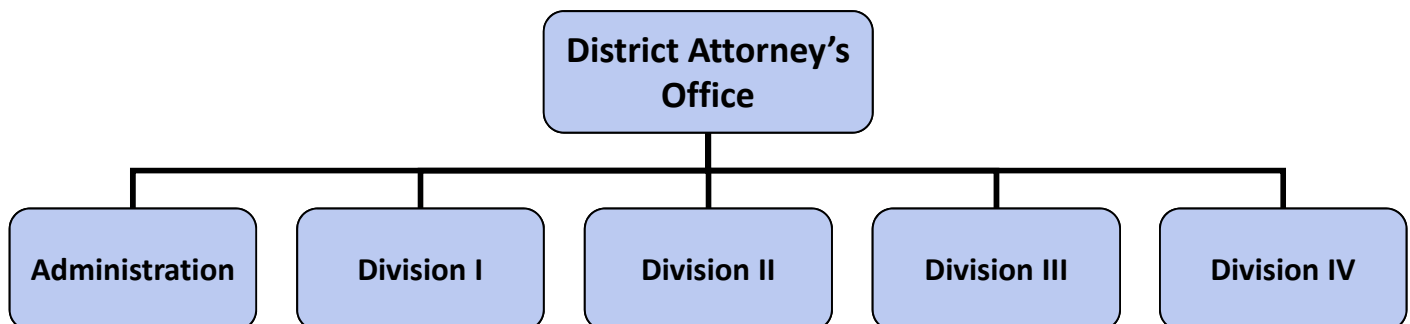


### Department Overview

The Multnomah County District Attorney's Office (MCDA) strives to provide fair, equitable, and unbiased services. Prosecution services are the cornerstone of any effective public safety system. MCDA reviews and prosecutes criminal cases referred by police agencies within the County as well as several other important functions such as its work surrounding child support services. The Office collaborates with numerous partner agencies in pursuit of resources and services to obtain better outcomes for the community.

The Multnomah County District Attorney's Office is committed to the open and balanced administration of justice – one that honors and respects diversity in all of its forms – and works diligently to protect children and victims of crime and maintain timely, fair, and just sanctions for offenders who engage in criminal activity. What follows are some of MCDA's guiding principles:

- To enforce the rule of law by providing fair, equitable, and unbiased prosecution services. MCDA acknowledges historical and current racial disparities in criminal justice and endeavors to reduce the negative impacts of criminal justice involvement and its collateral consequences.
- To be responsive to the needs to the community by proactively working to resolve emerging crime issues through outreach and education.
- To provide effective services to victims of crime by educating them on their constitutional and statutory rights, providing compassionate guidance and support through legal processes, and communicating case outcomes.
- To be responsive to law enforcement partners by being flexible in addressing emerging trends in criminal activity and providing expert legal advice and guidance.
- To work collaboratively with criminal justice system partners to effect positive change by looking at and developing new and innovative programs, best practices, and data to study and improve upon outcomes such as recidivism, restitution identification and procedural fairness.
- To find ways at the adult and juvenile levels to provide education and access to community services to reduce reentry into the criminal justice system.
- To provide the best and most cost effective child support services.



### Budget Overview

The FY 2021 Proposed budget for the District Attorney's Office is \$39.1 million, a \$3.7 million increase from the FY 2020 budget. The FY 2021 budget is comprised of 80% General Fund and 20% Other Funds.

The General Fund increased by \$2.9 million (10.1%) and had a net increase of 0.15 FTE. The budget increase is largely due to increased personnel and internal service costs. Other Funds increased by \$0.9 million (12.6%), primarily due to increased Victims of Crime Act funding, a grant related to the Sexual Assault Kit Initiative, a Violence Against Women Act (VAWA) grant, and an increase in specialty court funding. The majority of the Other Funds increase supports personnel, with a net increase of 2.87 FTE from FY 2020.

The FY 2021 General Fund allocation includes \$71,319 in ongoing funding for a Domestic Violence DDA – VAWA (15102B) to support 0.40 FTE, with the remaining funding for the full-time position coming from a Federal grant.

The FY 2021 General Fund allocation also includes \$40,000 in one-time-only funding for SB 1008 Evaluations (15017). A list of programs funded as one-time-only can be found in the Budget Director's message.

| Budget Trends        | FY 2019             | FY 2020             | FY 2020             | FY 2021             | Difference         |
|----------------------|---------------------|---------------------|---------------------|---------------------|--------------------|
|                      | Actual              | Current             | Adopted             | Proposed            |                    |
|                      | <u>Actual</u>       | <u>Estimate</u>     | <u>Budget</u>       | <u>Budget</u>       |                    |
| Staffing FTE         | 207.45              | 197.18              | 195.18              | 198.20              | 3.02               |
| Personnel Services   | \$28,163,519        | \$29,107,775        | \$29,063,285        | \$31,727,965        | \$2,664,680        |
| Contractual Services | 1,442,543           | 1,104,229           | 1,126,764           | 1,203,813           | 77,049             |
| Materials & Supplies | 1,280,854           | 994,907             | 1,002,150           | 1,069,856           | 67,706             |
| Internal Services    | 3,324,673           | 4,103,075           | 4,103,075           | 5,038,111           | 935,036            |
| Capital Outlay       | <u>10,248</u>       | <u>40,950</u>       | <u>45,000</u>       | <u>45,000</u>       | <u>0</u>           |
| <b>Total Costs</b>   | <b>\$34,221,837</b> | <b>\$35,350,936</b> | <b>\$35,340,274</b> | <b>\$39,084,745</b> | <b>\$3,744,471</b> |

Due to the transition to a new ERP system, some services that were budgeted in Contractual Services or Materials & Supplies before FY 2020 are now in Internal Services.

