



Program #15204B - Pretrial – Restoration of DDA 1 Position FY 2024 Department Requested

Department: District Attorney **Program Contact:** Kirsten Snowden
Program Offer Type: Existing **Program Offer Stage:** Department Requested
Related Programs:
Program Characteristics: Out of Target

Executive Summary

The Pretrial Unit deputy district attorneys (DDAs) are responsible for reviewing and issuing all misdemeanor cases other than those involving domestic violence. The Pretrial Unit also coordinates all judicial appeal cases, civil litigation, post-conviction cases, felony arraignments, habeas proceedings, fugitive and extradition matters, out of state material witness cases, public records requests, and appeals. Pretrial also oversees the administration of the grand jury process and body-worn camera review.

Program Description

This program offer is a restoration request for 1.0 DDA position that was cut in an effort to meet the FY 2024 General Fund constraint. The Pretrial Unit deputy district attorneys (DDAs) are responsible for reviewing and issuing all misdemeanor cases other than those involving domestic violence. Reduction in these DDAs will increase caseloads for remaining DDAs to levels that are not manageable and will exacerbate challenges to retain prosecutors. Impacts such as delays in prosecutions and less attention to each case further harms victims and do not benefit most defendants either. A restoration program offer is being submitted for this reduction.

Performance Measures

Measure Type	Primary Measure	FY22 Actual	FY23 Budgeted	FY23 Estimate	FY24 Offer
Output	Misdemeanor cases reviewed for prosecution	4,674	13,000	3,864	5,000
Outcome	Number of applications received to set aside criminal convictions	6,433	2,400	6,500	N/A
Outcome	Number of fugitive cases, extraditions, public records requests and public records appeals.	N/A	N/A	800	874

Performance Measures Descriptions

MCDA is receiving fewer misdemeanor cases from law enforcement. Discussions and analyses are under way to understand if this will continue to be the case or if changes like increased staffing at PPB will impact the number of misdemeanor case referred. MCDA's expungement function (setting aside criminal convictions) is now assigned to the Justice Integrity Unit. MCDA proposes to replace Performance Measure 2 with Performance Measure 3.

Legal / Contractual Obligation

ORS 138.081 - Appeals; ORS Chapter 34 - Writs of Habeas Corpus; ORS Chapters 132 and 135 - Grand Jury and pre-trial and felony arraignments.

ORS 8.670 - Proceedings before magistrates and grand jury. The district attorney shall institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of public offenses, when the district attorney has information that any such offense has been committed, and attend upon and advise the grand jury when required.

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Department Requested General Fund	Department Requested Other Funds
Program Expenses	2023	2023	2024	2024
Personnel	\$0	\$0	\$181,346	\$0
Total GF/non-GF	\$0	\$0	\$181,346	\$0
Program Total:	\$0		\$181,346	
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: FY 2023: 15204 Pretrial

1.0 DDA position has been cut and is in this out-of-target restoration program offer.