78. ORS 419B.328 is amended to read:

8 419B.328. (1) A child found to be within the jurisdiction of the court as provided in ORS  
9 419B.100, may be made a ward of the court.

10 (2) The court's wardship over a child found to be within the jurisdiction of the court as  
11 provided in ORS 419B.100 continues, and the child is subject to the court's jurisdiction, until  
12 one of the following occurs:

13 (a) The court dismisses the petition concerning the child;

14 (b) The court transfers jurisdiction over the child as provided in ORS 419B.127, 419B.130  
15 and 419B.132;

16 (c) The court enters an order terminating the wardship;

17 (d) A decree of adoption of the child is entered by a court of competent jurisdiction; or

18 (e) The child becomes 21 years of age.

19 SECTION 79. Section 80 of this Act is added to and made a part of ORS chapter 419C.

20 SECTION 80. The Legislative Assembly declares that the purposes of Oregon's juvenile  
21 justice system are to protect the public, reduce juvenile delinquency and rehabilitate youth  
22 offenders. The juvenile justice system, as established and applied through the provisions of  
23 ORS chapter 419C, is founded on the principles of personal responsibility, accountability and  
24 reformation, within the context of public safety. The system shall provide a continuum of  
25 services that emphasize prevention of further delinquent behavior and activity through the  
26 use of early, certain sanctions, reformation programs and swift, decisive intervention in de-  
27 linquent behavior. The policies, services and rules used to carry out this mission must be  
28 regularly subject to independent evaluation of effectiveness in providing public safety and  
29 preventing a return to crime.

30 SECTION 81. ORS 419C.005 is amended to read:

31 419C.005. (1) Except as otherwise provided in sections 54, 55 and 56 of this 1995 Act, the  
32 juvenile court has exclusive original jurisdiction in any case involving a person who is under 18  
33 years of age and who has committed an act which is a violation, or which if done by an adult would  
34 constitute a violation, of a law or ordinance of the United States or a state, county or city.

35 (2) The provisions of subsection (1) of this section do not prevent a court of competent juris-  
36 diction from entertaining a civil action or suit involving a child.

37 (3) The court shall have no further jurisdiction as provided in subsection (1) of this section after  
38 a minor has been emancipated pursuant to ORS 419B.550 to 419B.558.

39 (4) The court's wardship over a person found to be within the court's jurisdiction under  
40 this section or section 89 of this 1995 Act continues, and the person is subject to the court's  
41 jurisdiction, until one of the following occurs:

42 (a) The court dismisses a petition filed under this chapter or waives the case under ORS  
43 419C.340. If wardship is based on a previous adjudication, then dismissal or waiver of a later  
44 case does not terminate wardship under the previous case unless the court so orders.

45 (b) The court transfers jurisdiction of the case as provided in ORS 419C.053, 419C.056 and

1 419C.059.

2 (c) The court enters an order terminating wardship.

3 (d) The person becomes 25 years of age.

4 SECTION 82. ORS 419C.230 is amended to read:

5 419C.230. (1) An informal disposition agreement may be entered into when a [child] youth has  
6 been referred to a county juvenile department, and a juvenile department counselor has probable  
7 cause to believe that the [child] youth may be found to be within the jurisdiction of the juvenile  
8 court for one or more acts specified in ORS 419C.005.

9 (2) Notwithstanding subsection (1) of this section, an informal disposition agreement may  
10 not be entered into when the youth is alleged to have committed an act that if committed  
11 by an adult would constitute a felony.

12 SECTION 83. ORS 419C.239 is amended to read:

13 419C.239. (1) An informal disposition agreement shall:

14 [(1)] (a) Be completed within a period of time not to exceed six months;

15 [(2)] (b) Be voluntarily entered into by all parties;

16 [(3)] (c) Be revocable by the [child] youth at any time by a written revocation;

17 [(4)] (d) Be revocable by the juvenile department in the event the department has reasonable  
18 cause to believe the [child] youth has failed to carry out the terms of the informal disposition  
19 agreement or has committed a subsequent offense;

20 [(5)] (e) Not be used as evidence against the [child] youth at any adjudicatory hearing;

21 [(6) *Not require admission of guilt or be used as evidence of guilt;*]

22 [(7)] (f) Be executed in writing and expressed in language understandable to the persons in-  
23 volved;

24 [(8)] (g) Be signed by the juvenile department, the [child] youth, the [child's] youth's parent or  
25 parents or legal guardian, and the [child's] youth's counsel, if any;

26 [(9)] (h) Become part of the [child's] youth's juvenile department record; and

27 [(10)] (i) When the [child] youth has been charged with having committed the [child's] youth's  
28 first violation of a provision under ORS 475.992 prohibiting delivery for no consideration of less than  
29 five grams of marijuana or prohibiting possession of less than one ounce of marijuana and unless the  
30 juvenile department determines that it would be inappropriate in the particular case:

31 [(a)] (A) Require the [child] youth to participate in a diagnostic assessment and an information  
32 or treatment program as recommended by the assessment. The agencies or organizations providing  
33 assessment or programs of information or treatment must be the same as those designated by the  
34 court under ORS 419C.443 (1) and must meet the standards set by the Assistant Director for Alcohol  
35 and Drug Abuse Programs. The parent of the [child] youth shall pay the cost of the [child's] youth's  
36 participation in the program based upon the ability of the parent to pay. If the program finds the  
37 parent is indigent, as defined by the rules of the Assistant Director for Alcohol and Drug Abuse  
38 Programs, reimbursement of program expenses can be made at rates established by rule of the As-  
39 sistant Director for Alcohol and Drug Abuse Programs, and subject to the availability, from the  
40 moneys transferred to the Department of Human Resources under ORS 137.303 for use by alcohol  
41 and drug abuse programs.

42 [(b)] (B) Monitor the [child's] youth's progress in the program which shall be the responsibility  
43 of the diagnostic assessment agency or organization. It shall make a report to the juvenile depart-  
44 ment stating the [child's] youth's successful completion or failure to complete all or any part of the  
45 program specified by the diagnostic assessment. The form of the report shall be determined by

1 agreement between the juvenile department and the diagnostic assessment agency or organization.  
 2 The juvenile department shall make the report a part of the record of the case.

3 (2) **Informal disposition agreements are subject to disclosure to the same extent as re-**  
 4 **ords under ORS 419A.255 (5).**

5 **SECTION 84.** ORS 419C.250 is amended to read:

6 419C.250. (1) The state, acting through the district attorney, Attorney General or juvenile de-  
 7 partment counselor, **with the agreement and authorization of the district attorney**, may file a  
 8 petition alleging that a child is within the jurisdiction of the court as provided in ORS 419C.005.

9 (2) At any time after a petition is filed, the court may make an order providing for the tempo-  
 10 rary custody of the child.

11 (3) The court may dismiss the petition at any stage of the proceedings.

12 (4) The petition and all subsequent court documents in the proceeding shall be entitled, "In the  
 13 Matter of \_\_\_\_\_, a child." The petition shall be in writing and verified upon the infor-  
 14 mation and belief of the petitioner.

15 (5) **The district attorney may not delay or prevent the filing of a petition under this**  
 16 **section for the sole purpose of allowing the person to attain the age at which the person**  
 17 **may be charged and prosecuted as an adult.**

18 **SECTION 85.** ORS 419C.352 is amended to read:

19 419C.352. A person under [16] 15 years of age at the time of filing a petition under this  
 20 chapter shall not be waived for disposition as an adult under ORS 419C.349 unless the [child] per-  
 21 son is represented by counsel during the waiver proceedings and is alleged to have committed an  
 22 act or acts that if committed by an adult would constitute one or more of the following crimes:

23 (1) Murder or any aggravated form thereof under ORS 163.095 or 163.115, or an attempt to  
 24 commit murder or aggravated murder;

25 (2) Manslaughter in the first degree under ORS 163.118;

26 (3) Assault in the first degree under ORS 163.185;

27 (4) Rape in the first degree under ORS 163.375 (1)(a);

28 (5) Sodomy in the first degree under ORS 163.405 (1)(a); [or]

29 (6) **Unlawful sexual penetration in the first degree under ORS 163.411 (1)(a); or**

30 [(6)] (7) Robbery in the first degree under ORS 164.415.

31 **SECTION 86.** ORS 419C.374 is amended to read:

32 419C.374. (1) A petition relating to boating or game offenses shall be filed as provided in ORS  
 33 419C.250, 419C.255 and 419C.258. Motor vehicle offenses are subject to ORS 809.370.

34 (2) Summons as provided in ORS 419C.300 shall be issued to the parent or other person having  
 35 physical custody of the [child] youth, requiring the parent or other person to appear with the  
 36 [child] youth before the court at the time and place stated in the summons.

37 (3) The summons may be served as provided in ORS 419C.309, 419C.312 and 419C.315 or by  
 38 mailing a copy thereof to the parent or other person having physical custody of the [child] youth.  
 39 If the summons is served personally, a warrant may be issued as provided in ORS 419C.320.

40 (4) A hearing shall be held as provided in ORS 419C.142, 419C.280 and 419C.400. At the termi-  
 41 nation of the hearing, if the court finds the matters alleged in the petition to be true, it may enter  
 42 an order finding the [child] youth to be a [juvenile]:

43 (a) **Youth** motor vehicle offender and dispose of the case as provided in ORS 809.370; or

44 (b) **Youth** boating law offender or a game law offender and may dispose of the case as provided  
 45 in subsection (5) of this section.

1 (5) In a proceeding under this chapter, the juvenile court may suspend a hunting or fishing li-  
 2 cense or permit where a game violation is involved and may make such other recommendations  
 3 where a boating violation is involved.

4 **SECTION 87.** ORS 419C.411 is amended to read:

5 419C.411. (1) At the termination of the hearing or hearings in the proceeding or after entry  
 6 of an order under section 89 of this 1995 Act, the court shall enter an appropriate order directing  
 7 the disposition to be made of the case.

8 (2) In determining the disposition of the case, the court shall consider and make written  
 9 findings with respect to each of the following:

10 (a) The gravity of the loss, damage or injury caused or attempted during, or as part of,  
 11 the conduct that is the basis for jurisdiction under ORS 419C.005;

12 (b) Whether or not the manner in which the youth engaged in the conduct was aggres-  
 13 sive, violent, premeditated or willful;

14 (c) Whether the youth was held in detention under ORS 419C.145 and, if so, the reasons  
 15 for the detention;

16 (d) If the person is within the court's jurisdiction under section 89 of this 1995 Act, the  
 17 trial court's memorandum of observations and recommendations required by section 55 or  
 18 56 of this 1995 Act;

19 (e) The immediate and future protection required by the victim, the victim's family and  
 20 the community;

21 (f) The youth's juvenile court record and response to the requirements and conditions  
 22 imposed by previous juvenile court orders; and

23 (g) The youth's mental, emotional and physical health and the results of any mental  
 24 health or substance abuse treatment.

25 (3) In addition to the factors listed in subsection (2) of this section, the court may con-  
 26 sider the following:

27 (a) Whether the youth has made any efforts toward reform or rehabilitation or making  
 28 restitution;

29 (b) The youth's educational status and school attendance record;

30 (c) The youth's past and present employment;

31 (d) The disposition proposed by the youth;

32 (e) The recommendations of the district attorney and the juvenile court counselor and  
 33 the statements of the victim and the victim's family; and

34 (f) Any other relevant factors or circumstances raised by the parties.

35 (4) The court shall impose a disposition that is consistent with the principles and pur-  
 36 poses of the juvenile justice system as provided in section 80 of this 1995 Act.

37 **SECTION 88.** Section 89 of this Act is added to and made a part of ORS chapter 419C.

38 **SECTION 89.** (1) Except as otherwise provided in subsection (2) of this section, when a  
 39 case is transferred to the juvenile court under section 55 or 56 of this 1995 Act, the juvenile  
 40 court shall enter an order finding the youth within the jurisdiction of the court under ORS  
 41 419C.005 based on the verdict of the trial court. The juvenile court's order has the same ef-  
 42 fect as an adjudication under ORS 419C.400.

43 (2) If the district attorney files a motion for an order of waiver under ORS 419C.340 and  
 44 a motion for waiver would be authorized in a case if the offense for which the youth was  
 45 convicted in the trial court had been alleged in a petition filed under ORS 419C.250, the ju-

1 venile court shall hold a hearing as provided for waiver to determine whether the motion  
2 should be allowed or denied.

3 (3) If, after a hearing under subsection (2) of this section, the court:

4 (a) Denies the motion, the court shall enter an order as provided in subsection (1) of this  
5 section.

6 (b) Allows the motion, the court shall enter an order transferring the case to the trial  
7 court for disposition of the verdict of guilt.

8 **SECTION 90.** ORS 419C.450 is amended to read:

9 419C.450. (1) It is the policy of the State of Oregon to encourage and promote the payment of  
10 restitution and other obligations by [*juvenile*] youth offenders as well as by adult offenders. In any  
11 case within the jurisdiction of the juvenile court pursuant to ORS 419C.005 in which the [*child*]  
12 youth caused another person any physical injury or any loss of or damage to property, the court  
13 shall consider restitution to the victim to be of high priority. There shall be a rebuttable  
14 presumption that the obligation to make such restitution is in the best interest of the [*child*] youth  
15 as well as of the victim and society.

16 (2) Restitution for physical injury inflicted upon a person by the [*child*] youth and for property  
17 taken, damaged or destroyed by the [*child*] youth may be required as a condition of probation.  
18 Restitution does not limit or impair the right of a victim to sue in a civil action for damages suf-  
19 fered, nor shall the fact of consultation by the victim be admissible in such civil action to prove  
20 consent or agreement by the victim. However, the court shall credit any restitution paid by the  
21 [*child*] youth to a victim against any judgment in favor of the victim in such civil action. Before  
22 setting the amount of such restitution, the court shall notify the person upon whom the physical  
23 injury was inflicted or the owner of the property taken, damaged or destroyed and give such person  
24 an opportunity to be heard on the issue of restitution.

25 (3) If the [*child*] youth has been placed in custody of the [*Children's Services Division*] De-  
26 partment of Youth Authority on probation or for placement at a [*juvenile training school*] youth  
27 correction facility, the court may order that the [*child*] youth pay restitution, as provided in this  
28 section, and any assessment under ORS 137.290. In determining whether or not to order restitution  
29 or payment of an assessment under ORS 137.290 and, if so, the conditions of payment, the court shall  
30 take into consideration the availability to the [*child*] youth of paid employment during such time  
31 as the [*child*] youth may be committed to a [*juvenile training school*] youth correction facility.

32 (4) In determining whether or not to order restitution or an assessment under ORS 137.290, the  
33 court shall take into account:

34 (a) The financial resources of the [*child*] youth and the burden that payment of restitution will  
35 impose, with due regard to the other obligations of the [*child*] youth;

36 (b) The present and future ability of the [*child*] youth to pay restitution on an installment basis  
37 or on other conditions to be fixed by the court; and

38 (c) The rehabilitative effect on the [*child*] youth of the payment of restitution and the method  
39 of payment.

40 (5) Notwithstanding ORS 419C.501 and 419C.504, when the court has ordered a [*child*] youth to  
41 pay restitution, as provided in this section, the judgment may be docketed and, if so, shall have the  
42 same effect as a judgment in a civil action, as provided in ORS 18.320, 18.350, 18.360 and 18.400. The  
43 judgment is in favor of the state and may be enforced only by the state. Notwithstanding ORS  
44 419A.255, a judgment for restitution docketed under this subsection is a public record. The require-  
45 ments of ORS 137.071 (9) apply to a judgment under this subsection.

1        **SECTION 91.** ORS 419C.470 is amended to read:

2        419C.470. The [*Children's Services Division*] **Department of Youth Authority** and county ju-  
3        venile departments, respectively, and to the extent practicable, shall create opportunities for [*juve-*  
4        *nile*] **youth** offenders placed in the legal custody of the [*division*] **department** or under the  
5        supervision of a county juvenile department to pay restitution as ordered by the court and the as-  
6        sessment under ORS 137.290, and to perform any community service ordered by the court, as well  
7        as to fulfill any other obligation imposed by the court.