## Successes and Challenges

**Successes:** As the largest district attorney's office in Oregon, representing Oregon's most populous county, the Multnomah County District Attorney's Office frequently partners with public safety officials locally, statewide, and nationally to work on enacting sound public safety policies and laws that reflect the desires of the community and increase confidence, fairness, efficiency, and effectiveness system-wide.

Here are some highlights from FY 2020:

- The Office continues to lead a significant and positive change of its public safety and court response to individuals experiencing abuse or addiction issues related to the use of controlled substances through the Treatment First and LEAD programs.
- The Multnomah County Justice Reinvestment Program (MCJRP) continues to be one of the most innovative programs in the country. The County continues to use substantially less prison (reduction of around 40% in the first four years) than before the program's existence. Further, there continues to be an 8% decrease in recidivism for MCJRP participants (versus comparison group) during a two-year time frame.
- Having led a multi-jurisdictional effort to test more than 3,000 previously untested sexual assault kits in Multnomah, Marion, Lane, and several other counties, MCDA announced on December 4, 2019, the 12th indictment resulting from that effort.
- Victim advocates assisted about 3,000 victims of crimes.
- Continuing a history of success, the Child Support Enforcement Division collected over \$30 million in child support, all of which went to helping households in Multnomah County.

**Challenges:** The criminal justice system continues to face racial and ethnic disparities in the community. MCDA is dedicated to continuing its work to eliminate those disparities through thoughtful, data-driven, and coordinated policy adjustments. MCDA is grateful that last year the County funded a dedicated data research and analysis position to assist the Office in its work. It was a great first step toward establishing the team needed to do this work. Careful and accurate accumulation of important data is critical, but MCDA needs analysis capacity to understand the data and make practice or policy changes to assist it in obtaining desired outcomes.

Continuing reductions in staff and co-occurring additional obligations, many of which result in better work and outcomes, have placed an enormous strain on MCDA's capacity to perform all of its duties, obligations, functions, and desires. Several years of staff reductions now reflect that attorney to population rates are at a generational low and well below national staffing standards. Further reductions and/or unfunded, or underfunded, additional responsibilities incurred will likely result in significant negative impacts to public safety and to community and system partners.

### Diversity, Equity, and Inclusion

The Multnomah County District Attorney's Office continues to be fully committed to workplace diversity and equity. The Office provides outstanding service to the many different people and populations within Multnomah County in a manner that is culturally and linguistically competent and trauma-informed. It is the policy of the District Attorney that all staff and attorneys work with full awareness of the ways in which the justice system impacts different people and populations.

In 2013, MCDA initiated an internal employee workgroup named the Equity, Dignity and Opportunity Council (EDOC). This group of twelve office members – six lawyers and six non-lawyers — meets weekly to advance the equity conversation within the office, plan and sponsor equity-related trainings for the office such as the "Red Door Project: Hands Up Portland," "Gender Bias in the Workplace," "Trauma Informed Practices in the Criminal Justice System," "Equity, Diversity, and Trauma Informed Practice," "The Science of Bias," and "The Privilege Walk." Further, EDOC considers workplace initiatives and presents equity issues for internal review, discussion, and solution.

As of February 2019, MCDA's Equal Employment Opportunity (EEO) information shows that of the 73 deputy district attorneys, 49% are female and 32% are minorities. The percentage of minority non-attorney staff is 34%. Additionally, employee data show of MCDA's eight investigators, five (or 63%) identify as minority. Six of twelve (50%) MCDA victim advocates identify as minority. MCDA's victim advocates, investigators, and others work hard to eliminate the cultural and other barriers that prevent victims from realizing and fully utilizing their legal rights in the criminal justice system. This includes being mindful of cultural sensitivities, producing written materials in several languages, and using interpreters and translation services.

### Budget by Division

| Division Name                           | FY 2021 General Fund | Other Funds        | Total Division Cost | Total FTE     |
|---|----------------------|--------------------|---------------------|---------------|
| Administration                          | \$8,105,830          | \$0                | \$8,105,830         | 30.55         |
| Division I                              | 6,377,106            | 4,307,403          | 10,684,509          | 53.60         |
| Division II                             | 8,716,349            | 0                  | 8,716,349           | 49.10         |
| Division III                            | 7,031,590            | 1,479,259          | 8,510,849           | 40.95         |
| Division IV                             | 1,185,942            | 2,037,784          | 3,223,726           | 24.00         |
| Non-Represented Wage Freeze             | (156,518)            | 0                  | (156,518)           | 0.00          |
| <b>Total District Attorney's Office</b> | <b>\$31,260,299</b>  | <b>\$7,824,446</b> | <b>\$39,084,745</b> | <b>198.20</b> |

### Administration

The administrative branch sets policy and provides leadership, coordination, resource allocation, and direction for the Office. It also sets policy and provides direction related to work with local law enforcement, social service agencies, local businesses, and the public. Administration includes:

- Management Services - The District Attorney and the senior management team.
- Administrative Services - Provides office management functions, sets office policy, and ensures compliance with rules and laws.
- Information Technology - Supports desktop computer systems, software applications, and servers; maintains the document management system and the juvenile and adult case management systems; and provides data analysis.
- Finance/Human Resources - Manages all accounts payable/receivable, general ledger, petty cash, travel and training arrangements, fiscal reporting, budget preparation, grant reporting/monitoring, purchasing, contracts, recruitment, retention, payroll, and benefits administration.
- Records/Discovery – Fulfills the Office's statutory responsibility to provide case-specific discovery documents and provides file storage and retrieval for the entire office.

