



**Program #15204B - Pretrial - Deputy District Attorney and Office Assistant (2.00 FTE)** 5/6/2020

**Department:** District Attorney **Program Contact:** Kirsten Snowden  
**Program Offer Type:** Existing Operating Program **Program Offer Stage:** As Proposed  
**Related Programs:**  
**Program Characteristics:**

**Executive Summary**

Restores a 2.00 FTE staffing reduction taken to meet 2% constraint of a deputy district attorney position and an office assistant position. The positions review misdemeanor drug possession cases defined in ORS Ch. 475. They are responsible for the administration of the Treatment First Program and handle all aspects of the weekly Treatment First docket where defendants are offered the opportunity to complete treatment and/or supervision in accordance with their assessed risk and needs.

**Program Summary**

The Multnomah County District Attorney's Office receives approximately 1,200 drug possession cases annually that qualify either under state law, or office policy, to be treated as misdemeanors. The Treatment First Program deputy district attorney (DDA) assigned to the Pretrial Unit is responsible for initial review of these cases to ensure that any cases with legal impediments, including invalid searches or missing information, are rejected for prosecution and not charged. This requires a more experienced attorney who has the capacity to approach these cases methodically and not inflict downstream system costs on this office, the courts, and the public defenders by rushing charging decisions. The Treatment First Program DDA also handles all aspects of the weekly Treatment First docket where defendants are offered the opportunity to complete treatment and/or supervision in accordance with their assessed risk and needs. This allows appropriate targeting of services without "over supervising" individuals. Defendants resolving their cases through the Treatment First docket can earn a dismissal, further minimizing the collateral consequences of their involvement in the criminal justice system, while at the same time addressing the root causes of their involvement and incentivizing their participation in drug treatment. This office's ability to engage with this novel program would be severely impaired were this position not funded and would result, in part, in an inability to prosecute many of these charges.

If the DDA position had not been restored, continuing to prosecute the subset of these cases that MCDA could with available resources would have resulted in undifferentiated treatment not in accordance with best practices simply due to the realities of case volume and the inability to spend the time to engage with a risk-needs based case resolution model.

The office assistant position supports the flow of case files, assessment documents, and docket preparation to ensure the Treatment First Program DDA is able to focus time on promptly addressing program issues requiring lawyer involvement.

**Performance Measures**

| Measure Type | Primary Measure                 | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---------------------------------|-------------|---------------|---------------|------------|
| Output       | Misdemeanor Drug Cases Reviewed | 1,260       | 1,263         | 1,263         | 1,263      |
| Outcome      |                                 |             |               |               |            |

**Performance Measures Descriptions**

**Legal / Contractual Obligation**

ORS Ch. 475

**Revenue/Expense Detail**

|                         | <b>Adopted<br/>General Fund</b> | <b>Adopted<br/>Other Funds</b> | <b>Proposed<br/>General Fund</b> | <b>Proposed<br/>Other Funds</b> |
|-------------------------|---------------------------------|--------------------------------|----------------------------------|---------------------------------|
| <b>Program Expenses</b> | <b>2020</b>                     | <b>2020</b>                    | <b>2021</b>                      | <b>2021</b>                     |
| Personnel               | \$0                             | \$0                            | \$234,640                        | \$0                             |
| <b>Total GF/non-GF</b>  | <b>\$0</b>                      | <b>\$0</b>                     | <b>\$234,640</b>                 | <b>\$0</b>                      |
| <b>Program Total:</b>   | <b>\$0</b>                      |                                | <b>\$234,640</b>                 |                                 |
| <b>Program FTE</b>      | 0.00                            | 0.00                           | 2.00                             | 0.00                            |

| <b>Program Revenues</b> |            |            |            |            |
|-------------------------|------------|------------|------------|------------|
| <b>Total Revenue</b>    | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

**Explanation of Revenues****Significant Program Changes**

Last Year this program was: