

**Department:** District Attorney **Program Contact:** John Casalino  
**Program Offer Type:** Existing Operating Program **Program Offer Stage:** As Adopted  
**Related Programs:**  
**Program Characteristics:**

**Executive Summary**

Last year, this program partially funded the BWC Unit. A DDA must review all available evidence prior to making a charging decision. Tangible evidence must be reproduced by the district attorney's office and provided to the defense attorney. When body-worn camera evidence is received by the DA's Office, the process of reviewing and replicating the evidence will be mandatory, not discretionary. GPD now has completed the process of purchasing body worn cameras for all GPD patrol officers and is now in the deployment stage. This has increased obligations for MCDA which necessitates increasing capacity of MCDA to adequately protect crime victims and safeguard the rights of the accused. See submitted program 15012B.

**Program Summary**

The BWC Unit assists with the review of cases submitted by local law enforcement agencies to determine whether the case should be charged as a crime. This function is at the heart of the prosecution function. The charging decision in every case is guided by a 22-step analysis contained within the MCDA Policy Manual. As the case progresses through the system, the video may need to be re-reviewed, redacted, reformatted, and used in trial preparation and witness preparation. Gresham Police Department has implemented 132 body worn cameras, see submitted program 15012B.

Body-worn camera evidence is reviewed by a deputy district attorney. Duplication and distribution of body-worn camera evidence will be accomplished by non-lawyer staff. A review of comparably-sized offices from around the country has shown that, with the adoption of body-worn cameras by law enforcement, prosecutor's personnel costs rose between 3% – 10%. For example, the Wayne County District Attorney's Office (Detroit, MI) experienced an 8% increase in personnel costs after several of their law enforcement partners began using body-worn cameras. Data from body-worn cameras will be voluminous and secure storage will be necessary to comply with witness/victim privacy concerns as well as Criminal Justice Information Services (CJIS) compliance requirements.

Body-worn camera footage will allow prosecutors to view crime scenes and witness/victim/suspect interviews through an unfiltered lens. Transparency and system confidence will increase by virtue of additional objective evidence available for subsequent review. Charging decisions will improve, leading to better, more just, outcomes.

**Performance Measures**

Measure Type	Primary Measure	FY19 Actual	FY20 Budgeted	FY20 Estimate	FY21 Offer
Output	Hours of body camera footage reviewed	108	5,800	1,500	1,560
Outcome	Trials avoided by better charging decisions enabled through the use of body camera footage	N/A	N/A	N/A	-10

**Performance Measures Descriptions**

Output – All body camera footage submitted by GPD will be reviewed by a deputy district attorney to assist in determining whether criminal charges should be issued. If charges are issued, pertinent footage will be duplicated and made available to defense attorneys. Outcome – Having audio/visual evidence will allow prosecutors to view crime scenes and interviews through an unfiltered lens. Transparency and system confidence will increase by virtue of additional objective evidence available for subsequent review. Charging decisions will improve, leading to better, more just, outcomes.

## Legal / Contractual Obligation

Oregon Constitution: Article VII Section 17. Prosecuting Attorneys. There shall be elected by districts comprised of one, or more counties, a sufficient number of prosecuting attorneys, who shall be the law officers of the State, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of Law, and general police as the Legislative Assembly may direct. Oregon Revised Statute (ORS): 135.185: The District Attorney shall disclose to a represented defendant the certain material within the possession and control of the district attorney.

## Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Adopted General Fund	Adopted Other Funds
Program Expenses	2020	2020	2021	2021
Personnel	\$204,263	\$0	\$207,174	\$0
Materials & Supplies	\$46,091	\$0	\$28,136	\$0
<b>Total GF/non-GF</b>	<b>\$250,354</b>	<b>\$0</b>	<b>\$235,310</b>	<b>\$0</b>
<b>Program Total:</b>	<b>\$250,354</b>		<b>\$235,310</b>	
Program FTE	1.48	0.00	1.50	0.00

Program Revenues				
Total Revenue	\$0	\$0	\$0	\$0

## Explanation of Revenues

## Significant Program Changes

Last Year this program was: FY 2020: 15012-20 Body Worn Cameras - Gresham

Last year, that program partially funded the BWC Unit with a 0.74 FTE Deputy District Attorney 2 and a 0.74 FTE Office Assistant 2. Gresham PD did not begin deploying BWCs until January 2020. They will be fully deployed and this practice will overload the current capacity of MCDA BWC Unit to review cases in order to protect community members who are victims of criminal conduct as well minimize MCDA's ability to safeguard the rights of the accused. Submitted program 15012B is offered as a solution to this critical problem.