### Significant Changes

The Gresham Police Department (GPD) is currently in the process of equipping their officers with body-worn cameras. With a small handful of exceptions, GPD patrol officer body-worn cameras were fully deployed by March 12, 2020. As of mid-April 2020, 73 cameras are in the field. An additional 56 cameras remain to be deployed to command staff, school resource officers, detectives, gang enforcement, and traffic. Experience and historical analysis from jurisdictions in which body-worn camera programs have been implemented show that the data received by prosecutors is voluminous. The Office estimates that once all cameras are online, the three agencies currently generating body-worn camera footage (GPD, Portland State University, and the Oregon State Police) will send MCDA an average of 17 hours of video evidence every business day. Deputy district attorneys must review the evidence and non-lawyer staff must duplicate the evidence and provide it to defense attorneys. Conservative estimates, culled from surveys of other jurisdictions, reveal an estimated increase in work (and personnel costs) ranging from 3% to 10%.

### Division I

Division I works to protect survivors of domestic violence and their families, protect children who are victims of sexual and physical abuse and neglect, prosecute crimes involving these victims, including homicides, and strengthen services for children and families in Multnomah County.

- Domestic Violence Unit – Prosecutes crimes of domestic violence, including misdemeanors, felonies, homicides, and violation of restraining orders, while engaging government and community partners to secure the safety of survivors of domestic violence and their families.
- MDT Child Abuse Team – Prosecutes felony crimes of physical and sexual abuse of children and, when appropriate, protects the same abused and or neglected children, as well as other seriously endangered children, by advocating for child safety via dependency in Juvenile Court.
- Juvenile Court Trial Unit – Prosecutes criminal conduct by juveniles ranging from misdemeanors to felonies to homicides. This unit advocates for child safety and increasing parental capacity via limited dependency. This unit no longer assists in freeing children from critically unsafe parents through adoption.
- Child Support Enforcement – Establishes and enforces child support and medical support orders.

### Significant Changes

For decades, the Juvenile Court Trial Unit had performed three primary functions: 1) prosecution of juvenile criminal cases (juvenile delinquency), 2) protecting children via juvenile dependency, and 3) freeing children for adoption when efforts to keep a family intact are exhausted (Termination of Parental Rights or TPR). Historically, dependency and TPR programs in the County had been partially funded by the State.

On July 1, 2019, the Department of Human Services (DHS) redirected State and Federal funds from MCDA to pay lawyers at the Oregon Department of Justice to represent DHS in all TPR and dependency matters in Multnomah County. Although MCDA no longer is involved in TPR, MCDA continues to be involved in some juvenile dependency cases. The FY 2020 budget partially backfilled some of the overall funding reductions, which allowed the Juvenile Court Trial Unit to continue both delinquency and dependency functions, albeit in a reduced role. The dependency function is reduced to limited proactive dependency.

Due to reduced funding in FY 2020, the Juvenile Court Trial Unit lost six deputy district attorneys. Additionally, the County's child abuse prevention system no longer has co-housed DHS, prosecutors, and law enforcement to coordinate child protection efforts. Established in the 1990s and recognized around the State and internationally, this model has ceased to exist in the County. On January 1, 2020, SB 1008 also added additional deputy district attorneys and victim advocate responsibilities to this unit.

## Division II

Division II consists of approximately 26 attorneys in Unit C, the Misdemeanor Trial Unit and the Pretrial Unit.

- Unit C is a felony trial unit responsible for prosecuting a variety of very serious and mid-level felony crimes including homicides, robberies, weapons offenses, gang crimes, vehicular homicides, vehicular assaults, arson, residential burglaries, and felony animal abuse.
- The Misdemeanor Trial Unit prosecutes all misdemeanor crimes except those involving domestic violence. These misdemeanor crimes include offenses such as driving under the influence of intoxicants (DUII), resisting arrest, assault, sex abuse, theft, prostitution, stalking, trespass, strangulation, and disorderly conduct. Cases handled by the Misdemeanor Trial Unit are either diverted into a specialty court program, such as Community Court or Treatment First, or they are set for trial.
- The Pretrial Unit is responsible for reviewing and issuing all misdemeanor cases other than those involving domestic violence. Pretrial attorneys also handle all judicial appeal cases, civil litigation, post-conviction cases, felony arraignments, habeas proceedings, fugitive and extradition matters, out of state material witness cases, and public records requests. The unit also oversees the administration of the grand jury process.

## Significant Changes

The Multnomah County District Attorney's Office reorganized in 2019 in order to more efficiently and effectively prosecute misdemeanor crimes. As a result, the Pretrial Unit has absorbed the functions and duties the Misdemeanor Intake Unit, which no longer exists as a stand-alone program offer. The Strategic Prosecution and Services Unit supervisory duties have shifted to the Division III Chief Deputy District Attorney.

### Division III

Division III is comprised of three units: Unit A/B and Human Trafficking, Unit D, and Neighborhood/Strategic Prosecution/MCJRP.

- Unit A/B and Human Trafficking - The majority of drug and property offenders receive supervision and treatment for addiction and mental health rather than prison through the Multnomah County Justice Reinvestment Program (MCJRP). The STOP and START programs, LEAD, and Treatment First are also administered through this Unit.
- Unit D – Works with victims of violent crimes and survivors of sexual assault. It prosecutes aggravated murder, criminal homicide, rape and other sex crimes, felony assault, kidnapping, sex offenses, and official misconduct. When appropriate, and in consultation with victims, offenders are diverted from prison into court supervised and community based treatment programs.
- Neighborhood/Strategic Prosecution/MCJRP Collaborates and problem solves neighborhood livability and quality of life issues with partners including individual community members, advocates, community groups, and neighborhood and business associations.
- Post-Conviction Unit – Reviews claims of actual innocence and wrongful conviction to ensure that an individual's rights are safeguarded.