8        **SECTION 92.** ORS 419C.501 is amended to read:

9        419C.501. The duration of any disposition made pursuant to this chapter shall be fixed by the  
10       court and may be for an indefinite period. Any placement in the legal custody of the [*Children's*  
11       *Services Division*] **Department of Youth Authority** shall be for an indefinite period. However, in  
12       cases under ORS 419C.005, the period of any disposition made pursuant to this chapter shall not  
13       exceed the maximum period of institutionalization or commitment authorized if the act had been  
14       committed by an adult. The period of any disposition shall not extend beyond the date on which the  
15       [*child*] **youth offender** becomes [21] 25 years of age.

16       **SECTION 93.** ORS 419C.504 is amended to read:

17       419C.504. In any case under ORS 419C.005 the court, notwithstanding ORS 419C.501, may place  
18       the [*child*] **youth offender** on probation to the court for a period not to exceed five years. However,  
19       the period of probation shall not extend beyond the date on which the [*child*] **youth offender** be-  
20       comes [21] 23 years of age.

21       **SECTION 94.** ORS 419C.575 is amended to read:

22       419C.575. If the court finds that the parent's or guardian's addiction to or habitual use of alcohol  
23       or controlled substances has significantly contributed to the circumstances bringing the [*child*]  
24       **youth** within the jurisdiction of the court in a proceeding under ORS 419C.005, the court may con-  
25       duct a special hearing to determine if the court should order the parent or guardian to participate  
26       in treatment and pay the costs thereof. Notice of this hearing shall be by special petition and sum-  
27       mons to be filed by the court and served upon the parent or guardian. The court shall appoint  
28       counsel to represent the parent or guardian if the parent or guardian is eligible under ORS 135.050.  
29       If, at this hearing, the court finds it is in the best interest of the [*juvenile*] **youth** for the parent or  
30       guardian to be directly involved in treatment, the judge may order the parent or guardian to par-  
31       ticipate in treatment. The dispositional order shall be in writing and shall contain appropriate  
32       findings of fact and conclusions of law. The judge shall state with particularity, both orally and in  
33       the written order of the disposition, the precise terms of the disposition.

34       **SECTION 95.** ORS 420.005 is amended to read:

35       420.005. As used in ORS 420.005 to 420.045, 420.060 to 420.320, 420.810 to 420.840 and 420.905 to  
36       420.915, unless the context requires otherwise:

37       [(1) "*Assistant director*" means the Assistant Director for Children's Services.]

38       [(2) "*Division*" means the Children's Services Division.]

39       [(3) "*Juvenile training schools*" means the Hillcrest School of Oregon, the MacLaren School for  
40       Boys and any other school established by law for similar purposes, and includes the other camps and  
41       programs maintained under this chapter.]

42       [(4) "*Student*" means any person committed to a juvenile training school, including persons con-  
43       fined to a state hospital by virtue of a transfer from a juvenile training school, and any person who  
44       is on parole from a juvenile training school.]

45       (1) "**Department**" means the Department of Youth Authority.

1 (2) "Design capacity" means the number of youths a youth correction facility is able to  
2 hold based on applicable safety codes and standards.

3 (3) "Director" means the Director of the Department of Youth Authority.

4 (4) "Youth correction facility" means facilities used for the confinement of youths sen-  
5 tenced to the custody of the department and includes training schools, accountability camps,  
6 restitution centers, regional residential academies and satellites, camps or branches of those  
7 facilities.

8 (5) "Youth offender" has the meaning given that term in ORS 419A.004.

9 **SECTION 96.** ORS 420.011 is amended to read:

10 420.011. (1) Except as provided in subsections (2) and (3) of this section, admissions to the [*ju-*  
11 *venile training schools*] **youth correction facilities** are limited to persons 12 years of age and older  
12 but less than 19 years of age, found by the juvenile court to be within the court's jurisdiction by  
13 reason of a ground set forth in ORS 419C.495 and placed in the legal custody of the [*Children's*  
14 *Services Division*] **Department of Youth Authority**. No [*child*] **youth** under the age of 12 years  
15 may be admitted to, received by or cared for in a [*juvenile training school*] **youth correction**  
16 **facility**. No [*child*] **youth** admitted to a [*juvenile training school*] **youth correction facility** shall  
17 be transferred by administrative process to any penal or correctional institution.

18 (2) In addition to the persons placed in the legal custody of the [*Children's Services Division*]  
19 **department** under ORS [*419B.337 (1),*] 419C.478 (1) or 419C.481 and with the concurrence of the  
20 [*assistant*] director or designee, persons under the age of 21 years who are committed to the custody  
21 of the Department of Corrections under ORS 137.124 may be temporarily assigned to a [*juvenile*  
22 *training school*] **youth correction facility** by the Department of Corrections. A person assigned on  
23 such a temporary basis remains within the legal custody of the Department of Corrections under  
24 ORS 137.124 and such assignment shall be subject to termination by the [*Assistant*] director [*for*  
25 *Children's Services*] by referring such youths back to the Department of Corrections.

26 (3) Any person under 18 years of age who, after waiver under ORS 419C.349, 419C.352, 419C.364  
27 or 419C.370, is sentenced to a term of imprisonment in the custody of the Department of Corrections,  
28 and any person under 16 years of age who after waiver is sentenced to a term of imprisonment in  
29 the county jail, shall be temporarily assigned to a [*juvenile training school*] **youth correction fa-**  
30 **cility** by the Department of Corrections, or by the sheriff to whose custody the person has been  
31 committed, pursuant to ORS 137.124 (4). The [*Children's Services Division*] **director** shall designate  
32 the appropriate [*juvenile training school*] **youth correction facility** or schools for such assignment.  
33 A person assigned to a [*juvenile training school*] **youth correction facility** under ORS 137.124 (4)  
34 and this subsection remains within the legal custody of the Department of Corrections or sheriff to  
35 whose custody the person was committed. The assignment of such a person to the [*juvenile training*  
36 *school shall be*] **youth correction facility** is subject, when the person is 16 years of age or older,  
37 to termination by the [*Assistant*] director [*for Children's Services*] by referring the person back to  
38 the Department of Corrections or the sheriff to serve the balance of the person's sentence. Assign-  
39 ment to a [*juvenile training school*] **youth correction facility** pursuant to ORS 137.124 (4) and this  
40 subsection, if not terminated earlier by the [*Assistant*] director [*for Children's Services*], shall ter-  
41minate upon the person's attaining the age of 21 years, and the person shall be referred to the De-  
42partment of Corrections or the sheriff having legal custody of the person to serve the balance of the  
43person's sentence.

44 (4) Whenever a person committed to the custody of the Department of Corrections is temporarily  
45 assigned to a [*juvenile training school*] **youth correction facility** pursuant to this section, the

1 [Children's Services Division] department shall have authority to provide such programs and treat-  
 2 ment for such person, and to adopt rules relating to conditions of confinement at the [training  
 3 school] youth correction facility, as the [Children's Services Division shall determine] department  
 4 determines are appropriate. However, the person shall remain subject to laws and rules of the State  
 5 Board of Parole and Post-Prison Supervision relating to parole.

6 **SECTION 97.** ORS 420.014 is amended to read:

7 420.014. (1) The total population of children confined in the [juvenile training schools, as defined  
 8 in ORS 420.005, for calendar year 1993 shall not exceed 513] youth correction facilities may not  
 9 exceed the design capacity of the facilities designated for close custody purposes by the Di-  
 10 rector of the Department of Youth Authority. The total population limit shall not include  
 11 offenders in the juvenile training schools who were [remanded] waived by the juvenile court to be  
 12 prosecuted as adults or who were prosecuted as adults under section 55 or 56 of this 1995  
 13 Act. [The total limit shall be indexed to increase or decrease based on the change in the general pop-  
 14 ulation of persons under 18 years of age, with the base number of 513 on January 1, 1993. Thereafter,  
 15 the total limit shall be revised on January 1 of each year.]

16 (2) The [Assistant] director [for Children's Services] by rule shall determine reasonable standards  
 17 for care and treatment of [juvenile] youth offenders housed in [juvenile training schools] youth  
 18 correction facilities. Within the total limit established under subsection (1) of this section, the  
 19 [assistant] director shall establish and impose a maximum allowable population level for each [juve-  
 20 nile training school] youth correction facility. The maximum allowable population shall not exceed  
 21 the design capacity for the school and shall be further limited by the ability of the facility to meet  
 22 the standard of care and treatment established by rule under this subsection, protect communities,  
 23 hold [juvenile] youth offenders accountable for their behavior and improve the competency of [stu-  
 24 dents] youth offenders to become responsible and productive members of their communities.

25 (3) The [Assistant] director [for Children's Services] by rule shall establish criteria upon which  
 26 the decision to place a [child] youth in a [juvenile training school] youth correction facility must  
 27 be based, and which, in turn, shall be based upon behaviors and characteristics of [children] youths  
 28 otherwise eligible for commitment to a [training school] youth correction facility.

29 (4) After conferring with the juvenile court judges and the State Commission on Children and  
 30 Families, the [Assistant] director [for Children's Services] shall develop and implement by rule, a  
 31 method of controlling admissions to the [juvenile training schools] youth correction facilities so as  
 32 not to exceed maximum levels determined under subsections (1) and (2) of this section.

33 **SECTION 98.** ORS 420.017 is amended to read:

34 420.017. (1) The [Children's Services Division or the State Office for Services to Children and  
 35 Families] Department of Youth Authority shall develop annually a plan for diversion of delin-  
 36 quent youth from commitment to the [juvenile training schools] youth correction facilities to al-  
 37 ternative community services.

38 (2) In consultation with the local commissions on children and families established under ORS  
 39 417.760, the juvenile departments shall develop a plan for services needed to divert the commitment  
 40 of youth from the [juvenile training schools] youth correction facilities, and how these services are  
 41 to be administered if funds are provided. Following review and comment by local commissions, the  
 42 plan must be approved in the form of a resolution by the governing body of the appropriate county  
 43 and of a letter of concurrence from the presiding judge of the juvenile court having jurisdiction in  
 44 juvenile cases.

45 (3) The [division or the office] department shall develop a statewide diversion plan after taking

1 the local juvenile departments' plans into consideration.

2 **SECTION 99.** ORS 420.019 is amended to read:

3 420.019. (1)(a) The [*Children's Services Division*] **Department of Youth Authority** may contract  
4 with the governing body of [*the*] a county or two or more counties, if the counties have joined  
5 together as a consortium or region, for implementing the statewide diversion plan for juvenile  
6 parole services or out-of-home placement.

7 [(2)] (b) Pursuant to ORS 418.495, the [*division*] **department** shall enter into contracts with the  
8 governing body of the county or counties to provide services to delinquent youth identified as di-  
9 verted, in out-of-home placement, or on parole from the [*state juvenile training schools*] youth  
10 correction facilities.

11 [(3)] (c) The governing body of the county or counties may subcontract for services as stipu-  
12 lated in the contract with the [*division*] **department**.

13 [(4)] (d) The [*division shall be*] **department** is responsible for performance auditing of contracts  
14 and subcontracts.

15 [(5) *The division*] (e) **The department** shall contract directly with service providers in those  
16 counties where the governing body of the county or counties chooses not to contract with the [*di-*  
17 *vision*] **department**.

18 [(6)] (f) The funds provided [*for services*] to implement the diversion plan or provide for out-  
19 of-home placement or parole services shall not be used by a county to supplant moneys otherwise  
20 provided to the county juvenile department for services to delinquent youth.

21 (2)(a) Unless otherwise provided in the contract, a county that is contracting with the  
22 department under subsection (1) of this section shall supervise state employees providing  
23 parole and probation services within the county.

24 (b) Supervision under this subsection includes discipline, performance evaluation, train-  
25 ing and all other functions previously carried out by state employed supervisors.

26 (3) Notwithstanding ORS 236.605 to 236.650, a state employee serving within a county that  
27 has contracted with the state under subsection (1) of this section may exercise the option,  
28 subject to county approval, to transfer to county employment in accordance with the fol-  
29 lowing provisions:

30 (a) The employee, upon transfer, is subject to the rules for bargaining agreements of the  
31 receiving employer relating to salary and retirement benefits.

32 (b) The employee, upon transfer, retains any accrued sick leave. The employee may elect  
33 to retain up to 80 hours of vacation leave at the time of transfer. Additional vacation leave  
34 may be retained if agreed to by the transferring employer, the receiving employer and the  
35 employee. After the transfer, the rules of the receiving employer or any applicable bargaining  
36 agreement apply to requests for leave.

37 (c) If the employee is subject to a waiting period for coverage of preexisting conditions  
38 under the health insurance plan of the receiving employer, the receiving employer shall ar-  
39 range for a waiver of the waiting period with its health insurer. The transferring employer  
40 shall reimburse the receiving employer for any additional premium costs resulting from the  
41 waiver for a period not to exceed 12 months.

42 (d) If the employee was serving a probationary period with the employer at the time of  
43 transfer, the past services of the employee on probation apply on the regular probation re-  
44 quirements of the receiving employer.

45 (e) The employee retains the same seniority that the employee accrued under prior em-

1 ployment, but no regular employee of the receiving employer may be demoted or laid off by  
 2 reason of that seniority at the time the transfer occurs. Thereafter, the employee's seniority  
 3 from the transferring employer is regarded as seniority acquired under the receiving em-  
 4 ployer.

5 (f) At the end of a contract under subsection (1) of this section, the transferred employee  
 6 is entitled to the position the employee had with the state prior to the transfer, if the em-  
 7 ployee is an employee in good standing of the receiving employer at the termination of the  
 8 contract.

9 (4)(a) Funding for any position held by a state employee who transfers to county em-  
 10 ployment under this section continues to be provided to the county at the level funded at the  
 11 time of transfer, subject to cost of living increases agreed upon between the parties in the  
 12 contract.

13 (b) Whenever a position transferred to the county is vacated, the funding provided to the  
 14 county for the position must be transferred to the county. The state shall pay an amount  
 15 to the county for personnel and support costs as determined in subsection (2)(a) of this  
 16 section equal to the level of funding for the position at the time the position was vacated.  
 17 The state's obligation for personnel and support costs must be adjusted at the beginning of  
 18 each fiscal year by a percentage equal to the increase or decrease in the department's per-  
 19 sonnel budget compared to the previous fiscal year.

20 (5) Notwithstanding any other provision of law, and notwithstanding any collective bar-  
 21 gaining agreement, the state and county may agree to provide a one-time incentive for a  
 22 state employee to transfer to county employment under the provisions of this section. The  
 23 form and amount of any incentive may be, but need not be, provided in the contract.

24 SECTION 100. ORS 420.021 is amended to read:

25 420.021. All traveling and other expenses incurred in placing a person in a [*juvenile training*  
 26 *school*] youth correction facility in the legal custody of the [*Children's Services Division*] Depart-  
 27 ment of Youth Authority and delivering the person into the custody of the [*division*] department  
 28 under ORS 419B.337 (1), 419C.478 (1) or 419C.481 shall be borne by the county from which the person  
 29 was placed in the legal custody of the [*division*] department.

30 SECTION 101. ORS 420.031 is amended to read:

31 420.031. (1) The granting of legal custody and guardianship over the child's person to the [*Chil-*  
 32 *dren's Services Division*] Department of Youth Authority does not terminate the juvenile court's  
 33 wardship over the child.

34 (2) Upon parole of the person from a [*juvenile training school*] youth correction facility, the  
 35 legal custody of the person is vested in the parents of the person or other person to whom the  
 36 person is returned, subject to ORS 420.045 (3).

37 SECTION 102. ORS 420.040 is amended to read:

38 420.040. The [*juvenile training schools*] youth correction facility, the superintendents thereof,  
 39 the [*assistant*] director and personnel of the [*Children's Services Division*] Department of Youth  
 40 Authority are not liable for any damages whatsoever that are sustained by any person on account  
 41 of the actions or misconduct of a [*student of a juvenile training school*] youth offender placed in a  
 42 youth correction facility.

