

OFFICE OF THE SECRETARY OF STATE

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 137
DEPARTMENT OF JUSTICE

FILED

03/23/2023 2:07 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: OARs for the new Trauma Informed Response Training grant program.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/08/2023 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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1162 Court St NE
Salem, OR 97301

Filed By:
Valerie Smith
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 04/20/2023

TIME: 1:00 PM - 1:00 PM

OFFICER: Valerie Smith

HEARING LOCATION

ADDRESS: Dept of Justice, 1162 Court St NE, Salem, OR 97301

SPECIAL INSTRUCTIONS:

This is an online hearing only.

REMOTE MEETING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 323-792-6149

CONFERENCE ID: 661719406

NEED FOR THE RULE(S)

HB 2575 passed by the Oregon Legislature in 2021 established ongoing funding for this grant and required the Oregon Department of Justice to draft rules establishing the application process for the Trauma Informed Response Training grant program.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

HB 2575: <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2575/Enrolled>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Trauma Informed Response Training grant program is not specifically designed to address racial equity in Oregon. However, the program is designed to provide law enforcement and other government agencies with a basis of

understanding of the nature and impact of trauma on individuals. Many communities impacted by inequity such as communities of color experience higher rates of victimization and have experienced historical trauma that impacts the way they view law enforcement and other government entities. Providing law enforcement with more training and resources about the impacts of trauma on a person will hopefully lead to better interactions and outcomes when these government actors engage with individuals who have experienced trauma.

FISCAL AND ECONOMIC IMPACT:

Funding for this grant program is part of DOJ's current service level budget.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

- 1) The DOJ, CVSSD grant program will cover the costs of trauma informed training.
 - 2) These rules will have no impact on small businesses.
-

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

These rules will have no impact on small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

HB 2575 required rules to establish the application process for the grant. CVSSD administers hundreds of grants a year and did not require an external body to develop these minimal application guidelines.

RULES PROPOSED:

137-073-0010, 137-073-0020, 137-073-0030, 137-073-0040, 137-073-0050

ADOPT: 137-073-0010

RULE SUMMARY: New OARs for the Trauma Informed Response Training Grant Program.

CHANGES TO RULE:

137-073-0010

Purpose

These rules set out guidelines for the operation of the Trauma Informed Response Training grant program, established by HB 2575 to fund training for groups and agencies that interact with persons who have experienced trauma.

Statutory/Other Authority: HB 2575 (2021)

Statutes/Other Implemented: HB 2575 (2021)

ADOPT: 137-073-0020

RULE SUMMARY: OARs for the new Trauma Informed Response Training Grant Program.

CHANGES TO RULE:

137-073-0020

Definitions

- (1) "Grantee" is an applicant that successfully applies for and receives money through the grantmaking process carried out by the Department.¶
 - (2) "Law enforcement agency" is an agency employing law enforcement officers, the primary duty of which is one or more of the following:¶
 - (a) Detecting crime and enforcing the criminal laws of this state or laws or ordinances relating to airport security;¶
 - (b) The custody, control or supervision of individuals convicted of or arrested for a criminal offense and confined to a place of incarceration or detention; or¶
 - (c) The control, supervision and reformation of adult offenders placed on parole or sentenced to probation and investigation of adult offenders on parole or probation or being considered for parole or probation. ¶
 - (3) "Local government agency" is a county or city agency created to carry out a government function or to implement a statute or statutes. This includes but is not limited to:¶
 - (a) District Attorney's Office¶
 - (b) City Attorney ¶
 - (c) County Counsel¶
 - (d) Tribal Social Services¶
 - (e) Tribal Government ¶
 - (f) County offices¶
 - (4) "Trauma" is an experience that causes physical, emotional, spiritual, or psychological harm.
- Statutory/Other Authority: HB 2575 (2021)
Statutes/Other Implemented: HB 2575 (2021)

ADOPT: 137-073-0030

RULE SUMMARY: OARs for the new Trauma Informed Response Training Grant Program.

CHANGES TO RULE:

137-073-0030

Grant Program Application Process

(1) Frequency: Applications will be issued by the department at least biannually as long as sufficient funds are allocated.

(2) Eligibility criteria:

(a) Eligible applicants for grant awards include law enforcement or local government agencies;

(b) Project proposals must be consistent with the model training program established by the Department.

(3) Applicants may request funds for an established training program provided by an outside entity or for the development of a training program within the agency. Training program must be consistent with model training program.

(4) Content of application packet. Each application packet issued shall describe:

(a) The total grant funds available;

(b) Whether it is a competitive or non-competitive process;

(c) The total funds available for award;

(d) Instructions specifying the requirements for a successful application;

(e) The last date by which applications must be submitted and/or received by DOJ;

(f) The manner in which the application must be submitted;

(g) All necessary application forms and materials;

(h) All other information required for application preparation and submission;

(i) A description of the application review process, including review criteria;

(j) A description of grant reporting requirements; and

(k) Notification of the right to a review of the award decision.

Statutory/Other Authority: HB 2575 (2021)

Statutes/Other Implemented: HB 2575 (2021)

ADOPT: 137-073-0040

RULE SUMMARY: OARs for the new Trauma Informed Response Training Grant Program.

CHANGES TO RULE:

137-073-0040

Process for Awarding Grants

(1) Review Criteria: ¶

(a) The Department staff shall review applications according to objective criteria described in the application packet. Non-competitive applications may be reviewed solely by Department staff. Competitive applications may be reviewed by Department staff with regard to satisfaction of minimum qualifications for eligibility, but shall be reviewed by a review committee, established by the Department, with regard to content. While numeric scoring will be used for any competitive award process, the Department reserves the right to award funds to agencies based upon criteria other than highest ranking numerical score.¶

(b) The Department shall consider the community partnerships of the applicant when determining awards. ¶

(2) Award Amounts: As part of the application review process, review committee or Department Staff may consider factors including: total amount of funds available overall; the number of applications submitted; geographic distribution; and feasibility of awarding one or more applicants an amount less than that requested. ¶

(3) Record of Process: A complete record of the review process shall be kept during the process and shall be retained by the Department during the term of the grant awards. If applicable, this includes any numerical scoring resulting from a competitive process. This information shall be available to grantees, upon request, excluding the identity of individual scorers.¶

(4) Transfer of Funds: Upon approval of an application, the Department will enter into a contractual agreement with the applicant. The Department will disburse funds in accordance with that agreement. ¶

(5) Completion of Required Grant Award Documents: Funds are not considered obligated and will not be transferred until all required grant award documents have been signed by an applicant and by the Department designee. If grant award documents are not completed by an applicant within three months of the notice to the applicant of the intended award, the Department has the authority to reallocate the funds awarded.

Statutory/Other Authority: HB 2575 (2021)

Statutes/Other Implemented: HB 2575 (2021)

ADOPT: 137-073-0050

RULE SUMMARY: OARs for the new Trauma Informed Response Training Grant Program.

CHANGES TO RULE:

137-073-0050

Grantee Reporting

(1) Grantee shall submit reports to the Department as prescribed in the RFA. The form and content of the report shall be specified by the Department. The report must document how the funds were used and the extent to which the grantee was able to meet anticipated outcomes, as well as other grant-related information requested by the Department. ¶

(2) Outcome Measures: Grantee must report on the number and disciplines of people trained and describe what policies and/or procedures participants plan to change that will improve trauma informed response practices as a result of the training.

Statutory/Other Authority: HB 2575 (2021)

Statutes/Other Implemented: HB 2575 (2021)