### Significant Changes

In 2019, Unit A (property) and Unit B (drugs) merged along with the Human Trafficking Task Force in order to achieve efficiencies and to balance caseloads among the prosecutors. Other than high level dealers distributing heroin and methamphetamine and certain repeat property offenders, the majority of offenders in this combined unit receive treatment based supervision rather than prison sentences.



### Division IV

Division IV is comprised of two units: the Victims Assistance Program and Investigations. The primary goal of the Victim Assistance Program and Restitution Recovery Program is to make the criminal justice system more responsive to individual citizens, particularly to victims of crime.

The Investigations Unit provides support in criminal prosecutions, which directly affects the lives and safety of children, teens, families, LGBTQ, houseless, and other vulnerable populations that have been victims of crime in Multnomah County. Investigators perform all of the duties and critical tasks needed to support deputy district attorneys and to help them protect the community and hold defendants accountable.

Program Summary:

- Victims Assistance Program – Assists victims of crime with crisis response, safety planning, advocacy, court preparation and accompaniment, referral to services, and assistance with obtaining restitution orders from the court.
- Investigations – In partnership with the Multnomah County Sheriff's Office, the Portland Police Bureau, and the Gresham Police Department, provides investigation services for felony, misdemeanor, juvenile, and family crimes.

### Significant Changes

Expansion of services to youth and minor victims of sex trafficking through the Victims of Crime Act (VOCA) Human Trafficking grant. Increasing ability to provide specialized trainings and assist Multnomah County Sex Trafficking Collaborative (MCSTC).

- Through additional VOCA funding, MCDA's program was able to increase advocacy and restitution services provided to victims on cases with juvenile offenders. This includes a designated advocate who established a closer working relationship with schools and Title IX coordinators.
- Detailed planning, training, and preparation for a mass casualty event. This includes formation of an internal MCDA team for response, joining with Multnomah County Emergency Management in its efforts to create a countywide plan for family reunification. MCDA's efforts include working with surrounding counties, state, and federal partners in creating a comprehensive response plan.
- The chief investigator is a member of the Multnomah County Threat Assessment Team (MCTAT), a multi-disciplinary team of professionals from local, state, and federal law enforcement; mental health organizations; and local universities and community colleges. MCTAT identifies and helps manage threats against organizations and members of the community.
- One investigator was assigned to the Body Worn Camera Unit, established in October 2019, which supports the goals of increased transparency and police accountability as well as providing enhanced community protection.

### District Attorney's Office

The following table shows the programs that make up the Office's total budget. The individual programs follow in numerical order.

| Prog. #               | Program Name  | FY 2021 General Fund | Other Funds | Total Cost  | FTE   |
|-----------------------|---|----------------------|-------------|-------------|-------|
| <b>Administration</b> |   |                      |             |             |       |
| 15000                 | Management Services   | \$1,369,367          | \$0         | \$1,369,367 | 7.00  |
| 15001                 | Administrative Support Services                                     | 2,139,345            | 0           | 2,139,345   | 3.00  |
| 15002                 | Information Technology  | 2,528,689            | 0           | 2,528,689   | 6.00  |
| 15003                 | Finance/Human Resources   | 662,725              | 0           | 662,725     | 5.00  |
| 15004                 | Records/Discovery   | 923,463              | 0           | 923,463     | 7.05  |
| 15012A                | Body Worn Cameras - Gresham   | 235,310              | 0           | 235,310     | 1.50  |
| 15013                 | MCDA Research & Planning Unit                                       | 206,931              | 0           | 206,931     | 1.00  |
| 15017                 | SB1008 Evaluations  | 40,000               | 0           | 40,000      | 0.00  |
| <b>Division I</b>     |   |                      |             |             |       |
| 15100                 | Division I Administration   | 526,601              | 0           | 526,601     | 1.00  |
| 15101A                | Juvenile Court Trial Unit   | 1,041,164            | 0           | 1,041,164   | 6.00  |
| 15101B                | Juvenile Dependency and Delinquency                                 | 679,616              | 0           | 679,616     | 3.00  |
| 15102A                | Domestic Violence Unit  | 1,814,584            | 128,159     | 1,942,743   | 10.60 |
| 15102B                | Domestic Violence DDA - VAWA  | 71,319               | 0           | 71,319      | 0.40  |
| 15103                 | MDT - Child Abuse Unit  | 1,257,131            | 970,804     | 2,227,935   | 7.00  |
| 15104                 | Child Support Enforcement   | 986,691              | 3,208,440   | 4,195,131   | 25.60 |
| <b>Division II</b>    |   |                      |             |             |       |
| 15200                 | Division II Administration  | 744,499              | 0           | 744,499     | 1.00  |
| 15201                 | Unit C  | 2,674,407            | 0           | 2,674,407   | 12.00 |
| 15202A                | Misdemeanor Trial Unit  | 1,931,852            | 0           | 1,931,852   | 12.00 |
| 15202B                | Civil Commitment - Deputy District Attorney (1.00 FTE)              | 156,405              | 0           | 156,405     | 1.00  |
| 15204A                | Pretrial  | 2,974,546            | 0           | 2,974,546   | 21.10 |
| 15204B                | Pretrial - Deputy District Attorney and Office Assistant (2.00 FTE) | 234,640              | 0           | 234,640     | 2.00  |
| <b>Division III</b>   |   |                      |             |             |       |
| 15300                 | Division III Administration   | 401,834              | 0           | 401,834     | 1.00  |
| 15301                 | Unit A/B - Property/Drugs/Human Trafficking                         | 3,580,503            | 155,655     | 3,736,158   | 20.50 |
| 15304                 | Unit D - Violent Person Crimes                                      | 1,892,279            | 289,896     | 2,182,175   | 9.00  |
| 15308                 | Neighborhood DA Program / MCJRP                                     | 1,156,974            | 1,033,708   | 2,190,682   | 10.45 |