43 SECTION 103. ORS 420.045 is amended to read:

44 420.045. (1) Upon finding that a [*student of a juvenile training school*] youth offender placed in  
 45 a youth correction facility is ready for release therefrom and that the [*student*] youth offender

1 had best be returned to the parent or guardian of the [student] youth offender or to a suitable and  
 2 desirable home or facility, the [Assistant director for Children's Services or the authorized represen-  
 3 tative of the assistant director,] Youth Offender Review Panel may, after advising the committing  
 4 court, release the [student] youth offender on parole conditioned upon good behavior.

5 (2) At such time as the [Assistant Director for Children's Services or the authorized representative  
 6 of the assistant director,] Youth Offender Review Panel finds that final release is compatible with  
 7 the [welfare of society and the student] safety of the community and the best interests of the  
 8 youth offender, with the consent of the committing court, the [Assistant Director for Children's  
 9 Services or the authorized representative of the assistant director] Youth Offender Review Panel may  
 10 make and issue a final order discharging the [student] youth offender.

11 (3) The [Assistant Director for Children's Services or the authorized representative of the assistant  
 12 director] Youth Offender Review Panel may revoke a parole if the conditions of the parole have  
 13 been violated or if the continuation of the [student] youth offender on parole would not be in the  
 14 best interests of the [student] youth offender or the community. After the revocation of parole, the  
 15 [assistant director of the division or the authorized representative of the assistant director] Youth  
 16 Offender Review Panel shall immediately advise the committing court thereof.

17 SECTION 104. ORS 420.060 is amended to read:

18 420.060. (1) Upon finding that the education and training of a [student of a juvenile training  
 19 school] youth offender placed in a youth correction facility will be furthered if the [student]  
 20 youth offender is permitted to work at gainful employment on a temporary basis, the superinten-  
 21 dent may enter into an agreement with any suitable person or business establishment for the tem-  
 22 porary employment of the [student] youth offender.

23 (2) For the purposes of ORS 420.060 to 420.074, ["juvenile training school"] "youth correction  
 24 facility" includes youth care centers as defined in ORS 420.855 and approved by the [Children's  
 25 Services Division] Department of Youth Authority pursuant to ORS 420.865, and  
 26 "superintendent" includes the person in charge of any such youth care center.

27 SECTION 105. ORS 420.065 is amended to read:

28 420.065. (1) Such agreements shall provide for compensation to be paid for the [student's] youth  
 29 offender's work at the prevailing wages for such work in the community where the [student] youth  
 30 offender is employed or at a wage rate approved by the superintendent.

31 (2) All sums earned by a [student of a juvenile training school] youth offender placed in a youth  
 32 correction facility, other than amounts involuntarily withheld by the employer of the [student]  
 33 youth offender, shall be paid directly to the superintendent or to the [student] youth offender if  
 34 so directed by the superintendent. All moneys received by the superintendent under this section  
 35 shall be placed in a trust account to be used solely for the benefit of the [student] youth offender.

36 SECTION 106. ORS 420.070 is amended to read:

37 420.070. [A student of a juvenile training school] While temporarily employed under ORS 420.060  
 38 to 420.074, a youth offender placed in a youth correction facility shall remain in the legal cus-  
 39 tody of the superintendent. The superintendent shall continue to exercise appropriate supervision  
 40 over the [student] youth offender during the period of the temporary employment of the [student]  
 41 youth offender.

42 SECTION 107. ORS 420.074 is amended to read:

43 420.074. [Students of a juvenile training school] While temporarily employed under the provisions  
 44 of ORS 420.060 to 420.074, youth offenders placed in a youth correction facility are entitled to  
 45 the protection and benefits of ORS chapters 652, 654 and 656 to the same extent as other employees

1 of their employer under 21, except that:

2 (1) Payment of wages by an employer of a *[student]* **youth offender** directly to the superinten-  
3 dent as provided by ORS 420.065 (2) shall not be deemed in violation of ORS chapter 652; **and**

4 (2) Compensation paid under ORS chapter 656 that is not expended on medical services shall  
5 be treated in the same manner as the *[student's]* **youth offender's** earnings under ORS 420.065, so  
6 long as the *[student]* **youth offender** remains in the legal custody of the *[juvenile training school or*  
7 *youth care center]* **youth correction facility**.

8 **SECTION 108.** ORS 420.077 is amended to read:

9 420.077. (1) The institution petty cash fund shall be used by the *[Children's Services Division of*  
10 *the Department of Human Resources]* **Department of Youth Authority** to meet immediate spending  
11 needs such as clothing, transportation, supplies, and other incidentals for clients at the *[juvenile*  
12 *training schools as defined by ORS 420.005 (3)]* **youth correction facilities**.

13 (2) The *[Assistant]* Director *[for Children's Services]* of the **Department of Youth Authority**  
14 shall designate custodians for subaccounts of the institution petty cash fund at each of the *[juvenile*  
15 *training schools]* **youth correction facilities**. To establish the subaccounts, the *[division]* depart-  
16 **ment** may prepare vouchers in amounts not to exceed the aggregate sum of \$20,000 in favor of the  
17 persons designated as custodians. Warrants shall be drawn for the amounts of the vouchers.

18 (3) Subject to rule established by the Oregon Department of Administrative Services:

19 (a) The designated custodians may make disbursements as authorized by subsection (1) of this  
20 section.

21 (b) With the approval of the State Treasurer and notwithstanding ORS 293.265, the designated  
22 custodians may hold institution petty cash funds in cash or may deposit them to the account of the  
23 *[Children's Services Division of the Department of Human Resources]* **Department of Youth Au-**  
24 **thority**, in any bank or banks in the state authorized as a depository of state funds, or in the State  
25 Treasury, or may hold part in cash and deposit the remainder.

26 (4) The designated custodians shall at least monthly submit to the *[Assistant]* director *[for*  
27 *Children's Services]* verified reimbursement vouchers properly supported by evidences of disburse-  
28 ments from the subaccounts of the petty cash fund. Upon allowance of the reimbursement vouchers,  
29 the Oregon Department of Administrative Services shall issue a warrant on the State Treasurer in  
30 favor of the designated custodians, payable out of *[Children's Services Division of the Department of*  
31 *Human Resources]* **Department of Youth Authority** trust fund subaccounts equal to the amounts  
32 expended.

33 **SECTION 109.** ORS 420.120 is amended to read:

34 420.120. (1) The MacLaren School *[for Boys]*, located in Marion County, is a training school for  
35 *[male persons]* **youth offenders** under *[21]* **25** years of age. The *[assistant]* Director of the **Depart-**  
36 **ment of Youth Authority** shall equip, conduct, maintain and supervise the school in the same  
37 manner as the *[assistant]* Director does other institutions within the *[Children's Services Division]*  
38 **Department of Youth Authority**.

39 (2) The superintendent, subordinate officers and employees of the school shall use their best and  
40 consistent endeavors to govern, instruct, employ and reform the youths committed to their charge,  
41 to the end that the youths are trained and developed into useful and honorable members of society.

42 (3) The chief *[objects]* **objectives** of the school are educational and reformatory, rather than  
43 penal, but this does not prevent the confinement and discipline of juvenile offenders therein.

44 (4) The superintendent, subject to the approval of the *[assistant]* director, may appoint *[an]* **one**  
45 **or more** assistant *[superintendent]* **superintendents**, who shall be in the unclassified service for

1 purposes of the State Personnel Relations Law.

2 **SECTION 110.** ORS 420.210 is amended to read:

3 420.210. The Superintendent of the MacLaren School [*for Boys*], with the approval of the [*As-*  
4 *stant*] Director [*for Children's Services*] of the **Department of Youth Authority** in cooperation  
5 with any public agency, may establish at any place in this state one or more temporary work and  
6 training camps for any [*boys*] **youth offenders** committed to the MacLaren School [*for Boys*] who  
7 are determined by the superintendent to be qualified and amenable as security risks for work and  
8 training in such camps.

9 **SECTION 111.** ORS 420.215 is amended to read:

10 420.215. Any camp established pursuant to ORS 420.210 on a temporary basis shall be main-  
11 tained and operated under the supervision of the [*superintendent*] **Director of the Department of**  
12 **Youth Authority** and shall be governed, as far as applicable, by the rules and regulations con-  
13 cerning discipline, care and education of the MacLaren School [*for Boys*].

14 **SECTION 112.** ORS 420.220 is amended to read:

15 420.220. [*While at a camp established under ORS 420.210 to 420.235,*] The superintendent is re-  
16 sponsible for the care and custody of all [*boys*] **youth offenders** assigned to [*the camp*] a camp  
17 established under ORS 420.210 to 420.235. The superintendent shall provide the same educational,  
18 training, religious, cultural and medical facilities that are available to the [*boys at the MacLaren*  
19 *School for Boys*] **youth offenders at youth correction facilities**, insofar as this is feasible and  
20 appropriate; provided, that the compulsory school attendance laws are complied with.

21 **SECTION 113.** ORS 420.225 is amended to read:

22 420.225. The superintendent and the persons employed by the superintendent or designated to  
23 have direct control of the [*boys*] **youth offenders** at camp shall cooperate to the fullest extent with  
24 any public agency assisting in the camp program in making assignments and in supervising any work  
25 or training of [*boys*] **youth offenders** who are physically able to perform manual labor.

26 **SECTION 114.** ORS 420.230 is amended to read:

27 420.230. The superintendent, with the approval of the [*Assistant*] Director [*for Children's*  
28 *Services*] of the **Department of Youth Authority**, may enter into contracts with any public agency  
29 cooperating or willing to cooperate in the camp program to carry into effect the purposes of ORS  
30 420.210 to 420.235, providing among other things for the type of work to be performed by [*boys*]  
31 **youth offenders** at any camp, for rate of payment and other matters relating to the maintenance  
32 and training of the [*boys*] **youth offenders** while at a camp.

33 **SECTION 115.** ORS 420.235 is amended to read:

34 420.235. (1) Any [*boy*] **youth offender** who violates the rules and regulations relating to disci-  
35 pline of a camp or who appears to the superintendent to be a bad security risk may be returned to  
36 [*the MacLaren School for Boys*] a more secure youth correction facility on order of the super-  
37 intendent.

38 (2) The transfer of a youth offender to a different youth correction facility under sub-  
39 section (1) of this section must be reviewed by the Youth Offender Review Panel no later  
40 than 72 hours after the transfer.

41 **SECTION 116.** ORS 420.320 is amended to read:

42 420.320. (1) The Hillcrest School of Oregon, located in Marion County, is a training school for  
43 [*female persons*] **youth offenders** under [*21*] 25 years of age.

44 (2) The [*assistant*] **Director of the Department of Youth Authority** shall equip, conduct,  
45 maintain and supervise the school in the same manner as the [*assistant*] director does other state

1 institutions. The school shall be conducted in such manner as to provide an academic and vocational  
2 education to *[its students]* **youth offenders** and to promote their moral, mental and physical welfare.

3 (3) The superintendent, subject to the approval of the *[assistant]* director, may appoint *[an]* **one**  
4 **or more** assistant *[superintendent]* **superintendents**, who shall be in the unclassified service for  
5 purposes of the State Personnel Relations Law.

6 **SECTION 117.** ORS 420.405 is amended to read:

7 420.405. It is the purpose of ORS 237.003, 334.195 and this section that *[children]* **youths** enrolled  
8 in the *[Juvenile]* **Youth** Corrections Education Program under the jurisdiction of the *[Children's*  
9 *Services Division of the Department of Human Resources]* **Department of Youth Authority** be  
10 treated *[as nearly]* the same *[as practicable]* in the distribution of the State School Fund as children  
11 enrolled in common and union high school districts in this state.

12 **SECTION 118.** ORS 420.500 is amended to read:

13 420.500. No *[student of a juvenile training school]* **youth offender in a youth correction facility**  
14 may be transferred to an institution for the mentally ill or mentally deficient for a period of more  
15 than 14 days unless the *[student]* **youth offender** has been committed to an institution for the  
16 mentally ill or mentally deficient in the manner specified in ORS 420.505 and 420.525.

17 **SECTION 119.** ORS 420.505 is amended to read:

18 420.505. (1) A *[juvenile who is a student at a juvenile training school]* **youth offender at a youth**  
19 **correction facility** may apply for admission to an institution for the mentally ill. The application  
20 may be made on behalf of the *[juvenile]* **youth offender** by the parents or legal guardian of the  
21 *[juvenile]* **youth offender**. However, the superintendent shall not be required to cause the exam-  
22 ination of a *[juvenile]* **youth offender** who applies under this section more often than once in six  
23 months.

24 (2) Within five working days after receipt of the application, the superintendent of the *[juvenile*  
25 *training school]* **youth correction facility** shall cause the *[juvenile]* **youth offender** to be examined  
26 by one or more qualified persons at the school and shall request the examination of the *[juvenile]*  
27 **youth offender** by one or more qualified persons employed or designated by the Mental Health and  
28 Developmental Disability Services Division. The examination conducted or authorized by the Mental  
29 Health and Developmental Disability Services Division shall take place within five working days  
30 after receipt of the request from the superintendent. The examiners shall prepare separate reports  
31 and shall submit such reports to the superintendent. A copy of the reports shall be given to the  
32 applicant.

33 (3) If the superintendent finds that there is a probable cause to believe that the *[juvenile]* **youth**  
34 **offender** is mentally ill and that it would be in the best interests of the *[juvenile]* **youth offender**  
35 to be admitted to an institution under the jurisdiction of the Mental Health and Developmental  
36 Disability Services Division, the superintendent shall notify the Mental Health and Developmental  
37 Disability Services Division and shall order the *[juvenile]* **youth offender** transferred pursuant to  
38 ORS 179.475.

39 (4) No *[student at a juvenile training school]* **youth offender at a youth correction facility**  
40 voluntarily admitted to any state institution for the mentally ill under ORS 179.475 shall be detained  
41 therein more than 72 hours after the *[student]* **youth offender** is 21 years of age and has given no-  
42 tice in writing of the desire of the *[student]* **youth offender** to be released. If the *[juvenile]* **youth**  
43 **offender** is under the age of 21 years, the *[juvenile]* **youth offender** may be returned to the *[juvenile*  
44 *training school]* **youth correction facility** after notice in writing has been given by the parent or  
45 legal guardian of the *[juvenile]* **youth offender**, that such parent or guardian desires that the *[ju-*

1 *venile*] youth offender be discharged from the state institution for the mentally ill.

2 **SECTION 120.** ORS 420.525 is amended to read:

3 420.525. The costs of the hearings held under ORS 179.473, 419B.328, 419B.331, 419B.334,  
4 419B.337, 419B.343, 419B.346, 419B.349, 419C.446, 419C.450, 419C.478, 419C.481, 419C.486, 419C.489,  
5 419C.492, 419C.498 and 420.500 to 420.525 and the fees for physicians and other qualified persons  
6 appointed under ORS 179.473, 419B.328, 419B.331, 419B.334, 419B.337, 419B.343, 419B.346, 419B.349,  
7 419C.446, 419C.450, 419C.478, 419C.481, 419C.486, 419C.489, 419C.492, 419C.498 and 420.500 to 420.525  
8 shall be charged to the county of the [*juvenile's*] youth's residence prior to the initial commitment  
9 of the [*juvenile*] youth to a [*juvenile training school*] youth correction facility or to the county of  
10 the inmate's residence prior to the initial commitment of the inmate to a penal or correctional in-  
11 stitution. Attorney fees may also be charged to that county if the [*juvenile*] youth or inmate has  
12 no separate estate or if the parents of the [*juvenile*] youth refuse or are unable to provide an at-  
13 torney.

14 **SECTION 121.** ORS 420.855 is amended to read:

15 420.855. As used in ORS 418.020, 418.025 and 420.855 to 420.885, unless the context requires  
16 otherwise:

17 (1) [*"Child"* means a child between the ages of 12 and 18 who is within the jurisdiction of the ju-  
18 venile court by reason of a ground set forth in ORS 419C.495.]

