

Department: District Attorney **Program Contact:** Don Rees
Program Offer Type: Existing Operating Program **Program Offer Stage:** As Requested
Related Programs:
Program Characteristics: In Target

Executive Summary

The program includes responsibilities which represent a new approach to criminal justice placing the district attorney in the lead of review of claims of actual innocence and wrongful conviction. The program expands upon this cutting edge approach to criminal justice by utilizing this Deputy District Attorney as the office resource for professional training and developing critical internal office case handling "best practices", ethics and avoidance of repeating past mistakes. The program places the Post-Conviction Deputy at the center of significant post-conviction related office analysis and

Program Summary

The program represents a first for Oregon and one of only a limited number of such programs in the nation. When responding to a claim of actual innocence or wrongful conviction, case review requires thorough, committed and unrelenting effort. These challenges have involved cases some of which date from the 1980's and 1990's. This post-conviction review is complicated by the passage of time including obtaining old archival records, retention and storage of evidence, as well identifying and contacting original law enforcement investigators, victims, witnesses. This case review also requires analysis of past litigation, including trial transcripts, appeal briefs and state or federal post-conviction challenges. Finally, these cases are challenging to determine the availability and significance of potential new forensic testing including DNA , as well, the significance of past and present laws.

In addition, the program deputy is responsible for additional post-conviction case support including liaison to the Governor when the office responds to petitions for Executive Clemency, liaison with the Oregon Board of Parole for purposes of Murder review, Exit interview and Dangerous Offender release hearings, , liaison to the Oregon Department of Justice in its response to Oregon statute based petitions for Post-Conviction Relief and federal petitions for Habeas Corpus relief, hearings before the Psychiatric Security Review Board (PSRB) matter to determine whether a person found Guilty but Insane should continue to be subject to PSRB supervision or discharge.

Performance Measures

Measure Type	Primary Measure	FY16 Actual	FY17 Purchased	FY17 Estimate	FY18 Offer
Output	PSRB cases reviewed	192	240	100	80
Outcome	PSRB cases actively pursued	162	190	80	60

Performance Measures Descriptions

Revenue/Expense Detail

	Proposed General Fund	Proposed Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2017	2017	2018	2018
Personnel	\$220,458	\$0	\$227,547	\$0
Materials & Supplies	\$2,150	\$0	\$1,600	\$0
Internal Services	\$500	\$0	\$3,682	\$0
Total GF/non-GF	\$223,108	\$0	\$232,829	\$0
Program Total:	\$223,108		\$232,829	
Program FTE	1.00	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 2017: 15306 Post Conviction Program