# District Attorney's Office

fy2021 proposed budget

| Prog. #              | Program Name  | FY 2021 General Fund | Other Funds        | Total Cost          | FTE           |
|----------------------|---|----------------------|--------------------|---------------------|---------------|
| <b>Division IV</b>   |   |                      |                    |                     |               |
| 15400                | Division IV Administration                              | 246,505              | 0                  | 246,505             | 1.00          |
| 15401A               | Victims Assistance Program                              | 383,907              | 1,566,745          | 1,950,652           | 16.00         |
| 15401C               | Victims Assistance Program - Victim Advocate (1.00 FTE) | 102,361              | 0                  | 102,361             | 1.00          |
| 15402                | Investigations  | 453,169              | 471,039            | 924,208             | 6.00          |
| <b>All Divisions</b> |   |                      |                    |                     |               |
|                      | Non-Represented Wage Freeze*                            | <u>(156,518)</u>     | <u>0</u>           | <u>(156,518)</u>    | <u>0.00</u>   |
|                      | <b>Total District Attorney's Office</b>                 | <b>\$31,260,299</b>  | <b>\$7,824,446</b> | <b>\$39,084,745</b> | <b>198.20</b> |

\* The Non-Represented Wage Freeze reflects a freeze on the Cost of Living Adjustment for all non-represented positions and a freeze on merit increases for non-represented positions earning over \$100,000. The freeze will impact Other Funds by \$14,444. However, the reduction in Other Funds will be offset by an increase in other personnel expenditures so that the total appropriations in Other Funds is unchanged.

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**Department:** District Attorney

**Program Contact:** Rod Underhill

**Program Offer Type:** Administration

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**

### Executive Summary

The District Attorney (DA) and executive staff provide the leadership, vision, policies, resource allocation, oversight, and direction for the Multnomah County District Attorney's Office. The DA leads and monitors daily operations and directs related work with local law enforcement agencies, social service agencies, and addresses public and private concerns to ensure the organization is operating at its maximum efficiency in service to the community.

### Program Summary

The District Attorney (DA) and executive staff are responsible for leadership around public relations, policy direction, long and short-range planning, internal human and labor relations and oversight of daily operations. As the largest district attorney's office in the State of Oregon, representing Oregon's most populous county, the DA frequently partners with public safety officials locally, statewide and nationally to work on enacting sound public safety policies, practices and laws which reflect the desires of the community and increase responsible transparency, confidence, fairness, efficiency and effectiveness system-wide. The office oversees administrative functions that support our law-related direct service work.

The DA represents the office to public safety peers, works with legislators and state law enforcement leaders, and provides assistance and leadership for statewide and national district attorney matters. The DA is the ultimate authority responsible for prosecution of crime. The DA and staff meet with county, city and state legislators dozens of times each year to discuss pending policy and legislation and often help draft legislation around criminal justice. The DA serves as the executive sponsor for the Equity Dignity Opportunity Council (EDOC), an internal workgroup which meets to advance the equity conversation, policy making and practice within the office and beyond. This year the EDOC is expanding its work to include the objectives of the Workforce Equity Strategic Plan.

The office initiates and oversees Continuing Legal Education (CLE) sessions attended by attorney personnel internal and external to the DA's Office.

In addition to the DA, this unit includes a first assistant to the district attorney, two administrative managers, and three staff assistants, who provide support for the DA and senior management.

### Performance Measures

| Measure Type | Primary Measure                          | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Total number of all staff communications | 65          | 65            | 117           | 120        |
| Outcome      | Total number of cases received           | 19,916      | 19,789        | 19,555        | 19,555     |

### Performance Measures Descriptions

"Total number of cases received" is a new performance measure this year, as it more accurately represents the actual work performed than the previously reported "cases resolved".

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

Oregon Constitution: Article VII Section 17. Prosecuting Attorneys. There shall be elected by districts comprised of one, or more counties, a sufficient number of prosecuting attorneys, who shall be the law officers of the State, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of Law, and general police as the Legislative Assembly may direct. Oregon Revised Statute (ORS): 8.850. Each county shall provide the district attorney and any deputies for such county with such office space, facilities, supplies, and stenographic assistance as is necessary to perform efficiently the duties of such office.

## Revenue/Expense Detail

|                         | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|-------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| <b>Program Expenses</b> | <b>2020</b>             | <b>2020</b>            | <b>2021</b>              | <b>2021</b>             |
| Personnel               | \$1,134,048             | \$0                    | \$1,347,767              | \$0                     |
| Materials & Supplies    | \$19,100                | \$0                    | \$21,600                 | \$0                     |
| <b>Total GF/non-GF</b>  | <b>\$1,153,148</b>      | <b>\$0</b>             | <b>\$1,369,367</b>       | <b>\$0</b>              |
| <b>Program Total:</b>   | <b>\$1,153,148</b>      |                        | <b>\$1,369,367</b>       |                         |
| <b>Program FTE</b>      | 6.00                    | 0.00                   | 7.00                     | 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:** FY 2020: 15000-20 Management Services

A Staff Assistant position (Communications Director) at 1.00 FTE is added to the program.