19 [(2) "*Division*"] "**Department**" means the [*Children's Services Division*] **Department of Youth**  
20 **Authority.**

21 [(3)] (2) "**Juvenile court**" means the court exercising jurisdiction under ORS chapters 419B and  
22 419C in the county.

23 (3) "**Youth**" means a youth as defined in ORS 419A.004 who is at least 12 years of age and  
24 has been found to be within the jurisdiction of the juvenile court under ORS 419C.005.

25 (4) "**Youth care center**" or "**center**" means a facility established and operated by a public or  
26 private agency or a combination thereof, primarily to provide care and rehabilitation services for  
27 [*children*] youths committed to the custody of the youth care center by the juvenile court or placed  
28 by the [*Children's Services Division*] **department**. "**Youth care center**" or "**center**" does not include  
29 detention facilities established under ORS 419A.050 to 419A.057 except that when a county operates  
30 a combined facility to provide both care and rehabilitation services under ORS 420.855 to 420.885,  
31 and detention facilities, the combined facility may be considered a "**youth care center**" to the extent  
32 that it is used to provide the care and rehabilitation services for [*children*] youths not in detention.

33 **SECTION 122.** ORS 420.860 is amended to read:

34 420.860. It is declared to be the policy and intent of the Legislative Assembly that the State of  
35 Oregon shall encourage, aid and financially assist its county governments and public and private  
36 agencies in the establishment and development of youth care centers for [*children*] youths found to  
37 be in need of care and rehabilitation pursuant to ORS [*419B.328, 419B.331, 419B.334, 419B.337,*  
38 *419B.343, 419B.346, 419B.349,*] 419C.446, 419C.450, 419C.478, 419C.481, 419C.486, 419C.489, 419C.492  
39 and 419C.498.

40 **SECTION 123.** ORS 420.865 is amended to read:

41 420.865. (1) The [*Children's Services Division*] **Department of Youth Authority** may place a  
42 [*child*] youth who has been placed in its legal custody pursuant to ORS [*419B.337 (1),*] 419C.478 or  
43 419C.481 in a youth care center if the center complies with the provisions of ORS 420.855 to 420.885  
44 and has been approved by the [*Children's Services Division*] **department**.

45 (2) Placement of a [*child by the Children's Services Division*] youth by the department in a

1 youth care center does not terminate the juvenile court's wardship over the child or the custody  
 2 of the *[Children's Services Division]* department. The center may retain such *[children]* youths in  
 3 full or part-time residential care or, with the consent of the *[Children's Services Division]* depart-  
 4 ment, may place them on a full or part-time basis in foster homes.

5 **SECTION 124.** ORS 420.870 is amended to read:

6 420.870. Approval of the youth care center by the *[Children's Services Division]* Department  
 7 of Youth Authority, required by ORS 420.865, shall be based on reasonable and satisfactory as-  
 8 surance that:

9 (1) Adequate physical facilities exist which comply with applicable rules of the Health Division  
 10 and the State Fire Marshal.

11 (2) There is employment of capable and trained or experienced personnel.

12 (3) The youth care programs include educational, vocational, recreational and counseling op-  
 13 portunities that will be in the best interests of the *[child]* youth.

14 (4) A county must demonstrate that an adequate probation system for *[children]* youths exists  
 15 in the county in order to be eligible for state support for a youth care center.

16 **SECTION 125.** ORS 420.875 is amended to read:

17 420.875. (1) An approved youth care center is eligible for state support from funds appropriated  
 18 to the *[Children's Services Division]* Department of Youth Authority for that purpose to meet its  
 19 operating expenses. Public or private agencies operating a youth care center shall make application  
 20 for state support to the *[division]* department. The application shall contain such information as  
 21 may be required by the *[division]* department.

22 (2) Upon receiving the application, the *[division]* department shall cause an investigation of the  
 23 affairs and methods of the youth care center and, if it finds that the center meets the requirements  
 24 of ORS 420.870, shall grant its application for state support.

25 (3) At such times as the *[Children's Services Division]* department may require, all youth care  
 26 centers receiving state support under the provisions of ORS 420.855 to 420.885, shall file with the  
 27 *[division]* department a financial and statistical report, and a report on the content and conduct  
 28 of the *[program]* youth care center, in such form as may be prescribed by the *[division]* depart-  
 29 ment. If any youth care center fails to file the prescribed reports within 30 calendar days after re-  
 30 quested by the *[division]* department, no further state support shall be paid until it has complied  
 31 with the provisions of this subsection.

32 **SECTION 126.** ORS 420.880 is amended to read:

33 420.880. (1) Subject to the availability of funds, each youth care center that has received ap-  
 34 proval from the *[Children's Services Division]* Department of Youth Authority and continues to  
 35 meet the requirements of ORS 420.855 to 420.885 and the rules of the *[division]* department is eli-  
 36 gible to receive state support in an amount to be negotiated between the youth care center and  
 37 *[Children's Services Division]* the department.

38 (2) Subject to the availability of funds, if in the opinion of the youth care center, the welfare  
 39 of the *[child]* youth requires special care or the interests of the *[child]* youth would be better served  
 40 outside the center, the center, with the consent of the *[Children's Services Division]* department,  
 41 may place the *[child]* youth in foster care or hospital and state support for such *[child]* youth shall  
 42 be allowed to the center in an amount equal to 50 percent of the actual monthly cost for each such  
 43 *[child]* youth.

44 **SECTION 127.** ORS 420.885 is amended to read:

45 420.885. (1) The youth care center shall present to the *[Children's Services Division]* Depart-

1 **ment of Youth Authority** an itemized statement showing the names of the [*children*] youths being  
 2 cared for during the period for which the statement is submitted and the amount which the center  
 3 claims for the period. The [*division*] **department** shall investigate the claim and approve only that  
 4 portion which is in accordance with the provisions of ORS 420.855 to 420.885 and the rules of the  
 5 [*division*] **department**.

6 (2) When certified by the [*Children's Services Division*] **department**, claim for state reimburse-  
 7 ments shall be presented to the Oregon Department of Administrative Services and paid in the same  
 8 manner as the claims against the state are paid.

9 (3) If the center is operated jointly by more than one public or private agency, each agency  
 10 participating in the operation shall be entitled to a pro rata share of the amount due, to be deter-  
 11 mined by the contribution of each to the operating cost of the center.

12 **SECTION 128.** ORS 420.910 is amended to read:

13 420.910. (1)(a) When a [*student of a juvenile training school*] **youth offender** placed in a youth  
 14 **correction facility** has escaped or is absent without authorization from the [*training school*] youth  
 15 **correction facility** or from the custody of any person in whose charge the [*student*] **youth offender**  
 16 lawfully has been placed, the superintendent of the [*school*] **youth correction facility** concerned,  
 17 or the superintendent's authorized representative, may order the arrest and detention of the  
 18 [*student*] **youth offender**.

19 (b) When a [*person*] **youth offender** on parole from a [*juvenile training school*] **youth correction**  
 20 **facility** is absent from the custody of a person in whose charge the [*person*] **youth offender** lawfully  
 21 has been placed, or has failed to abide by rules of parole supervision or to respond successfully to  
 22 prior sanctions imposed by the [*Children's Services Division*] **Department of Youth Authority**  
 23 pursuant to administrative rule, the superintendent of the [*school*] **youth correction facility** from  
 24 which the [*person*] **youth offender** is on parole, or the superintendent's authorized representative,  
 25 may order the arrest and detention of the [*person*] **youth offender**.

26 (c) The superintendent or authorized representative may issue an order under this subsection  
 27 based on a reasonable belief that grounds exist for issuing the order. Where reasonable, the super-  
 28 intendent or representative shall investigate to ascertain whether such grounds exist.

29 (2) Any order issued by the superintendent of a [*juvenile training school*] **youth correction fa-**  
 30 **cility**, or the superintendent's representative, as authorized by subsection (1) of this section consti-  
 31 tutes full authority for the arrest and detention of the escapee, absentee or parole violator, and all  
 32 laws applicable to warrants of arrest shall apply to such orders.

33 (3) In lieu of the procedure in subsection (1) of this section, the juvenile court of the county from  
 34 which the [*student*] **youth offender** or parolee was committed may direct issuance of a warrant of  
 35 arrest against the [*student*] **youth offender** or parolee when notified by the superintendent or au-  
 36 thorized representative of the superintendent of the [*school*] **youth correction facility** concerned  
 37 that any [*student of a juvenile training school*] **youth offender** placed in a youth correction fa-  
 38 **cility** has escaped or is absent without authorization from the institution to which committed, from  
 39 parole supervision or from the custody of any person in whose charge the [*student*] **youth offender**  
 40 lawfully has been placed.

41 **SECTION 129.** ORS 420.915 is amended to read:

42 420.915. (1) Upon issuance of an order or warrant of arrest, any peace officer may apprehend  
 43 and deliver to a juvenile detention facility as described in ORS 419A.050 and 419A.052 the escapee,  
 44 absentee or parole violator described in ORS 420.910 who is under 18 years of age. If the escapee,  
 45 absentee or parole violator is 18 years of age or older, any peace officer may deliver such person

1 to an adult detention facility.

2 (2) A [training school] youth correction facility escapee or absentee described in ORS 420.910  
 3 may be held in a juvenile detention facility as described in ORS 419A.050 and 419A.052 or an adult  
 4 detention facility as provided in subsection (1) of this section for up to 36 hours.

5 (3) The parole violator described in ORS 420.910 may be held in a juvenile detention facility as  
 6 described in ORS 419A.050 and 419A.052 or an adult detention facility as provided in subsection (1)  
 7 of this section no more than 72 hours, excluding Saturdays, Sundays and judicial holidays, except  
 8 pursuant to such provisions as the [Children's Services Division] Department of Youth Authority  
 9 may adopt by rule to govern the use of detention for parolees and review of revocation of parole.

10 (4) The director or authorized representative of the juvenile department in whose juvenile de-  
 11 tention facility the escapee or absentee from a [juvenile training school] youth correction facility  
 12 is held, or the administrator of the adult detention facility in which the escapee or absentee is held,  
 13 shall immediately inform the institution to which such escapee or absentee was committed and shall  
 14 surrender the escapee or absentee to any person authorized by the superintendent or authorized  
 15 representative of such institution to receive the escapee or absentee.

16 (5) The director or authorized representative of the juvenile department in whose juvenile de-  
 17 tention facility the parole violator is held, or the administrator of the adult detention facility in  
 18 which the violator is held, shall immediately inform the paroling authority.

19 (6) Except as provided in subsection (3) of this section, the provisions of ORS 419B.175, 419B.183,  
 20 419B.185, 419C.109, 419C.136, 419C.139, 419C.145, 419C.150, 419C.153, 419C.170 and 419C.173 do not  
 21 apply to the detention of an escapee, absentee or parole violator under this section.

22 **IX. CONFORMING AMENDMENTS**

23 **SECTION 130.** Section 2, chapter 766, Oregon Laws 1993, is amended to read:

24 **Sec. 2.** [Juvenile] Youth Corrections Education Program. On and after July 1, 1994, the De-  
 25 partment of Education shall assume responsibility for the [Juvenile] Youth Corrections Education  
 26 Program, including the employment of teachers and other staff.

27 **SECTION 131.** ORS 334.195 is amended to read:

28 334.195. The education service district serving an area where the [Juvenile] Youth Corrections  
 29 Education Program has students enrolled may provide services to such students by contract to the  
 30 same extent as it serves students enrolled in a component common or union high school district  
 31 under ORS 334.175 (1). However, the program shall not be considered a component district and the  
 32 students enrolled in the program shall not be counted in determining the number of pupils in aver-  
 33 age daily membership for purposes of ORS 334.175 (2)(a). However, if at any time state funds are  
 34 distributed to an education service district on a per student or other basis, students enrolled in the  
 35 [Juvenile] Youth Corrections Education Program located in the district shall be considered residents  
 36 of the district for purposes of the distribution pursuant to rules of the State Board of Education.

37 **SECTION 132.** ORS 179.750 is amended to read:

38 179.750. (1) No discrimination shall be made in the admission, accommodation, care, education  
 39 or treatment of any person in a state institution because the person does or does not contribute to  
 40 the cost of the care.

41 (2) No discrimination shall be made in the provision of or access to educational facilities and  
 42 services and recreational facilities and services to any person in the state institutions enumerated  
 43 in ORS 179.321 (2) or 420.005 [(3)] on the basis of race, religion, sex, marital status or national origin  
 44 of the person. This subsection shall not require combined domiciliary facilities at the state insti-  
 45 tutions to which it applies.

1        **SECTION 133.** ORS 419C.443 is amended to read:

2        419C.443. (1) Except when otherwise provided in subsection (3) of this section, when a child is  
 3 found to be within the jurisdiction of the court under ORS 419C.005 for a first violation of the pro-  
 4 visions under ORS 475.992 prohibiting delivery for no consideration of less than five grams of  
 5 marijuana or prohibiting possession of less than one ounce of marijuana, the court shall order an  
 6 evaluation and designate agencies or organizations to perform diagnostic assessment and provide  
 7 programs of information and treatment. The designated agencies or organizations must meet the  
 8 standards set by the Assistant Director for Alcohol and Drug Abuse Programs. Whenever possible,  
 9 the court shall designate agencies or organizations to perform the diagnostic assessment that are  
 10 separate from those that may be designated to carry out a program of information or treatment. The  
 11 parent of the child shall pay the cost of the child's participation in the program based upon the  
 12 ability of the parent to pay. If the program finds the parent is indigent, as defined by the rules of  
 13 the Assistant Director for Alcohol and Drug Abuse Programs, reimbursement of program expenses  
 14 can be made at rates established by rule of the Assistant Director for Alcohol and Drug Abuse  
 15 Programs, and subject to availability, from the moneys transferred to the Department of Human  
 16 Resources under ORS 137.303 for use by alcohol and drug abuse programs. The petition shall be  
 17 dismissed by the court upon written certification of the child's successful completion of the program  
 18 from the designated agency or organization providing the information and treatment.

19        (2) Monitoring the child's progress in the program shall be the responsibility of the diagnostic  
 20 assessment agency or organization. It shall make a report to the court stating the child's successful  
 21 completion or failure to complete all or any part of the program specified by the diagnostic assess-  
 22 ment. The form of the report shall be determined by agreement between the court and the diagnostic  
 23 assessment agency or organization. The court shall make the report a part of the record of the case.

24        (3) The court is not required to make the disposition required by subsection (1) of this section  
 25 if the court determines that the disposition is inappropriate in the case or if the court finds that the  
 26 child has previously entered into an informal disposition agreement under ORS 419C.239 [(10)]  
 27 (1)(i).

#### 28                    X. NAME CHANGES AND OPERATIVE AND EFFECTIVE DATES

29        **SECTION 134.** (1) For the purpose of harmonizing and clarifying statute sections pub-  
 30 lished in Oregon Revised Statutes, the Legislative Counsel may substitute wherever they  
 31 appear in ORS chapter 419C:

32        (a) For words designating the Children's Services Division, words designating the De-  
 33 partment of Youth Authority;

34        (b) For the words "child," "children" and "child's," the words "youth," "youths" and  
 35 "youth's"; and

36        (c) For the words "juvenile training school," the words "youth correction facility."

37        (2) From the effective date of this Act until July 1, 1996, references to the Department  
 38 of Youth Authority in sections 54 to 62 of this Act, in the amendments by sections 63 to 94  
 39 of this Act and in the substitutions made under subsection (1) of this section shall be con-  
 40 sidered to be references to the Children's Services Division.

41        **SECTION 135.** The unit and section captions used in this Act are provided only for con-  
 42 venience in locating provisions of this Act and do not become part of the statutory law of  
 43 this state or express any legislative intent in the enactment of this Act.

44        **SECTION 136.** ORS 419A.290 is repealed.

