

Program #15004 - Records/Discovery 3/7/2022

Department: District Attorney **Program Contact:** Jamila Williams
Program Offer Type: Support **Program Offer Stage:** As Requested
Related Programs:
Program Characteristics: In Target

Executive Summary

The discovery component of this program supports Multnomah County District Attorney's Office (MCDA) in processing discovery requests and providing discoverable material to defense counsel, attorneys representing victims and occasionally to defendants representing themselves. This is a legal process. The records component maintains accurate records on open and closed cases including electronic document scanning, scheduling and docketing of court appearances and administrative and clerical support to attorneys and staff assigned to the arraignment courts. MCDA reviews and updates discovery processes to ensure all requests are complied with in a timely and accurate way and reviewing for new processing methods or tools to complete the work in adherence with the equity values of MCDA.

Program Summary

The Records/discovery program fulfills the statutory responsibility to provide case-specific discovery of documents, photos, videos and audio material in paper, flash drive, CD, DVD and hard drive formats to public and private defense attorneys pro se defendants and victims. The program also handles and manages discovery of body worn camera footage for at least two law enforcement agencies. As the amount of discoverable video evidence increases the office is slowly shifting its delivery method through development of an online portal to deliver large volumes of media and documents virtually. Staff copy, upload, redact, and disclose to defense attorneys any restitution information submitted by victims. Staff maintain meticulous records in tracking material and information within the possession or control of MCDA in order to disclose accurate data to defense on homicide and major crimes cases. This position is in contact with the District Attorney, First Assistant to the District Attorney, and Chief Deputy District Attorneys with regards to processing scanned documents and other media for the most confidential and sensitive cases handled by the office.

This program provides daily docket support on multiple dockets for the entire office. The program provides file storage and retrieval for the entire office, maintaining over 30,000 closed and open case files in various storage locations. Staff coordinate shipment and tracking of off-site storage for closed physical files and case materials at county archives and private secured storage facilities. The unit maintains historical records of all archived cases and their destruction dates in accordance with county and state rules and regulations. This program is responsible for compiling and disbursing a weekly list of defendants who have either remained in custody due to a judicial finding of probable cause or waived the probable cause hearing. Staff query and print records from the Law Enforcement Data System (LEDS/NCIC) to provide information required by the DDAs for probation violation hearings. Equity is incorporated throughout all steps of the discovery process which align with MCDA and County goals around equity and inclusion.

Performance Measures

Measure Type	Primary Measure	FY21 Actual	FY22 Budgeted	FY22 Estimate	FY23 Offer
Output	Total Number of Discovery Packets	5,873	13,500	6,770	7,673
Outcome	Total Discovery Revenue	\$247,621	\$370,000	\$362,000	\$380,000

Performance Measures Descriptions

Discovery packets referred are reports, photos, forensic results, audio, video, including body worn camera video evidence which is required to be provided to the defense after arraignment. Temporary changes were made to the legal process in response to COVID-19 reducing cases initiated, Grand Jury indictments and trials. The changes are expected to end when COVID-19 court restrictions are lifted.

Legal / Contractual Obligation

ORS 8.850 - Offices, supplies, and stenographic assistance for district attorneys and deputies. Each county shall provide the district attorney and any deputies for such county and such office space, facilities, supplies, and stenographic assistance as is necessary to perform efficiently the duties of such office. [1953 c.652 §3]

ORS 8.700 - Register to be kept. The district attorney must keep a register of official business, in which the district attorney shall make a note of every action, suit or proceeding commenced or defended by the district attorney in official capacity, and the proceedings therein.

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Requested General Fund	Requested Other Funds
Program Expenses	2022	2022	2023	2023
Personnel	\$598,285	\$0	\$613,877	\$0
Contractual Services	\$17,000	\$0	\$17,000	\$0
Materials & Supplies	\$40,000	\$0	\$23,000	\$0
Internal Services	\$145,628	\$0	\$156,867	\$0
Total GF/non-GF	\$800,913	\$0	\$810,744	\$0
Program Total:	\$800,913		\$810,744	
Program FTE	7.05	0.00	6.97	0.00

Program Revenues				
Service Charges	\$370,000	\$0	\$380,000	\$0
Total Revenue	\$370,000	\$0	\$380,000	\$0

Explanation of Revenues

\$357,500 Office of the Oregon Public Defense Services (OPDS) charges for records/discovery.
\$22,500 Non-OPDS charges for records/discovery.

Significant Program Changes

Last Year this program was: FY 2022: 15004 Records/Discovery