**Department:** District Attorney

**Program Contact:** Jodi Erickson

**Program Offer Type:** Support

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

Administration support provides assistance in person and over the phone for victims, witnesses, defense attorneys, court and law enforcement personnel, and the general public in navigating the criminal justice system. This program coordinates and distributes all interoffice and U.S. Mail for the Multnomah County District Attorney's Office, provides clerical support for multiple deputy district attorneys, maintains records for internal, state, and nationwide data systems.

**Program Summary**

**Main Office Reception:** Administrative staff are the main reception for Multnomah County District Attorney's Office. Staff guide victims and witnesses on proper signing of subpoenas; they calculate mileage for reimbursement along with witness fee payments. One position provides Spanish translation in-person and over the phone for victims and witnesses and is also responsible for a Spanish language only message box. Staff provide a welcoming atmosphere for an average of 22 people who walk into the office each day, in addition to an average of 130 daily phone calls. These numbers include the general public, victims and witnesses, law enforcement or other public safety personnel, defendants, defense attorneys, legislators and other elected officials visiting the office. Staff coordinate mail service for the entire office, including handling and routing an average of 166 letters and packages each day. This program retrieves and disburses probation violation administrative sanction reports, enters discovery fees received on each case into CRIMES, profiles e-recog sheets, maintains phone lists for entire office, schedules conference room reservations for the entire office, and are facilities liaisons for sixth floor. Staff are trained in safety and confidentiality, in accordance with office and county legal and ethical requirements. The staff answer phones from 7:30 AM to 5:30 PM five days-a-week.

**Legal assistant functions include:** Assisting victims seeking restitution for any loss incurred, and extensive communication with victims and witnesses regarding trials, hearings, and meetings. They provide clerical support for trial units to include data entry, file preparation, and tracking domestic violence, sexual assault, and mental health cases. Staff assist deputy district attorneys with legal documents and running records affecting the issuance of Treatment First, LEAD (Law Enforcement Assisted Diversion), START (Success through Accountability, Restitution, and Treatment) and MCJRP (Multnomah County Justice Reinvestment Program) cases. They process subpoenas, close files, and maintain scrupulous desk notes.

Administrative expenses such as bar dues for deputy district attorneys, courier services, facilities charges associated with the Central Courthouse are also included in this program offer.

**Performance Measures**

| Measure Type | Primary Measure                        | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Number of Witness (Subpoena) Fees paid | 830         | 1,120         | 772           | 900        |
| Outcome      | Amount paid in Witness (Subpoena) Fees | \$6,639     | \$8,500       | \$13,278      | \$8,500    |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.850 - Offices, supplies, and stenographic assistance for district attorneys and deputies. Each county shall provide the district attorney and any deputies for such county with such office space, facilities, supplies, and stenographic assistance as is necessary to perform efficiently the duties of such office. [1953 c.652 §3]

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$644,182               | \$0                    | \$286,211                | \$0                     |
| Contractual Services   | \$60,000                | \$0                    | \$82,200                 | \$0                     |
| Materials & Supplies   | \$170,000               | \$0                    | \$176,000                | \$0                     |
| Internal Services      | \$863,676               | \$0                    | \$1,594,934              | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$1,737,858</b>      | <b>\$0</b>             | <b>\$2,139,345</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$1,737,858</b>      |                        | <b>\$2,139,345</b>       |                         |
| <b>Program FTE</b>     | 3.00                    | 0.00                   | 3.00                     | 0.00                    |

| Program Revenues      |                  |            |                  |            |
|-----------------------|------------------|------------|------------------|------------|
| Other / Miscellaneous | \$591,376        | \$0        | \$827,829        | \$0        |
| <b>Total Revenue</b>  | <b>\$591,376</b> | <b>\$0</b> | <b>\$827,829</b> | <b>\$0</b> |

## Explanation of Revenues

Departmental Indirect Revenues come from the following grants:

Child Support Enforcement, \$ 477,774

Victims of Crime Act (VOCA), \$203,592

Bureau of Justice Assistance – Sexual Assault Kit Elimination, \$48,481

Child Abuse Multidisciplinary Intervention Grant (CAMI), \$42,633

Justice Reinvestment Grant Program (HB 3194), \$32,960

Violence Against Women Act (VAWA) Competitive Formula Grant, \$17,093

Criminal Justice Commission Specialty Court Grant Program, \$5,296

## Significant Program Changes

**Last Year this program was:** FY 2020: 15001-20 Administrative Support Services

In FY20 a department-wide expenses associated with 1) contract market adjustment and longevity pay and 2) temporary labor were consolidated in this program. In FY21, those expenses are distributed across the specific programs impacted resulting in a \$350,000 reduction to the Management Services.

Internal Services are increased as a result of higher Facilities costs of \$725,546 associated with the move to the new courthouse planned for July 2020.



**Department:** District Attorney

**Program Contact:** Jodi Erickson

**Program Offer Type:** Support

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

The District Attorney's Information Technology (IT) Unit provides rapid and economical computer desktop support, as well as all computer software, servers, peripherals and network security and support to Multnomah County District Attorney's Office (MCDA) users. The seven person unit is responsible for the operation and maintenance of the MCDA document management system, Alfresco, and the MCDA principal case tracking systems, CRIMES Juvenile and CRIMES Adult. In addition, the unit collects and prepares the office's statistical data for public consumption. The unit also maintains a helpdesk for members of the office.