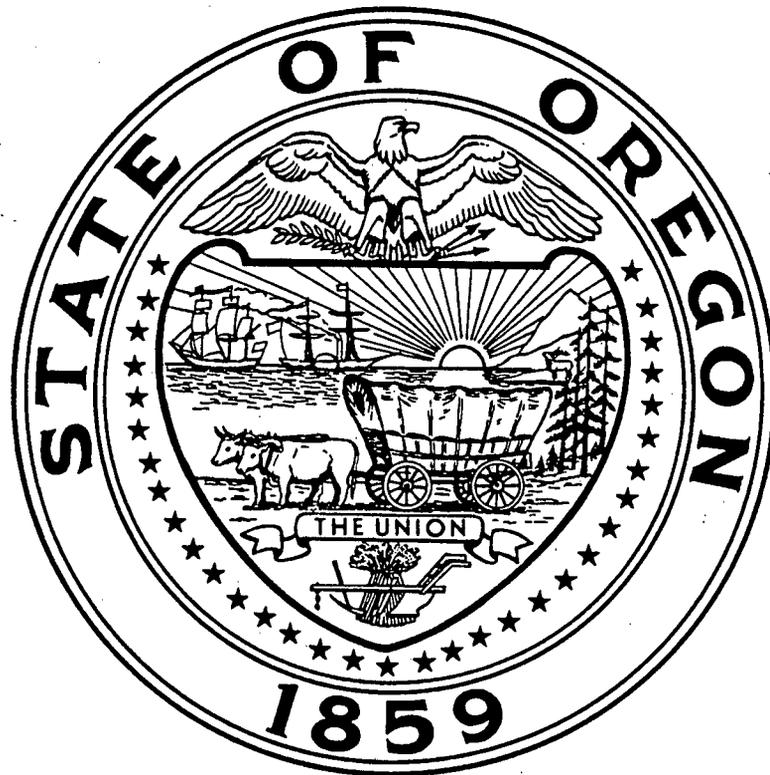
45        **SECTION 137.** ORS 420.055 is repealed on June 30, 1996.

1        SECTION 138. Sections 1 to 31 and 44 to 52 of this Act and the amendments made to ORS  
2 chapter 420 by sections 95 to 129 of this Act become operative on July 1, 1996.

3        SECTION 139. This Act being necessary for the immediate preservation of the public  
4 peace, health and safety, an emergency is declared to exist, and this Act takes effect on its  
5 passage.  
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**GOVERNOR'S TASK FORCE ON  
JUVENILE JUSTICE**



***FINAL REPORT***

**Attorney General  
Theodore R. Kulongoski  
Task Force Chair**

## INTRODUCTION

by Theodore R. Kulongoski  
Oregon Attorney General and Task Force Chair

Just inside the main administration building at MacLaren School is a plaque that reads: "State Board of Control, 1925, Walter Pierce, Governor." That plaque reflects a time when MacLaren was a place for runaways, small-time thieves and other delinquents. Profanity, drinking liquor, smoking tobacco and truancy were deep concerns of the times.

The juvenile justice system then is the same juvenile justice system of today. Only the crimes have changed. Today, we are talking about arson, assault, murder, distribution of illegal drugs, rape, robbery and sex abuse.

Meet a 13-year-old with over 60 arrests, the most recent for carrying a loaded weapon. Talk to him and you soon will learn that he has no values and no respect for human life. You will find yourself agreeing with the MacLaren staff member who says, "He is going to kill somebody some day."

Meet another young man at MacLaren who can spout all the latest "anger management" jargon. Ask him why he's there. He'll tell you that his girlfriend made him mad. So he stabbed her in the chest until she died.

Tragically, these cases are not uncommon and are quickly becoming typical. While adult crime rates have remained fairly constant in recent years, the rate of violent crime committed by juveniles increased more than 80 percent between 1988 and 1992. And it's not just the *volume* of juvenile crime that has changed. The *type of crime* has changed. What has not changed is our juvenile justice system, born at the turn of the century.

As it stands, our juvenile justice system wastes lives and it wastes resources. From the courts to detention centers, from police agencies to training schools, the system is swamped with young offenders. Crimes ranging in degree from shoplifting to auto theft often go unpunished. Even violent offenders regularly get away with little or no time in custody. Often, those offenders are placed in treatment programs intended for young people with less serious problems -- those who might have benefitted but now must go without. And the worst of it: young juvenile offenders, new to the system, are ignored.

Right now, there are no consequences for unlawful actions. There is no certainty of punishment. There is no accountability. The result? An escalation of offenses until the conduct is so outrageous that the system is forced to respond.

Is it any wonder that young criminals consider the system a joke? Is it any wonder that Oregonians are fed up?

How did we get into this mess?

Juvenile corrections is the orphan of both our child welfare and criminal justice systems. Adult corrections is a separate department, with vocal advocates for its programs. Juvenile corrections is an administrative section within the Children's Services Division within the Department of Human Resources. Whenever a choice is made about resources for adult corrections, child welfare or juvenile corrections, juvenile corrections ends up at the bottom of the list.

I would never deny the value and importance of child welfare services. Early intervention and prevention programs are critically important, with literally hundreds of champions and advocates for continued and enhanced resources. But who is the advocate for the bad kid? Collectively, we have avoided being advocates for those young people who took the wrong fork in the road because they represent failures -- failure by parents and families, by programs, by our social institutions, failure by all of us.

These failures result in fears. People are afraid of these young criminals. And rightfully so. Whether adult or juvenile, a person who commits murder, rape, armed robbery or some other serious crime needs to be locked up. Citizens have every right to expect that their personal safety is just as important as a juvenile's welfare.

I have every confidence that we can meet that expectation. We can break the cycle of violence. We can and should devote our energy and our resources to keeping kids from getting into trouble in the first place. But before we can do that, we must first fix a system that has suffered from years of neglect.

I am profoundly grateful to the members of the Governor's Juvenile Justice Task Force and to our coordinator, L. Craig Campbell, who have labored for over a year to develop the proposals contained in this report. I believe these proposals give us the opportunity to make a difference, the opportunity to correct our mistakes, and the opportunity to restore the public's confidence in our juvenile justice system and in our ability to solve problems together.

## BACKGROUND

In January 1994, Governor Barbara Roberts issued Executive Order 94-01, establishing the Governor's Task Force on Juvenile Justice. The Task Force was directed to examine Oregon's juvenile justice system, to identify the components of the system that are working and those that are not, and to help amend and reform the system to meet current and future needs.

The Governor appointed Attorney General Theodore R. Kulongoski to chair the Task Force and authorized him to appoint the other members. Those appointments included:

- The Honorable Ann Aiken, Lane County Circuit Court
- Henry Drummonds, Professor of Law, Northwestern School of Law
- Hilda Galaviz-Stoller, Attorney-at-Law
- LeRon Howland, Oregon State Police Superintendent
- Ted Molinari, Praetzger Industries
- Dr. Charles Moose, Chief of Police, Portland
- The Honorable Roxanne Osborne, Klamath County Circuit Court
- The Honorable Gordon Smith, Oregon State Senate

The Task Force's mission is to develop and draft a comprehensive and specific blueprint that will give the citizens of Oregon a juvenile justice system that mandates and is based on the following standards and principles:

- Accountability and responsibility for an individual's conduct
- Community and family protection and safety
- Certainty and consistency of response and sanctions
- Effective and closely supervised reformation and rehabilitation plans and programs
- Early intervention and prevention
- Parental involvement and responsibility
- Highest and best use of available resources

The Task Force's primary goal has been to develop solutions to problems that have been plaguing the juvenile justice system for the last decade and, to some extent, for the last forty years.

The full Task Force, four subcommittees, and six special subcommittees and work groups, consisting of over 80 individuals, met 52 times in an 11-month period to develop the proposals ultimately adopted by the Task Force.

## PROBLEM STATEMENT

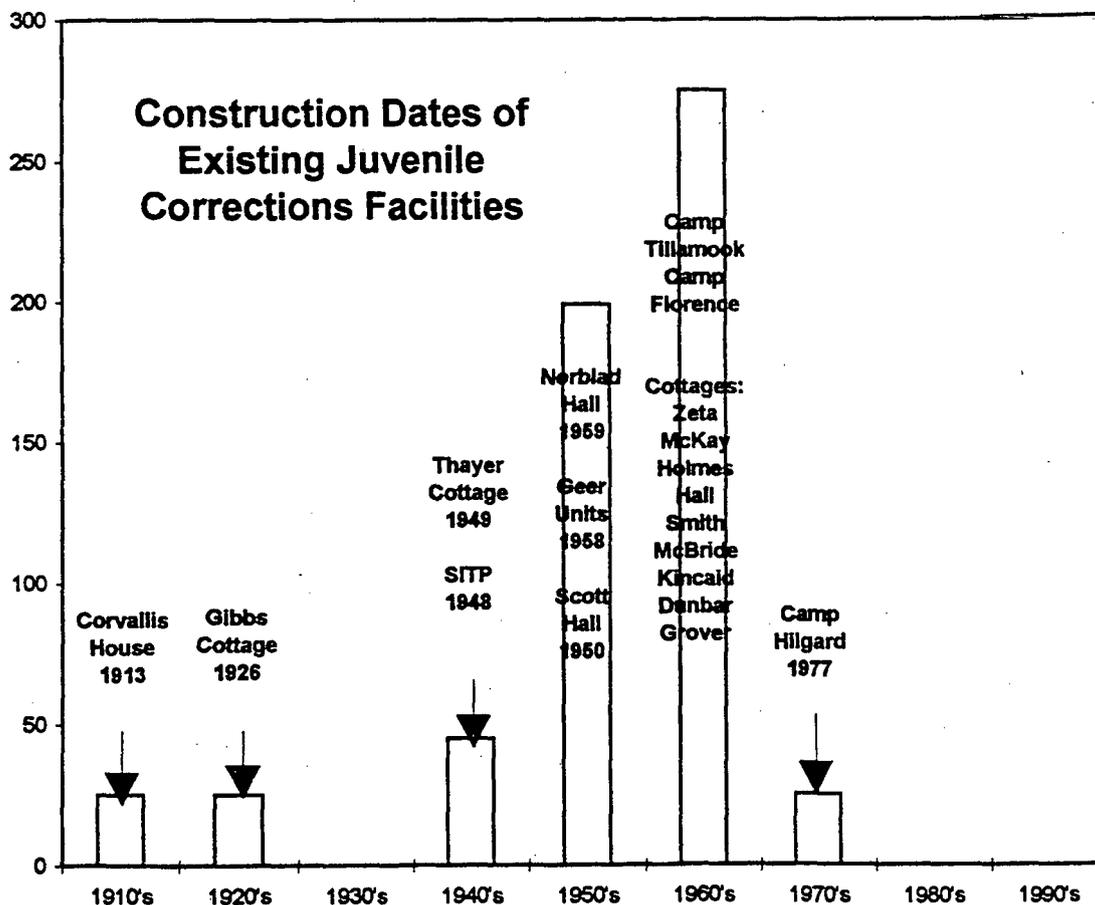
In 1891, George Breckonridge gained the distinction of being the first juvenile to be placed in the Oregon Reform School, now known as MacLaren School. His crime: stealing his neighbor's newspaper off the porch.

The juvenile justice system that exists today was created over a century ago. It is basically the same system that dealt with troubled youth like George Breckonridge. But today, the system is dealing with far more trouble: it is dealing with murderers, rapists and armed robbers.

Since the Oregon Reform School was built in 1891, the State of Oregon has slowly added to its facilities for the incarceration of juvenile delinquents. With the exception of Camp Hilgard (a 25-bed minimum security camp) in 1977, no new secure custody bed space for young offenders has been constructed in the last three decades. (See Figure I.)

The infrastructure for juvenile justice, ignored for so long, is now woefully inadequate to face the demands, not of Mr. Breckonridge and his breed, but of violent young criminals.

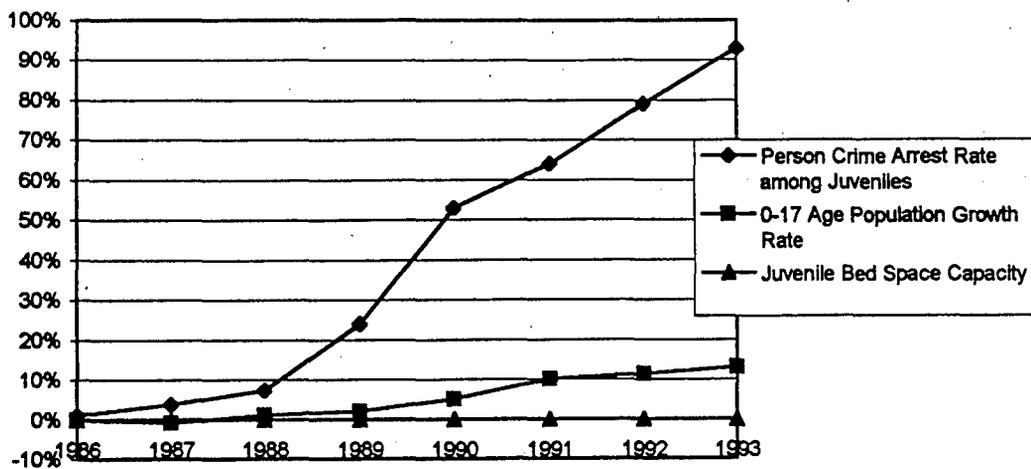
FIGURE I



In 1985, in an attempt to prevent the incarceration of young offenders and to emphasize supervising and reforming them in the community, whenever possible, the Oregon legislature reduced and limited the number of secure custody beds at state training schools from 750 to 513. That number remained static until 1993, when the legislature authorized an increase in the capacity limit ("the cap") to account for growth in Oregon's age 0-17 population, as determined each January. The cap now stands at 522.

During the period that the cap remained at 513, the age 0-17 population in Oregon increased by 13%, and the number of arrests of those under 18 for "person" crimes increased by a staggering 93%. (See Figure II.)

FIGURE II



Unable to incarcerate the increasing numbers of more violent juvenile offenders, counties are forced to place them in residential programs and foster care. There, these offenders are often disruptive and overtax staff not trained or equipped to work with them, and their placement effectively excludes from participation those young people who could benefit from the programs.

Likewise, because of the increased demand on local juvenile detention facilities, they cannot be used either as a sanction for first-time or younger offenders or for those who should be removed from treatment programs when they become disruptive. The entire system operates like a pressure pump: at each level, more and more violent offenders are being forced into fewer and fewer appropriate placements. The result is that the juvenile justice system does not hold offenders accountable, the potential deterrent effect has been lost, and the public safety is at risk.

Inadequate funding for juvenile justice at the state level, over several decades, has compounded the problem. Under adult corrections administration, juvenile corrections programs fared poorly in the allocation of resources. Young offenders competed directly with their older, and then more violent, counterparts for dollars. When the program was transferred to the Children's Services Division, it came into an inevitable philosophical conflict with the child-welfare orientation of its oversight organization. Funding for Oregon's juvenile corrections facilities and programs has been woefully inadequate to deal with the changing and growing tide of violent juvenile crime.

## SUMMARY OF PROPOSALS

1. The Juvenile Justice Task Force first recommends that the state *construct and operate four 100-bed maximum security facilities*. The safety and security of Oregon's citizens require that these facilities be available as quickly as possible. The construction of these secure facilities will mean that juvenile offenders who should be in custody *will be*, and that an offender's return to the community will be a closely supervised, graduated transition, with accountability and responsibility placed firmly on the shoulders of the young offender at each stage.

2. The Oregon Legislature should provide for *emergency siting authority* for additional youth corrections facilities. Given the pressing need for these facilities, the number of facilities to be sited, and the fact they are to be sited regionally (each serving several counties), an exception to Oregon's land use planning process should be made. An expedited comprehensive planning and siting process is necessary.

3. A *multi-tier system* should be established to allow a graduated series of sanctions for young offenders, beginning with the first offense. For a majority of young offenders, early appropriate sanctions will be sufficient to deter them from more serious criminal acts in the future. The proposed *multi-tier system* includes the following components:

- a. Youth Corrections Intake
- b. Secure Regional Youth Facilities
- c. Youth Accountability Camps and Restitution Centers
- d. Regional Residential Academies

e. Community-Based Parole and Supervision Programs

f. Youth Offender Review Panel

The existing juvenile justice system simply does not provide the necessary options or flexibility to respond consistently and effectively to juvenile crime. The result: minimal or no consequences for progressively violent and more frequent criminal acts.

