

Attorney General Dave Yost  
Budget Testimony – Senate Finance Committee  
April 15, 2021

Good afternoon Chairman Dolan, Vice Chair Gavarone, and Ranking Member Sykes. I appreciate the opportunity to testify today on House Bill 110 and on the Attorney General Office's (AGO) budget for FY22-FY23.

Earlier this week, my office got its first look at the substitute version of HB 110 from the House. I am pleased to report that several technical and good government language requests sought by my office were included in the substitute version of the bill, as well as some additional resources for BCI, rape crisis centers, and domestic violence shelters. I am grateful to the legislature for their financial support of my office, and look forward to working with the Senate to continue the promotion of the many critical services that are empowered through your support.

**Total Funding**

My office asked for and received an overall 2.2% **decrease** in the as introduced version of the budget across the biennium. This translates to a request for \$383,333,020 in FY22 and \$386,199,201 in FY23, and represents a decrease of 2.9% and an increase of 0.7% respectively. From a staffing perspective, the AGO's current staffing is comprised of approximately 1490 FTEs and 28 part-time employees.

In the substitute bill released on Tuesday, the additional proceeds we received for BCI, rape crisis centers, and domestic violence shelters resulted in a slight overall increase in our budget to 2.3% in FY 22 and 2.1% in FY 24. This modest growth, which includes significant new funding for victims of rape and domestic violence, is absolutely vital as we continue to see increasing demand for our services.

**Bureau of Criminal Identification and Investigation**

Over the last several biennium's, the Attorney General's Office launched some of the most important law enforcement initiatives of modern times through the Bureau of Criminal Identification and Investigation—commonly known as BCI. This includes updates to the Ohio Law Enforcement Gateway (OHLEG), a new digitized background check system (OBIS), an Ohio sexual assault tracking kit system, and cutting-edge advancements in testing capabilities related to THC quantification, DNA analysis, and identification techniques.

BCI is a valued partner and resource for local law enforcement agencies, providing fast and accurate services, many times at no charge. This includes lab testing and analysis, crime scene assistance, and providing an independent third-party review for officer involved critical incidents. Despite growing demand for BCI's services and the significant expenses related to new technology, training, and equipment, BCI continues to do more with less.

But there are limits to what BCI can do without additional resources. As part of our office's larger budgeting process, the AGO planned to seek an update to our criminal background check fees which have remained stagnant for well over a decade. Through our conversations with the legislature, we agreed to pull the rules in question and are now seeking the resources we need in the budget. My office submitted a budget amendment in the House to request an additional \$7.7 million dollars per year directly for BCI. This is money that will be used to support our new digitized background check system and to defray additional costs at BCI related to hemp quantification, independent investigation

of officer involved critical incidents, and to make sure our sensitive lab equipment is appropriately maintained and certified.

I am grateful to the House for including a little over half of the \$7.7 per year BCI needs in the substitute version of the budget, and we desperately need the full amount in order to keep up with the frenetic demand for BCI services. As of last week, demand for BCI's assistance as the primary investigative agency on officer involved critical incidents increased 133% over the same period last year (January 1 through April 6, 2020), and 320% in the same time period when called in for assistance. This is for one service provided by BCI.

To keep up with this precipitous demand, we are going to need your help. This is why in addition to seeking the additional \$3.8 million per year for BCI in lieu of any fee increases, we will also be seeking additional resources for law enforcement technology enhancements which includes implementing recommendations made by the Facial Recognition Taskforce, and piloting cutting-edge technology that will put anonymized data into the hands of law enforcement in minutes, when traditional policing techniques take hours or even days to gather these leads.

### **COVID-19 Response**

As people all over the world were forced to adjust their lives in the face of a global pandemic, our operations and employees were also affected. Once the extent of our new reality became better understood, we transitioned from reacting to the pandemic, to daring to embrace our shared adversity in order to learn from it. This led to challenging our notions for who could work from home, thinking creatively about how to leverage technology, and thinking critically about our core office functions.

The results were incredible. In relatively short order, my office shifted to a largely work from home footing while successfully maintaining our existing operations without a degradation in services. This required many hours of planning, IT infrastructure and equipment obstacles that had to be overcome, thoughtful working arrangements and sanitization plans, and countless other details. As a result of our experiences over the last 12 months, we have determined that 25% of our staff will continue to permanently work from home.

I mentioned in my opening remarks that the budget we requested represented a 2.2% net decrease over the biennium. We were largely able to accomplish this through expected savings due to less leased space, optimizing our fleet of vehicles according to maintenance efficiency, and bringing more IT related contracts back in-house to generate significant savings to the taxpayers. Even with the new funding added in the sub. bill, we have largely been able to hold the line on our budget because of these and other cost savings measures.

### **Language Requests**

Again, we were humbled by the support we received in the House for several language requests, and would ask that the Senate maintain these provisions.

These include:

- Language to transfer an audit of Developmental Service Agency (DSA) grants from our office to the Auditor of State;
- Rulemaking authority for our Collections Section to reduce the time we are required by law to collect a debt and to add transparency in rule for how we pay outside counsel for Collections;
- An amendment supported by the Ohio Municipal League that allows our office to utilize the federal Treasury Offset Program (TOP) for municipal debt like we currently do for state debt; and
- Clarification about reporting guidelines for levying officers that relieves my office from having to create an expensive database when we can make the few report we receive available online for little to no additional cost to taxpayers.

**Conclusion**

Chairman Dolan and members of the committee, thank you again for allowing me the opportunity to testify before the committee about my office's budget. I truly appreciate the support the legislature has shown for my office, and I would be happy to take any questions you may have at this time.