**Program Summary**

The IT Unit supports all aspects of information technology for MCDA, including but not limited to, acquisition, deployment, maintenance, monitoring, development, upgrade and support of all MCDA IT systems, including servers (physical and virtual), PC's, laptops and tablets, operating systems hardware, software and peripherals. This includes, but is not limited to, case tracking systems for adult and juvenile components, document management and imaging systems, web services for intranet and Internet publishing, database administration, data exchanges with external law enforcement and other public safety agencies, report generation, file and print services, email services, mobile access and mobile device services, email spam filtering, document repository services and desktop support services and security issues. In addition, the unit oversees data storage, retention, backup and restoration.

The IT Unit supports over 210 MCDA employee users and works closely with justice partner agencies to provide their users access to the CRIMES case management system. The unit also maintains the offices external website [www.MCDA.us](http://www.MCDA.us), as well as an office only intranet. The unit also manages video and audio equipment used throughout the courtrooms in the central courthouse, video and audio equipment in three grand jury hearing rooms, and the For The Record (FTR) system used for mandated recording of all grand jury hearings.

This program allows the district attorney to fulfill a legal responsibility under Oregon state law to maintain a register of official business, in which the district attorney makes a note of every action, suit or proceeding commenced or defended by the District Attorney in official capacity, and the proceedings, therein.

The program's help desk is staffed 7:30 AM to 5:00 PM, Monday through Friday, and 9:00 AM to 5:00 PM on Saturdays and Sundays.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Help Desk Calls  | 2,600       | 3,300         | 3,120         | 3,300      |
| Outcome      | Number of times the DA network failed due to an internal cause | 0           | 0             | 0             | 0          |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.700 - Register to be kept. The district attorney must keep a register of official business, in which the District Attorney makes a note of every action, suit or proceeding commenced or defended by the district attorney in official capacity, and the proceedings therein. The register shall, at the expiration of the term of office of the district attorney, be delivered by the district attorney to the successor in office.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$995,598               | \$0                    | \$1,033,147              | \$0                     |
| Contractual Services   | \$52,000                | \$0                    | \$55,000                 | \$0                     |
| Materials & Supplies   | \$306,400               | \$0                    | \$334,929                | \$0                     |
| Internal Services      | \$1,227,124             | \$0                    | \$1,060,613              | \$0                     |
| Capital Outlay         | \$45,000                | \$0                    | \$45,000                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$2,626,122</b>      | <b>\$0</b>             | <b>\$2,528,689</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$2,626,122</b>      |                        | <b>\$2,528,689</b>       |                         |
| <b>Program FTE</b>     | 6.00                    | 0.00                   | 6.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15002-20 Information Technology

Internal Services are reduced by \$183,409 in the program due to the elimination of network circuits serving the now vacated MDT facility and reduction in network circuit charges at the Trimet and Lloyd Neighborhood offices.

**Department:** District Attorney

**Program Contact:** Jodi Erickson

**Program Offer Type:** Support

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

This program provides all support for the Multnomah County District Attorney's Office (MCDA) related to finance, purchasing, travel and training, budget preparation, fiscal reports, grant reporting and monitoring, and research/evaluation. It also carries out all human resources functions, including payroll, human resources records and personnel file maintenance, Workday user support and assistance for 200 employees, new employee orientation and onboarding in the office at and countywide NEO, and recruitment/selection. It also handles employee relations or labor relations complaints which are not eligible for referral to the new Complaint Investigations Unit in central human resources.

**Program Summary**

This program provides office wide support for finance and human resources functions. The finance staff provides all accounts payable, accounts receivable, general ledger, petty cash accounts, travel and training, fiscal reporting, budget preparation, grant reporting and monitoring, purchasing, inventory, and contracts.

The Human Resources (HR) Unit provides support to the entire MCDA in many different areas to include: employee and labor relations, recruitment and selection, internal investigations, personnel file maintenance, classification and compensation, management consultation, discipline and grievance handling, reasonable accommodation requests and leave administration. The HR Unit provides support to the entire MCDA with regard to Workday questions and assistance. Workday has helped to streamline some of the HR Unit's business processes, while it has made others more time consuming and complicated. A year after implementation, the HR Unit is still working on finalizing some of these business processes. The HR Unit supports managers with contract interpretation, performance management consultation, and facilitates the departments FMLA/OFLA coordination with Central Benefits.

This program contributes to Multnomah County's Climate Action Plan by purchasing green products and supplies for the entire office and by working to reduce paper usage throughout the office. The office uses 100% recycled paper products.

**Performance Measures**

| Measure Type | Primary Measure                                     | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Total number of employees supported per day         | N/A         | 215           | 215           | 210        |
| Outcome      | Percent of people of color hired for open positions | N/A         | 31%           | 36%           | 31%        |
| Output       | Number of new hires                                 | 65          | 20            | 44            | 30         |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.700 - Register to be kept. The district attorney must keep a register of official business, in which the district attorney shall make a note of every action, suit or proceeding commenced or defended by the district attorney in official capacity, and the proceedings therein. The register shall, at the expiration of the term of office of the district attorney, be delivered by the District Attorney to the successor in office. ORS 8.850 - Offices, supplies and stenographic assistance for district attorneys and deputies. Each county shall provide the district attorney and any deputies for such county with such office space, facilities, supplies and stenographic assistance as is necessary to perform efficiently the duties of such office.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$618,563               | \$0                    | \$652,525                | \$0                     |
| Materials & Supplies   | \$8,550                 | \$0                    | \$9,200                  | \$0                     |
| Internal Services      | \$0                     | \$0                    | \$1,000                  | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$627,113</b>        | <b>\$0</b>             | <b>\$662,725</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$627,113</b>        |                        | <b>\$662,725</b>         |                         |
| <b>Program FTE</b>     | 5.00                    | 0.00                   | 5.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15003-20 Finance/Human Resources

**Department:** District Attorney

**Program Contact:** Jodi Erickson

**Program Offer Type:** Support

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

The discovery component of this program supports the entire Multnomah County District Attorney's Office (MCDA) in processing discovery requests and providing discoverable material to defense counsel and occasionally to attorneys representing victims. The records component maintains accurate records on open and closed cases including electronic document scanning and storage, coordinates scheduling and docketing of court appearances and provides administrative and clerical support to attorneys and staff assigned to the arraignment courts.