4. In order to *implement Measure 11, as it applies to juvenile crime*, the Task Force proposes legislation that: (a) requires that 14-year-olds charged with committing aggravated murder, murder, or certain sex crimes be prosecuted as adults; (b) adds to the list of offenses for which 15 to 17 year-olds must be prosecuted as adults seven new offenses, including aggravated murder and conspiracy to commit murder, and limits the second-degree kidnapping and second-degree sex offenses covered by the measure to those involving the use or threatened use of a deadly weapon; and (c) requires that juveniles convicted and sentenced under the measure be committed initially to the legal and physical custody of the Department of Youth Authority.

5. To ensure the public's safety, guarantee certain punishment for juvenile offenders, and provide an incentive for real self-reform and rehabilitation, a "*Second Look*" hearing should be held. The "Second Look" will not occur until the offender has served at least one-half of the sentence imposed, at which time, the sentencing court will determine whether the offender should be incarcerated for the entire remainder of that term or, instead, requires some lesser degree of supervision and control. In either case, the offender's sentence may not be discharged or shortened and must be served, whether the offender remains incarcerated or is conditionally released under the jurisdiction of the sentencing court and the supervision of the Department of Corrections. The Second Look procedure does not apply to juvenile offenders found to have "personally" committed the most serious Measure 11 offenses.

6. Both now and for the long-term, our commitment to an effective, sustained attack on juvenile crime in this state warrants, if not requires, *the creation of a Department of Youth Authority*. Separate and independent status for juvenile corrections administration will assure that adequate, available funding and administrative resources are focused on juvenile crime.

7. The Task Force proposes a *revision of the policy statement of the Oregon Juvenile Code* as applied in delinquency cases to state clearly the appropriate relationship between "public safety" and the welfare of the juvenile. The Task Force also proposes changes in the dispositional criteria for delinquency cases to give effect to that revision in policy.

8. Because of the seriousness of juvenile violent crime and in order to provide a clear picture of an individual offender's criminal history and to track the rate of recidivism, *most juvenile records should be open to public inspection.*

## PROPOSALS OF THE TASK FORCE

### I. Establish a Multi-Tier Infrastructure

The existing juvenile justice system does not provide a range of dispositional options allowing graduated sanctions for repeat offenders. Although limited services and supervision are available through county juvenile departments, juvenile courts and juvenile departments do not have adequate alternative sanctions and resources to back up an order of formal probation when a juvenile offender violates the conditions of probation or department supervision. Many young offenders simply move through the system until they are committed for custody to one of the state's juvenile training schools after finally committing an act so egregious that they no longer can be ignored. The public's safety is at risk when young offenders who should be in some form of secure custody or under close supervision are not.

The Task Force recommends the establishment of a multi-tier, graduated system of custody, supervision, sanctions, and rehabilitation to be administered by a Department of Youth Authority (discussed below). The multi-tier system includes: (a) regional secure facilities; (b) boot-camp accountability/restitution centers; (c) regional residential academies; and (d) community-based probation and supervision.

Regional siting of the proposed facilities better serves the counties in the state's geographic areas, furthers the goals of restitution and accountability and parental involvement, and permits a more coordinated and effective transition of the offender back to the community.

The system will operate on the following principles:

- (1) The first priority is the public's safety;
- (2) The burden to reform and to change behavior is on the individual offender;
- (3) Response to and sanctions for violations of rules or the conditions of custody or supervision will be immediate, appropriate and consistent;

- (4) Young offenders should be provided with education, job skills training, life skills training and appropriate treatment programs (i.e., drug and alcohol abuse treatment and sex-offender treatment).

The difference between each tier of the system is the level of security and direct supervision required and provided. Each tier will have the same core programs, services and policy. A Youth Offender Review Panel (discussed below) will administer and supervise both the transfer of juvenile offenders within the system and their return to the community.

#### **A. Youth Corrections Intake**

Accurate, thorough screening and evaluation of young offenders is essential to assure appropriate placement within the system. A juvenile offender committed to the Department of Youth Authority would be sent to one of four regional intake and assessment centers. The intake center staff will:

- (1) determine and recommend in each case the most appropriate placement, educational and vocational programs, and treatment services (i.e., mental health, substance abuse, or medical); and
- (2) prepare each offender to enter the system and make clear what the rules and expectations will be.

The intake procedure should take no longer than 60 days.

#### **B. Facilities and Programs**

##### **1. Regional Secure Facilities**

The proposed secure regional facilities provide the highest level of custody and staff supervision. Juvenile offenders convicted and sentenced in the adult court under Measure 11 would be placed in these facilities, as would those committed to the Department of Youth Authority by the juvenile court who, after intake, are found to require a period of secure custody.

Four 100-bed regional maximum security facilities are proposed for construction. Each would consist of an 80-bed juvenile corrections section, a 20-bed regional detention section (to supplement local detention capacity), and associated support services, to include vocational and educational classrooms, administrative offices, food services, medical clinic and recreation area. The number of juveniles in

custody at the MacLaren and Hillcrest schools (which are over-crowded) would be reduced, and those two training schools would operate primarily as regional secure facilities for the north and central Willamette Valley. MacLaren would continue to maintain the crisis intervention unit for all of the regional facilities.

## **2. Youth Accountability Camps and Restitution Centers**

Youth Accountability Camps and Restitution Centers will provide a highly-structured regimen of work, physical and mental discipline, and community service projects to instill a work ethic, build vocational skills, and develop individual accountability and responsibility through payment of restitution to both the victim and the community. Like the secure facilities, Youth Accountability Camps will have a regimented daily schedule for young offenders. At many of the camps, wages for payment of restitution would be earned through project contracts with the U.S. Department of Fish and Wildlife and U.S. Forest Service and other government agencies.

Eight 50-bed regionally sited camps would be built. Most juvenile offenders committed to the Department of Youth Authority by the state's juvenile courts would be placed initially in these facilities. That group will include juvenile offenders who have violated conditions of probation.

The camps are not intended to be a "stand alone" program but to serve as an integral part (or stage) in the multi-tier system. Recognizing the limited state resources for the 1995-97 biennium, the Task Force encourages the establishment of at least two accountability camp/restitution center "pilot programs" in different regions of the state.

## **3. Regional Residential Academies**

These facilities would provide year-round educational, vocational and life skills training on secure, closed campuses. Juvenile offenders placed in the academies are those who are committed to the Department of Youth Authority by the juvenile court and who: (a) are found at the time of intake not to require a higher level of custody and supervision; or (b) when first committed, were placed in more secure facilities and, since that time, have demonstrated the level of participation, responsibility, and self-discipline required to merit a transfer to one of the academies. The program at these facilities will require participants to work toward the completion of an education and to develop job skills through apprenticeship training, in cooperation with private industry and business.

Four 100-bed regional residential academies are proposed and, like the maximum security facilities and accountability camps, they would serve regional populations and needs. Again, recognizing the state's limited resources, the Task Force urges consideration of a pilot academy.

#### 4. Community-Based Parole and Supervision

The Task Force proposes that the Department of Youth Authority be authorized to contract with individual counties, or with groups of counties, to administer and provide parole and community-based supervision functions currently handled by the state for offenders under juvenile court jurisdiction. Clearly defined, concrete measures of performance and effectiveness would be established for these contracted services and results would be reviewed to determine whether those standards are being met.

The Department of Youth Authority would develop rates for specific services, based on a review of existing contracts and market rates for those services within the community. Contracts would be issued to providers who submit proposals for services and who can meet state standards and licensing requirements. Contracts would be open-ended; i.e., there would be no guaranteed minimum number of referrals and no guaranteed cap.

The community-based parole and supervision system requires case-specific services to be identified and provided as follows:

- (1) The juvenile would be evaluated and an individualized supervision, education, rehabilitation, and treatment plan determined.
- (2) The juvenile would be assigned to one or more community-based providers.
- (3) The provider(s) would be responsible for delivery of the services and supervision identified in the plan.
- (4) The provider(s) would be reimbursed according to the service rates developed by the Department of Youth Authority, as those services are delivered.

The state would contract and pay for only those specific services required in each case, rather than paying a lump sum for a contract that includes services that a juvenile does not need.

### **C. Youth Offender Review Panel**

The Task Force recommends the creation of a Youth Offender Review Panel of three members, to be appointed by the Governor to serve a four-year term. The director of the Department of Youth Authority would serve as an ex officio, non-voting member of the Panel.

The Panel would be responsible for reviewing petitions for transfer from one tier of the juvenile corrections system to another, petitions for transfer from one facility to another, and petitions to grant or revoke a juvenile offender's parole.

The Panel would develop objective standards by which its placement decisions would be made, consistent with the proposed revised policy statement for the juvenile code and analogous to the criteria proposed to guide juvenile courts in determining the disposition to be made in a case.

## **II. Implementation of Measure 11, as it applies to Juvenile Crime**

"Notwithstanding any other provision of law, when a person charged with any of the offenses listed in [Measure 11] is 15, 16 or 17-years of age, at the time the charges are filed, that person shall be tried as an adult." That one sentence in the voter-approved measure requiring mandatory sentences for violent offenders raises many practical and legal questions that now must be addressed and resolved to give effect to the new law, as it applies to juvenile offenders.

In anticipation that Measure 11 would pass, the Juvenile Justice Task Force reviewed its implications and consequences and has developed recommendations for legislative action to fill in the measure's substantive and procedural gaps.

### **A. Egregious Violent Crimes Committed by Juveniles Under 15**

Measure 11 does not address the commission of serious violent acts by juveniles under 15 years of age. Under existing law, a 14-year-old murderer-rapist cannot be tried as an adult or confined in juvenile facilities beyond his or her 21st birthday, whether or not the youth is a threat to the community and likely to re-offend. With an increasing number of serious violent crimes committed by individuals under 15, this glaring omission from Measure 11 represents a continuing threat to public safety.

While most of the crimes on the Measure 11 list are more appropriately tried in juvenile court for offenders under 15, certain violent crimes should require transfer into the adult system: aggravated murder and murder, and the sex crimes of forcible rape, forcible sodomy and forcible unlawful sexual penetration.

Accordingly, the Task Force recommends that Measure 11 be amended to require adult prosecution for 14-year-olds charged with aggravated murder, murder, or one of the forcible sex offenses.

**B. Extending Measure 11 to Cover More Serious Crimes Committed by Juveniles 15 to 17**

Measure 11 contains a list of 16 crimes for which a conviction carries a mandatory minimum sentence. Under the measure, a person between the ages of 15 and 17 who is charged with any of those crimes must be prosecuted as an adult.

Inexplicably omitted from the Measure 11 list are a number of serious violent crimes, including aggravated murder and attempted murder. The legislature should correct this omission by adding seven crimes to the list of those covered by Measure 11: aggravated murder; conspiracy, solicitation, and attempt to commit aggravated murder; and conspiracy, solicitation, and attempt to commit murder.

**C. Elimination of Certain Less Serious Crimes**

The Measure 11 list includes some second-degree crimes that, if committed by a young offender age 15 to 17, should not automatically require adult prosecution because, in many circumstances, their commission does not involve a serious threat of violence. Amendment of the Measure 11 list to exclude some of these offenses, when committed by juveniles, would permit a greater share of the state's limited resources to be used for the prosecution and incarceration of juveniles who commit more serious crimes.

The Task Force proposes that adult prosecution not be required under Measure 11 for juveniles charged with the following second-degree offenses, *except in cases where the juvenile committed the offense by using or threatening to use a deadly weapon*: second-degree rape, second-degree sodomy, second-degree unlawful sexual penetration, second-degree kidnapping and second-degree robbery. Juveniles who are alleged to have committed those offenses without using or threatening to use a deadly weapon still would be subject to adult prosecution if waived by the juvenile court.

## **D. Amendments Required to Implement Measure 11**

### **1. Define Terms and Specify Procedures**

As applied to juvenile offenders, Measure 11 does not define what is meant by the filing of "charges," does not explain or define the phrase "shall be tried as an adult," and does not demarcate the boundaries between juvenile court and adult court jurisdiction. To correct these omissions, the Task Force recommends the following amendments to Measure 11, as it applies to juveniles:

(a) a juvenile is "charged" under Measure 11 when an accusatory instrument is filed in the adult criminal court;

(b) the phrase "tried as an adult" is amended to read "prosecuted as an adult in criminal court," and "prosecuted" is defined to mean the pretrial and trial procedures, requirements and limitations provided for in criminal cases;

(c) the filing of an accusatory instrument charging a Measure 11 offense will divest the juvenile court of jurisdiction in the matter and, on receiving notice from the district attorney that a juvenile has been charged, the juvenile court will enter an order necessary to transfer the matter to the adult court.

### **2. Offenses that Are Part of the Same Act or Transaction and Lesser-Included Offenses**

In some cases, the same criminal episode or "transaction" will include a violent offense covered by the requirements of Measure 11 and one or more other offenses not subject to its provisions. For example, in the course of committing a rape-murder, a 16-year-old might steal a car or commit burglary.

The Task Force recommends amending Measure 11 to provide that, in these cases, both the Measure 11 and non-Measure 11 charges be tried in adult court, and that, if convicted on both charges, the juvenile be sentenced by the adult court on both convictions. If the juvenile is acquitted on the Measure 11 charge and convicted on the other charge, the adult court would do the following: order a presentence report, set forth in a memorandum appropriate recommendations and observations, and transfer the case to the juvenile court for disposition. The same procedure would apply if, after trial in adult court, the juvenile is acquitted on the Measure 11 charge

but convicted for a lesser-included offense that is not covered by Measure 11. A juvenile transferred by the adult court to the juvenile court under the circumstances described herein would be subject to a waiver proceeding in the juvenile court and could be returned to the adult court for sentencing, if the juvenile court determines that waiver is appropriate in the case.

### 3. Remove the Age-21 Limitation on Juvenile Court Jurisdiction

This proposal is directed at reducing recidivist behavior.

The Task Force proposes to extend juvenile court jurisdiction and the custody jurisdiction of the proposed Department of Youth Authority to age 25 for persons who commit criminal acts before age 18.

Presently, a juvenile offender who is not waived to the adult system must be discharged from juvenile court wardship and released outright from custody when he or she reaches age 21. In light of the data showing that recidivist criminal behavior occurs most frequently when a person is between the ages of 20 and 25, it simply makes no sense to follow an ironclad "release at 21" rule. Under the Task Force proposal, the juvenile system should have the option to extend jurisdiction, custody and supervision beyond a juvenile offender's 21st birthday.

### III. "Second Look" Hearing After Juvenile Has Served Not Less than One-Half of the Sentence

The Task Force recommends legislation establishing a "Second Look" procedure to ensure protection of the public by providing both certain punishment and an incentive for juvenile offenders to cooperate in and benefit from rehabilitation, education, and drug and alcohol treatment programs while incarcerated. The "Second Look" will mitigate the long-term costs of implementing Measure 11 without compromising public safety or the policy underlying Measure 11.

Under the Second Look proposal, a juvenile prosecuted and convicted in adult court under Measure 11 would be sentenced under the measure's provisions. However, subject to the exceptions outlined below, the sentencing court will commit the convicted juvenile to the legal and physical custody of the Department of Youth Authority, and thereafter, the terms and conditions of the juvenile's incarceration are determined by the results of the Second Look hearing.

The Second Look does *not* apply in the following cases: (a) the juvenile is prosecuted under the provisions of Measure 11 applicable to 15 to 17 year-olds and the trier of fact finds that the person "personally" committed any of the following crimes -- aggravated murder, murder, manslaughter in the first degree, first-degree rape, sodomy, or unlawful sexual penetration (where the victim is subjected to forcible compulsion), or assault in the first degree (which causes permanent injury or disability); (b) if the juvenile is prosecuted under the Measure 11 provisions applicable to 14-year-olds and the trier of fact finds that the person "personally" committed any of the following crimes -- aggravated murder, murder, or first-degree rape, sodomy, or unlawful sexual penetration (where the victim is subjected to forcible compulsion). Persons coming within these exceptions will be committed to the legal custody of the Department of Corrections under ORS 137.124. The Second Look proposal also provides for "early transfer" from the Department of Youth Authority to the Department of Corrections for those who either pose a danger to staff or others in the facility or are not likely to benefit from available rehabilitation and treatment programs.

