

Department: District Attorney **Program Contact:** Kirsten Snowden
Program Offer Type: Innovative/New Program **Program Offer Stage:** As Requested
Related Programs:
Program Characteristics: Out of Target

Executive Summary

This program offer funds a full-time deputy district attorney (DDA) specifically assigned to the screening, supervision, treatment and possible diversion of misdemeanor criminal cases that involve mentally ill offenders. This position collaborates with the existing felony Mental Health Court DDA for unified disposition and treatment services for multi-case offenders, and is specifically focused on connecting mentally ill misdemeanants to service providers while reducing overall jail bed usage.

Program Summary

The misdemeanor Mental Health Court DDA's efforts focus on connecting mentally ill misdemeanor offenders to service providers while reducing overall jail bed usage. To that end, the program/assigned DDA's work includes but is not limited to:

- Daily communication with the MCSO mental health navigator position to identify jail misdemeanants booked and flagged as mentally ill by a qualified screener at the jail. Review of all police/incident reports associated with persons flagged by the MCSO navigator.

- Weekly screening of all misdemeanor jail bookings to identify and flag persons held in custody on class B and C misdemeanor level offenses only. Screening of those persons for information relative to mental health concerns to include review of release/recog interviews and information, review of prior cases, and review of associated police/incident reports.
- Coordination with designated Law Enforcement Assisted Diversion (LEAD) program caseworkers for the intervention, diversion, release and transport of low level mentally ill offenders from jail directly to treatment providers.
- Screening of all misdemeanor cases/defendants appearing on the weekly Aid and Assist docket.

The misdemeanor mental health DDA will work closely with the MCSO mental health navigator to review all cases/persons identified by the navigator, and will make criminal issuing decisions based on information communicated by the navigator and the social service provider partners. Specifically, the DDA will be tasked with non-prosecution of misdemeanor cases involving mentally ill offenders who are willing to engage with social service providers immediately post-booking.

The misdemeanor mental health DDA will also review jail data in an attempt to identify persons being held in custody on class B and C non-person misdemeanor offenses who suffer from mental illness, and who are willing to participate in social services. Specifically, the DDA will ask for direct release of these persons to LEAD caseworkers for the coordination and administration of social services, and later dismissal of criminal cases.

The misdemeanor mental health DDA will also personally screen all misdemeanor cases appearing on the weekly Aid and Assist docket for the purposes of ensuring overall minimal custody duration for defendants pending evaluations, and to further identify cases eligible for diversion to treatment providers and dismissal of criminal prosecutions.

Performance Measures

Measure Type	Primary Measure	FY19 Actual	FY20 Budgeted	FY20 Estimate	FY21 Offer
Output	Number of MCSO Navigator cases, misdemeanor cases on the A& A docket and in-custody cases reviewed for div	N/A	N/A	364	572
Outcome	Number of cases diverted from standard criminal prosecution	N/A	N/A	N/A	380

Performance Measures Descriptions

Total number of misdemeanor cases involving mentally ill offenders diverted away from standard criminal prosecution models. This is a new program offer and FY 2018 data was not tracked, and diversions were not offered to any defendant in FY 2018 or to date in FY 2019.

Legal / Contractual Obligation

ORS 8.665 Prosecuting violations. Upon the issuance of a citation by any person authorized to issue citations for violations, a district attorney shall prosecute the case if it appears that a violation has occurred.

ORS 8.660 Attending court and prosecuting offenses. (1) The district attorney shall attend the terms of all courts having jurisdiction of public offenses within the district attorney's county, and, except as otherwise provided in this section, conduct, on behalf of the state, all prosecutions for such offenses therein.

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Requested General Fund	Requested Other Funds
Program Expenses	2020	2020	2021	2021
Personnel	\$0	\$0	\$157,538	\$0
Materials & Supplies	\$0	\$0	\$12,057	\$0
Total GF/non-GF	\$0	\$0	\$169,595	\$0
Program Total:	\$0		\$169,595	
Program FTE	0.00	0.00	1.00	0.00

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

Explanation of Revenues

Significant Program Changes

Last Year this program was: