

Program #15021A - Justice Integrity Unit 5/2/2022

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|---------------------------------|----------------------------|-----------------------------|--------------|
| Department: | District Attorney | Program Contact: | Mike Schmidt |
| Program Offer Type: | Existing Operating Program | Program Offer Stage: | As Proposed |
| Related Programs: | | | |
| Program Characteristics: | | | |

Executive Summary

Prosecutors must be leaders in ensuring that convictions are the result of fair and transparent processes consistent with the pursuit of justice. MCDA’s Justice Integrity Unit reviews and, when necessary and appropriate, seeks to overturn convictions when there is evidence of actual innocence, prosecutor or law enforcement misconduct, or other considerations that undermine the integrity of the conviction. The criminal legal system has disproportionately impacted communities of color. This unit works closely with defense attorneys and community groups to identify appropriate cases for this unit to consider.

Program Summary

More than 45 jurisdictions across the country have established Justice Integrity Units (JIUs) as a mechanism for scrutinizing past cases. MCDA’s JIU will address all issues that arise after conviction and sentencing including, but not limited to, post conviction relief (PCR) hearings, Psychiatric Security Review Board (PSRB) Hearings, Parole Board Hearings, reviewing clemency petitions, and reviewing Ramos cases. The JIU investigates claims of actual innocence, and instances where prosecutorial or law enforcement misconduct is alleged that is uncovered post-conviction. MCDA’s JIU is led by a Senior Deputy who is experienced in all levels of casework.

It is also the role of this unit to ensure that MCDA is a leader in justice integrity in the state. To that end, the head of the JIU maintains and updates policies, protocols and materials related to: discovery obligations; eyewitness identification; recorded police interviews; ethics and professionalism; confidential informants; forensic evidence retention; proffers and cooperation agreements; and homicide file closing protocols.

Even as MCDA moves forward with better practices, building public trust in the criminal justice system requires addressing the past harm that has been perpetrated by the criminal legal system. MCDA acknowledges that harm has fallen disparately on communities of color. Therefore, the intention and expectation of the JIU is that MCDA will address disparity in the criminal legal system. JIU tracks the demographic information related to cases that it works on in order to measure that impact, and to ensure that this unit does not increase disparities that already exist.

This program was developed coordination with national technical assistance provider Fair and Just Prosecution, who supplied MCDA with best practices and materials from well established-JIUs around the country.

Performance Measures

| Measure Type | Primary Measure | FY21 Actual | FY22 Budgeted | FY22 Estimate | FY23 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output | Number of Justice Integrity Unit cases | N/A | 60 | 20 | 60 |
| Outcome | MCDA posture (support/oppose) in cases of innocence, parole, and clemency; demographics of those impacted. | N/A | 60 | 20 | 60 |

Performance Measures Descriptions

Revenue/Expense Detail

| | Adopted General Fund | Adopted Other Funds | Proposed General Fund | Proposed Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses | 2022 | 2022 | 2023 | 2023 |
| Personnel | \$115,537 | \$148,850 | \$124,471 | \$160,361 |
| Materials & Supplies | \$0 | \$0 | \$1,000 | \$0 |
| Internal Services | \$0 | \$0 | \$22,499 | \$0 |
| Total GF/non-GF | \$115,537 | \$148,850 | \$147,970 | \$160,361 |
| Program Total: | \$264,387 | | \$308,331 | |
| Program FTE | 0.44 | 0.56 | 0.44 | 0.56 |

| Program Revenues | | | | |
|----------------------|------------|------------------|------------|------------------|
| Intergovernmental | \$0 | \$148,850 | \$0 | \$160,361 |
| Total Revenue | \$0 | \$148,850 | \$0 | \$160,361 |

Explanation of Revenues

\$160,361 Edward Byrne Justice Assistance Grant (JAG) pass through from City of Portland - funds 0.56 FTE of a DDA4

Significant Program Changes

Last Year this program was: FY 2022: 15021A Justice Integrity Unit