If not excluded from the Second Look procedure, a juvenile (hereinafter "person") who has served at least one-half of the sentence imposed is subject to a Second Look hearing before the sentencing court. After notice to interested persons and agencies (including the district attorney and the victim), the sentencing court would hear testimony about the person's progress (or lack of progress) while in custody, testimony from victim(s), the recommendations of the Department of Youth Authority and the Department of Corrections, and other relevant testimony and evidence. The court would then order one of the following dispositions:

(a) the person should be committed to (or continued in the legal and physical custody of) the Department of Corrections to serve the full remaining term of the sentence imposed;

(b) the person should remain committed to the legal and physical custody of the Department of Youth Authority for the remainder of the person's sentence, provided the person will have served the entire term before the person's 25th birthday;

(c) postpone the Second-Look determination until a later time; or

(d) the person should be conditionally released, based on findings that the person has been rehabilitated and has reformed and *the person has proved by clear and convincing evidence* that, if released, the

person will not threaten the safety of the victim or the community and will comply with supervision and the conditions of release.

If conditionally released, the person's sentence is *not* discharged. To the contrary, the person remains committed to the legal custody of the Department of Corrections, under the jurisdiction of the sentencing court, and subject to the conditions imposed by the court *for the entire remainder of the sentence imposed*. In addition to other sanctions available for violations of the conditions of the person's release or supervision, the sentencing court *must revoke the order of conditional release* and return the person to the physical custody of the Department of Corrections to serve the remainder of the person's sentence if the court finds *any one* of the following: (1) a conviction for a new crime; (2) violation of the condition prohibiting ownership or possession of a weapon; (3) suspension of conditional release two times within past 18 months; or (4) the conditional release is no longer in the best interests of the community.

The major advantage to a Second Look system is the creation of an incentive for a young offender to accept and demonstrate personal responsibility and direct accountability for his or her own conduct. A person's ultimate term of incarceration depends on the individual's conduct and progress while in the corrections (adult or juvenile) system. The total responsibility for the person's change is on the *person, not the system*.

#### **IV. Creation of Department of Youth Authority**

A child-welfare orientation is both inconsistent and ineffective in dealing with violent juvenile crime. Citizens of Oregon, state policy makers, victims of crime, juvenile corrections professionals, court officials and the young people of this state deserve to have a state government organization that will take on the problem of juvenile crime and correct both its immediate consequences and root causes. The existing Office of Juvenile Corrections is, in effect, buried within an umbrella human resources structure at a time when we demand increased attention to and accountability for public safety.

The Juvenile Justice Task Force urges the creation of a separate Department of Youth Authority.

This department will be responsible for administration and services related to secure custody, rehabilitation, treatment, parole, placement and supervision of

juveniles found to be within the jurisdiction of the juvenile court or convicted in adult court. Programs to be administered by the Department of Youth Authority include:

- Regional maximum security facilities
- MacLaren and Hillcrest schools
- Youth accountability camps
- Regional boot camp-style restitution centers
- Regional residential academies
- Parole and probation services
- Out-of-home placement programs
  - Foster care
  - Residential care
  - Shelter care
  - Group homes
- Young women transition programs
- Gang intervention funding
- County diversion funding

These programs would be developed and administered in accordance with these principles:

- Individual accountability and responsibility for past, present and future conduct;
- Restitution to victims and to the community;
- Parental involvement and responsibility;
- Mandatory education and skill development;
- Clearly defined and concrete goals and expectations;
- Certainty and consistency of response and sanctions;
- No tolerance for non-compliance with standards of conduct and conditions of placement; and
- The highest priority given to public safety.

Educational programs offered for juveniles in the custody of the Department of Youth Authority, either in out-of-home placement or secure custody, would be provided and administered by the state Department of Education, consistent with ORS 326.111.

The Department of Youth Authority should be in place within one year. On July 1, 1995, the Office of Juvenile Corrections would become a distinct division within the Department of Human Resources and, effective July 1, 1996, the division would become a separate department of state government. Accounting and other

central support services will continue to be provided by DHR through interagency contract during the phase-in process. This transition process will reduce costs associated with the creation of a new department.

Ultimately, the creation of the new department will require the transfer of administrative staff from the Children's Services Division, and the creation of additional administrative positions to provide services in personnel and training, payroll, disbursements and purchasing, research and statistics, information management and technology support, accounting and budget administration, contracts and licensing, and management of residential care.

## **V. Revision of the Policy of the Delinquency Section of the Juvenile Code**

The Task Force recommends revision of the general policy statement for "delinquency" cases in the Juvenile Code. This clarification is important in order to join the "public safety" goal of the juvenile justice system with the goal to act in the "best interests" of the juvenile's welfare. Passage of Measure 11 reinforces the Task Force's conclusion that revision of the existing policy statement is appropriate.

The existing policy statement in ORS Chapter 419A.002(2) reads:

"The provisions of this chapter and ORS chapters 419B and 419C shall be liberally construed to the end that a child coming within the jurisdiction of the court may receive such care, guidance, treatment, and control and will lead to the child's welfare and the protection of the community."

While this broad policy statement appears to put public safety and the child's welfare on equal footing, it can be interpreted in different ways. Moreover, other provisions of existing law create additional ambiguity about the relationship between the accused juvenile's welfare and the public safety. (For example, ORS 419C.349 requires that, to transfer a juvenile to adult court, the juvenile court must find that "retaining jurisdiction will *not* serve the interests of the child and of society.")

Because of these seemingly conflicting statements and the public policy expressed by Measure 11, the Task Force recommends that the policy statement be clarified. Too much focus on *either* the "public safety" *or* the "child's welfare" sets up a false dichotomy. The juvenile's "welfare" is important to the public safety, because concern for the juvenile's "welfare" reflects, among other things, a concern that the juvenile does not become a recidivist or adult offender later in life. By the

same token, *protecting the public safety is a vital component in any program of accountability and rehabilitation* designed to be in the juvenile's "best interest." The concept that links the "public safety" with the "welfare" of the juvenile is the concept of personal accountability. Without personal accountability, no program of treatment or incarceration adequately protects either the juvenile's "welfare" or the "public safety." According, the Task Force proposes adoption of a revised policy statement as follows:

"In delinquency cases, the purposes of the Oregon juvenile justice system from apprehension forward are to protect the public, reduce juvenile delinquency, and rehabilitate offenders.

The system shall be founded on the principles of personal responsibility, accountability and reformation within the context of public safety. There shall be a continuum of services that emphasizes prevention of further criminal activity by the use of early and certain sanctions, reformation programs, and swift and decisive intervention in criminal behavior.

Policies, services, and rules used to carry out this mission shall be regularly subject to independent evaluation as to their effectiveness in preventing a return to crime, and providing public safety.

The system shall be open and accountable to the people of Oregon and their elected representatives."

Under the Task Force proposal, following adjudication and disposition, a judge may order that:

- (1) the juvenile be placed in the custody of the Department of Youth Authority;
- (2) the juvenile be placed in the temporary custody of the Field Services Division of the department for placement in a residential shelter or treatment program as a condition of probation; or
- (3) the juvenile be placed on probation under the supervision of the county juvenile department.

## **VI. Juvenile Records Reform**

This series of proposals concerns compilation, confidentiality and expungement of juvenile records. Each is intended to emphasize the seriousness of juvenile criminal conduct, provide an ongoing record for tracking youth recidivism, and provide sentencing courts with a clear picture of adult offenders with a significant youth criminal history.

### **A. Compilation of Juvenile Records**

#### When juvenile court has not waived jurisdiction

Juveniles from 12 to 18 years of age should be photographed and fingerprinted when taken into custody for conduct that, if committed by an adult, would constitute a crime. Photographing and fingerprinting would be done by the agency that takes the juvenile into custody. This information would then be entered into a central state repository in the same manner and for the same authorized uses as fingerprint and photograph records of adults. Upon disposition of the criminal case, notice of the disposition would be sent to the central state repository. If the juvenile is adjudicated as being within the jurisdiction of the juvenile court for conduct that if committed by an adult would constitute a crime, a copy of the juvenile court disposition, and the photograph/fingerprint record of the juvenile, would be maintained for a period of five years and 30 days from the date the record of disposition was received by the central state repository, after which it should be destroyed.

If no petition is filed or the petition is dismissed, the record in the central repository should be destroyed within one year from the date the record of disposition is received by the central repository. If no record of disposition is received within one year from the date the juvenile is taken into custody, the records related to that custody in the central state repository should be destroyed.

Information from juvenile records placed in the central state repository in the manner just described should be subject to the same confidentiality accorded to other records in the central repository, pursuant to ORS 181.540.

### When juvenile court has waived jurisdiction

If the juvenile is waived to adult court, pursuant to ORS 419C.340-.374, the records should be maintained in the central state repository under the same conditions that apply to adult records.

### **B. Confidentiality of Juvenile Records**

An accurate understanding of the successes and failures of the juvenile justice system is not possible if the system is shrouded in secrecy.

The Task Force believes that juvenile court records should be open to public inspection. This includes the date of birth of the juvenile, the crimes alleged in the petition, and written formal and informal dispositions. This allows greater public knowledge of what sanctions are available, both with and without an adjudicatory process. It also adds an incentive for juvenile probation officers to follow through on provisions of informal dispositions. Additionally, making such information a part of the public record will allow data to be gathered on the success rate of efforts to deter youth from future criminal acts.

The following information, arising out of a proceeding in juvenile court pursuant to ORS 419C.005 or 419B.100(1), should be filed with the clerk of the court: (a) information provided under ORS 419A.225(5); (b) the juvenile's date of birth; (c) the charges filed; and (e) written records of any formal disposition. Informal dispositions also would be made available to public inspection.

### **C. Expungement Proceedings**

Since many juvenile sex offenses were made non-expungible, a variety of efforts have been used to avoid the intent of the law by refusing to adjudicate delinquents for serious sex offenses. While the reason given for doing so is to prevent juveniles from being "labeled" as sex offenders for the rest of their lives, the effect is altogether different. First, juvenile sex offenders are less likely to be successful in treatment because the severity of their conduct has been judicially down-played. Second, it ignores the impact on victims.

The Task Force proposal would allow expungement of most sex offenses, but only after a strict judicial review, in which the burden is on the person seeking expungement to show that expungement is appropriate under precise guidelines applied by a judge. The intent here is that judges who are not adjudicating juvenile sex offenders because of a perceived stigma attached to a non-expungible record would do so if future "labeling" was uncertain.

All juvenile sex offenders would be required to register in a sex offender registry which cannot be expunged under the juvenile code. Information regarding the juvenile's offense could be released, when appropriate, by law enforcement personnel, until ten years have elapsed. After that time, an individual could seek relief from the registration requirement.

Person-to-person Class A felonies should not be subject to expungement, because these crimes are so serious that juvenile offenders should not be given special consideration. Other serious crimes of lesser degree would go through the same judicial review process as provided above for certain sex offenses.

The Task Force recommends the expungement laws involving juveniles be revised as follows:

Offenses not subject to expungement

Records of person-to-person Class A felonies identified by the adult sentencing guidelines, and including attempted murder, conspiracy to commit murder, and solicitation to commit murder, should not be subject to expungement.

Offenses subject to expungement upon judicial review

A juvenile found to be within the jurisdiction of the juvenile court for conduct that, if committed by an adult, would constitute one or more of the crimes listed in ORS 419A.260(1)(d), which do not qualify as person-to-person Class A felonies, or attempts to commit such crimes, may apply to the court of disposition for a hearing to determine whether the record should be expunged. The application may be filed pursuant to the provisions of ORS 419A.262.

In making an expungement decision, a court should be required to consider the following:

- a. The extent of injury, either physical or emotional, suffered by the victim;

- b. The use, or threatened use, of force during the offense;
- c. The number of offenses committed;
- d. The statements and recommendations of the victim, or the victim's parents if the victim was a juvenile at the time the offense was committed;
- e. The premeditated and willful manner in which the offense was committed;
- f. The age difference between the victim and the offender;
- g. The offender's willingness to accept personal responsibility for the offense;
- h. The offender's participation in appropriate crime-specific treatment;
- i. The duration of treatment activities;
- j. Reports and recommendations from those who provided the offender with treatment;
- k. The offender's efforts to pay the victim's expenses for counseling and other trauma-related expenses, or other efforts to mitigate the effects of the crime;
- l. The offender's employment history;
- m. The protection afforded the public by the continued existence of the record; and
- n. The offender's subsequent criminal record or lack thereof.

An applicant for record expungement should not be permitted more than two hearings to request expungement of an offense, and a minimum of two years must lapse between hearings. Upon receipt of a request for a hearing, the clerk of the court should provide at least 30 days' written notice to the district attorney's office, the county juvenile department, the victim, and the victim's parents if the victim was a minor at the time of the offense. Persons requiring notice should be considered parties to the hearing and have the right to present testimony at the hearing.

#### Sex offenses

Juveniles adjudicated for sex offenses should be required to register with the Oregon State Police under the same provisions that exist for adult sex offenders. These records are not subject to the expungement provisions in the juvenile code, but the conditions imposed under the sex offender registration provisions may be relieved after ten years pursuant to a separate proceeding.

### Crimes subject to automatic expungement

All other crimes not listed above are subject to expungement, consistent with ORS 419A.292.

## CONCLUSION

Anti-crime proposals must be shaped by the problem, not by paranoia. The majority of adults convicted of violent crime began their criminal careers when they were children. The juvenile justice system that is supposed to break that cycle of crime is itself broken and needs fixing. The failure of our system feeds public cynicism about devoting the energy and resources that we need to keep kids from getting into trouble in the first place.

The proposals of the Governor's Juvenile Justice Task Force provide sure sanctions for juvenile offenders, provide rehabilitation of those who can be helped, and -- most importantly -- reduce the threat of violence in our streets and neighborhoods.

These proposals do not come cheap. But by breaking the cycle of violence, Oregon and its citizens will surely save in generations to come.

It is urgent that Oregon recommit itself to its young citizens and bring reform to our system of juvenile justice.

## APPENDIX A

*The following Preamble is recommended to guide policy makers in 1995-97 and beyond in juvenile justice system reformation.*

### PREAMBLE

Any system of juvenile justice must reflect a comprehensive approach to ensure public safety. Any system must include not only the critical elements of incarceration and rehabilitation, but also intermediate sanctions for non-violent offenders, a special focus on sanctioning first-time offenders to prevent recidivist behavior at the earliest opportunity, and efforts to prevent young people from committing criminal offenses in the first instance.

To these ends, in addition to the proposals from the Governor's Task Force on Juvenile Justice, the following elements should be developed to restore Oregon's system of juvenile justice:

**Whereas** intervention is most effective at a youth's first point of contact with the juvenile justice system; and

**Whereas** immediate, certain, consistent and appropriate sanctions are critical to deterring recidivist behavior at the earliest stages; and

**Whereas** a series of graduated sanctions holds youth accountable and provides increased deterrence as the level of criminality increases; and

**Whereas** timely access and availability of detention is critical to public safety, to hold youth accountable and to provide graduated sanctions; and

**Whereas** local detention is critical for communities to be effective in deterring criminal activity; and

**Whereas** costs for planning, development, construction, and operation of local short-term holding facilities and long- and short-term detention facilities for juveniles should be shared between counties and the state;

**Therefore** pre-arrest and pre-adjudicative programs and facilities, including local short-term holding facilities and long- and short-term detention facilities for juveniles should be developed and utilized at the local government level to prevent recidivist behavior and the development of criminal tendencies; and

**Therefore** the state, in cooperation with communities and local government units, should provide funding as an economic incentive for pre-arrest and pre-adjudication programs, and/or facilities including local short-term holding facilities and long- and short-term detention facilities for juveniles.

## APPENDIX B

# CRIME PREVENTION STRATEGY

Presented to and adopted by Governor Kitzhaber

*"If we want to reduce crime tomorrow, not just control it today, we must treat the causes of crime as well as the symptoms."*

*Governor-Elect John Kitzhaber*

### INTRODUCTION:

The voters' demand for increased public safety and their concern about the role and size of government were very strong themes in the 1994 election cycle. Many citizens do not feel safe in their homes, neighborhoods or schools. They see an alarming rate of drive-by shootings, sexual assaults and robberies perpetrated by increasingly youthful juvenile offenders and career criminals. Furthermore, a profound cynicism about government's ability to solve these problems has resulted in a widespread and understandable response -- lock them up and throw away the key.

But while the citizens of Oregon demand swift and immediate punishment for violent crimes, the message of 1994 continues to be redefining the role and size of government. Citizens increasingly suspect that their tax dollars are being squandered through inefficiency and waste. Too many believe that faceless bureaucracies push paper and protect themselves while services are few, hopelessly complicated and of poor quality. Furthermore, many Oregonians feel that local control of schools and government has been lost to increasingly centralized state government agencies.

The ascendance of a new majority in Congress and in the state legislature creates a new political reality. In Washington, Senator Kassebaum proposes transfer of welfare and nutrition programs to the states, while placing Medicaid under federal authority.

Congressional leaders propose welfare reform, abolishing the Department of Education and establishing orphanages for children of unwed mothers. In Oregon, initiatives are being proposed that continue to transfer to local communities the responsibility for

prevention of abuse and neglect and early intervention resources for children and families.

The opportunity for your administration, at its simplest, is that resources for children and families be based on human values and outcomes rather than on bureaucratic eligibility and compliance. This movement of authority from centralized State and Federal structures to local and community-based agencies should form the basis of your leadership agenda. Your task will be to assure that this inevitable transition occurs with the highest quality and accountability.

Our strategy for dealing with juvenile delinquency immediately addresses Oregonians' personal vulnerabilities and insecurities and simultaneously offers hope that our citizens' tax dollars can be directed to provide wisdom and value in addressing these social ills.

## **A RANGE OF SERVICES AND SANCTIONS**

Our system for dealing with juvenile delinquency and crime is broken. In the past, the system provided a choice of treatments and sanctions for youths, whether it was the youth's first involvement with anti-social behavior or the commission of a violent crime. But no more. With limited resources and ever more violent behavior by our youths, we have fallen back to the last line of defense: Providing services only in the most severe cases -- locking up and treating juveniles who have committed the most offensive crimes.

This is irrational. It's as if we chose to focus all our attention on providing health care only in the emergency room, but ignored the need for early childhood immunization. By not providing a range of services, from true prevention through early intervention through true emergency care, we doom our delinquency and juvenile crime services to failure. We must provide a range of services, including graduated services and sanctions:

Strengthening families and communities in providing guidance and discipline, and providing sound values for our young children -- immunizing them against involvement in anti-social behavior.

Intervening with youth immediately and effectively when delinquent behavior first occurs. Police can tell you that they have many contacts with delinquent youths before their crimes earn them the sanctions and services they deserve. **Every crime must have a sanction.** Giving youths a slap on the hand only reinforces their belief they can get away with delinquent behavior. We must

have an early intervention system of graduated sanctions, including fines, restitution, mandated drug or alcohol treatment, work crew assignments and other community, non-residential programs.

Hard beds for hardened youths. Oregon does not have enough space to remove truly violent youths from the community. We must expand our juvenile corrections system.

## **PREVENTING PROBLEMS**

Violence is not the human condition. It is learned behavior, and therefore preventable. Early support in the home, school and community offers children and families the chance to move away from lives of violence and dependency on welfare.

Children who grow up in homes where domestic violence, drugs and alcohol, or chaotic parenting styles occur are at great risk for lives of anti-social behavior. We can identify these anti-social behavior patterns as early as 18 months of age, and these patterns are the best single predictor of delinquency in adolescence. The more deviant the behavior of the parent, the more entrenched the behavior becomes in the child, resulting in higher arrest rates for property crimes and violent personal crimes. If an anti-social pattern is not changed by age 8 or 9, there is little hope that it can be cured. Anti-social, delinquent behavior must then be treated as a chronic condition, much like diabetes, which requires lifelong management and continuing interventions.

Preventing violence requires participation and education by all segments of society. If early prevention is neglected at the expense of incarceration, a steady and increasing flow of anti-social children will ultimately overwhelm us. If Governor-elect Kitzhaber's goal of "treating the causes of crime" is ever to be more than a hope, thoughtful and effective support must be planned at the earliest point in a child's life.

One such example is the First Steps program currently being implemented in Lane County schools. First Steps is a home and school intervention that diverts at-risk kindergartners from a path leading to antisocial behavior. First Steps is implemented during the first three to four months of kindergarten. The program has three components: 1) early screening to detect at-risk students; 2) a school intervention to improve classroom and playground behavior; and 3) a parent training program to teach parents and caregivers six key skills to assist children in getting along with others and getting work done.

First Steps is a highly effective prevention program. Follow-up across school years indicates that the kindergartners preserve most of the gains they achieve in subsequent years. First Steps is being considered for adoption by the Lane County Commission on Children and Families.

## **INTERVENING EARLY**

Our teachers, police and juvenile case workers know who is going to end up in our juvenile system long before the youths are sentenced. They simply don't have the tools they need to stop the youth's inevitable slide into violence and criminality.

They need effective tools for treating and rehabilitating these kids, combining accountability and sanctions with increasingly intensive treatment and rehabilitation. Every offense should have a sanction, and that sanction must fit the offense. This involves nonresidential and residential alternatives, and the families must be integrally involved in treatment and rehabilitation. Examples of this approach can be found in: school resource officer programs in Corvallis, Salem, McMinnville, Woodburn and Tualatin, where law enforcement officers work in the school as role models; Oregon State Police's C.R.E.A.T.E. program, which has been so effective in rural school districts throughout Oregon; the Self Enhancement, Inc., programs in Portland that use mentorship models to teach inner city youths the attitudinal and life skills needed for success; public-private cooperative efforts providing employment opportunities for at-risk youth; and multidisciplinary early intervention teams of police, community service and school personnel that work to divert youthful offenders from criminal lifestyles. Until the political leadership is provided to address these needs, we will be unable to provide safety to the public or to control the flow of younger children into lifestyles of crime.

## **VIOLENCE IN SCHOOLS**

In order to address the increase in school violence, schools should develop "safe school" plans. By training teachers in behavior management and social skills, and by using effective screening tools already in place to identify children at risk, schools can act as a first line of prevention for children. The schools would identify at-risk children and refer them to appropriate services early on. To be successful however, social service agencies, local commissions on children and families, and juvenile courts must work hand-in-hand with schools to provide services to respond to school referrals

with adequate services to deal with at-risk populations before violent tendencies develop. Only with this cooperative effort could "safe school" plans be effective.

To assist in this effort, the public must be made more aware of prevention efforts via a statewide public awareness campaign. In addition, new and existing funding needs to be specifically targeted toward prekindergarten programs, K-3 programs, and technical assistance for the implementation of safe school plans. Violence in schools is a major concern, and a cooperative, prevention-oriented approach is the only way to assure a lasting solution.

## **JUVENILE JUSTICE SYSTEM**

Oregon faces an immediate need and a public demand for more juvenile close custody beds. Some cases can be treated only by removing the offender from his or her community. This is an important tool to protect the public safety. Juvenile crime is growing, and demographic and other factors suggest that further increases reasonably may be anticipated. Whereas the juvenile justice system was originally designed to focus on comparatively minor cases of juvenile "delinquency," a rising tide of violent felony offenses now confronts the system. Furthermore, juveniles committing more minor offenses receive -- in some cases at least -- minimal sanctions and treatment for patterns of multiple and progressively more serious offenses. As a result, the juvenile justice system is widely perceived as failing to satisfy the critical imperative of protecting the public safety. However, we will never be able to incarcerate our way to a satisfactory solution to youth violence. The challenge is not to build close custody beds until we meet the need but to reduce the need in the future. In developing needed changes to confront the problems of juvenile violence, the many but often less publicized success stories of the juvenile justice system must be kept in mind. That is, to avoid worsening the threat to the public safety, reform proposals must avoid "throwing out the baby with the bathwater."

## **GETTING THE JOB DONE**

State government must be accountable to Oregonians for their safety and resolving the problem of juvenile crime. By focusing resources and attention on the problem and ensuring accountability through the Oregon Benchmarks, the state will provide leadership.

But the service must be planned, designed and implemented at the local level. Communities and local citizens must take ownership of the challenge and solution. We

need strong commitment from individuals, community organizations, schools, businesses, churches and congregations -- every part of a community -- to meet our goals. That is best achieved not through top-down dictates from state government, but through local action.

Oregon previously has achieved success through local empowerment -- the Regional Strategies for economic development, site-based planning in our local schools, and, most recently, the commitment to local Commissions for Children and Families. Local communities have risen to the challenge and have responded with creative, collaborative efforts that cut through standard bureaucracies to focus on real results.

The creation of the Oregon Commission on Children and Families, through House Bill 2004, ushered in a new era of investment in children and families, based on local planning strategies. This investment allows communities to develop and implement a seamless web of support to meet the individual needs of young Oregonians throughout their lives. This early investment will prevent the very expensive costs relating to illness, abuse and neglect, special education, youth violence, teen pregnancy and life-long dependency on public assistance or incarceration.

The 1993 Legislature adopted HB 2004 in response to very real concerns about the plight of children and families in Oregon. In 1992, 32 Oregon children died at the hands of their parents or adult caretakers. In addition, the Children's Care Team found a fragmented and often inaccessible system of delivering services to children and families. And the University of South Maine's study of Oregon's child protective services concluded that the system was punitive and confusing. Oregon removes thousands of children from their families to protect them, yet is unable to deliver a core set of services to help children and families avoid or resolve their crises. State government's efforts to prevent abuse, neglect, delinquency and crime were "too little, too late." Many Oregonians believe that the solution lies not in more resources or tougher laws, but in redeploying existing resources to encourage each citizen to contribute to the care, nurturing and education of our children.

A fundamental change caused by HB 2004 is the transition from state-level control of service delivery to county-level planning and resource development and accountability. Each of Oregon's 36 counties have completed comprehensive local plans to promote wellness for children and families. Each county plan focuses on preventing the "risk factors" that contribute to child abuse, neglect and anti-social behavior in youth. By bringing people together at the community level, more people are involved, and they achieve greater success.

As we look at these issues, two things are given:

We face limited government resources and tough choices; and

Investment more than pays for itself over time; you will be judged on how well you meet today's needs.

We ask you today to build on the logic of the Oregon Health Plan, and boldly include enhanced prevention of abuse and neglect and related problems as part of your immediate, as well as long term solution.

What does that mean? It means funding Healthy Start statewide as you reconfigure the state's close custody system for juveniles. It means establishing crisis nurseries as you develop community-based alternatives for juvenile offenders. We must not sacrifice critical prevention services in favor of demand for ever greater punishment for juvenile crimes, but must strike a balance between the public's demand for personal safety and our ability to effectively treat the causes of crime.

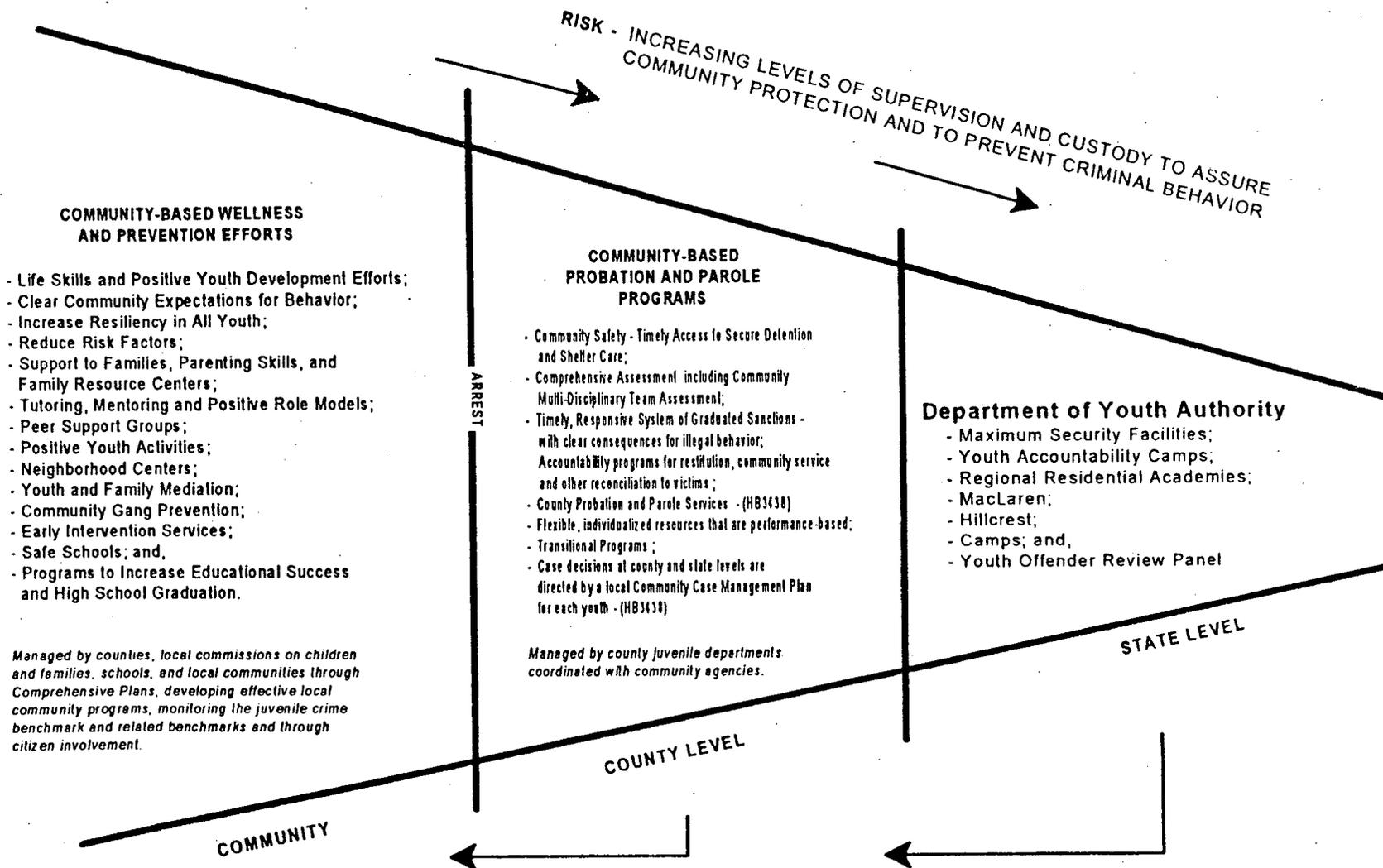
We recommend four actions:

1. Put resources into hard beds for violent juvenile offenders.
2. Provide leadership for prevention services. Oregon needs leadership, especially with issues that are either consensus items such as Healthy Start or state-of-the-art issues such as crisis response capabilities, First Steps and juvenile diversion programs.
3. Convene a blue ribbon "Commission on School Safety." This will include people from the prevention and intervention perspectives, interagency representatives and law enforcement. The goal of this group will be to implement the findings from the recently convened Gang Summit.
4. Convene a bipartisan group of legislative, community and professional leaders on the topic of "Flexibility in Government for Children and Families."

Now is the time to tackle juvenile delinquency and crime. The public is demanding action and change. Our children, families and communities need and deserve our attention. Our tax dollars must be better spent -- in ways that truly help solve the problem. It does not take a leader to build more hard beds for juvenile offenders although that is part of the solution. It takes a leader to build a system that works, that

keeps our youngest children from falling into delinquency, that treats the behavior once it begins, and that removes the chronic and violent offenders from our communities.

# OREGON'S MULTI-TIER JUVENILE JUSTICE SYSTEM



Juvenile Justice Task Force  
Office of the Attorney General  
12/9/94