**Program Summary**

The Records/Discovery program fulfills the statutory responsibility to provide case-specific discovery of documents, photos, videos and audio material in paper, flash drive, CD, DVD, and hard drive formats to public and private defense attorneys, pro se defendants, and victims. The program currently handles and manages discovery of body worn camera footage for at least two police agencies. It is expected that there will be a shift from mostly paper-based discovery packets to paperless discovery packets and a doubling of video discovery as the Gresham Police Department fully implements its body-worn camera program. Staff copy, upload, redact, and disclose to defense attorneys any restitution information submitted by victims. The staff maintain meticulous records in tracking material and information within the possession or control of MCDA in order to disclose accurate data to defense on homicide and major crimes cases. This position is in contact with the District Attorney, first assistant to the district attorney, and chief deputy district attorneys with regard to processing of scanned documents for the most confidential and sensitive cases handled by the office.

This program also provides file storage and retrieval for the entire office, maintaining over 34,000 closed and open case files in various storage locations. Staff coordinate shipment and tracking of off-site storage for closed physical files and case materials at county archives and at private secured storage facilities. The unit maintains historical records of all archived cases and their destruction dates in accordance with county and state rules and regulations.

This program is responsible for compiling and disbursing a weekly list of defendants who have either remained in custody due to a judicial finding of probable cause or waived the probable cause hearing. Staff run records to assist deputy district attorneys with diversion completion eligibility for offenders, process assessments for Treatment First Program eligibility, and query and print records from the Law Enforcement Data System (LEDS/NCIC) to provide information required by the deputy district attorney for probation violation hearings.

**Performance Measures**

| Measure Type | Primary Measure                   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|-----------------------------------|-------------|---------------|---------------|------------|
| Output       | Total number of Discovery packets | 13,074      | 16,900        | 12,553        | 13,500     |
| Outcome      | Total Discovery Revenue           | \$369,545   | \$370,000     | \$370,000     | \$370,000  |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.850 - Offices, supplies, and stenographic assistance for district attorneys and deputies. Each county shall provide the district attorney and any deputies for such county with such office space, facilities, supplies, and stenographic assistance as is necessary to perform efficiently the duties of such office. [1953 c.652 §3]

ORS 8.700 - Register to be kept. The district attorney must keep a register of official business, in which the district attorney shall make a note of every action, suit or proceeding commenced or defended by the district attorney in official capacity, and the proceedings therein.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$548,562               | \$0                    | \$585,634                | \$0                     |
| Contractual Services   | \$6,000                 | \$0                    | \$6,500                  | \$0                     |
| Materials & Supplies   | \$41,750                | \$0                    | \$41,800                 | \$0                     |
| Internal Services      | \$184,335               | \$0                    | \$289,529                | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$780,647</b>        | <b>\$0</b>             | <b>\$923,463</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$780,647</b>        |                        | <b>\$923,463</b>         |                         |
| <b>Program FTE</b>     | 7.07                    | 0.00                   | 7.05                     | 0.00                    |

| Program Revenues     |                  |            |                  |            |
|----------------------|------------------|------------|------------------|------------|
| Service Charges      | \$370,000        | \$0        | \$370,000        | \$0        |
| <b>Total Revenue</b> | <b>\$370,000</b> | <b>\$0</b> | <b>\$370,000</b> | <b>\$0</b> |

## Explanation of Revenues

\$370,000 in Discovery Fees

## Significant Program Changes

Last Year this program was: FY 2020: 15004-20 Records/Discovery

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

**Executive Summary**

Last year, this program partially funded the BWC Unit. A DDA must review all available evidence prior to making a charging decision. Tangible evidence must be reproduced by the district attorney's office and provided to the defense attorney. When body-worn camera evidence is received by the DA's Office, the process of reviewing and replicating the evidence will be mandatory, not discretionary. GPD now has completed the process of purchasing body worn cameras for all GPD patrol officers and is now in the deployment stage. This has increased obligations for MCDA which necessitates increasing capacity of MCDA to adequately protect crime victims and safeguard the rights of the accused. See submitted program 15012B.

**Program Summary**

The BWC Unit assists with the review of cases submitted by local law enforcement agencies to determine whether the case should be charged as a crime. This function is at the heart of the prosecution function. The charging decision in every case is guided by a 22-step analysis contained within the MCDA Policy Manual. As the case progresses through the system, the video may need to be re-reviewed, redacted, reformatted, and used in trial preparation and witness preparation. Gresham Police Department has implemented 132 body worn cameras, see submitted program 15012B.

Body-worn camera evidence is reviewed by a deputy district attorney. Duplication and distribution of body-worn camera evidence will be accomplished by non-lawyer staff. A review of comparably-sized offices from around the country has shown that, with the adoption of body-worn cameras by law enforcement, prosecutor's personnel costs rose between 3% – 10%. For example, the Wayne County District Attorney's Office (Detroit, MI) experienced an 8% increase in personnel costs after several of their law enforcement partners began using body-worn cameras. Data from body-worn cameras will be voluminous and secure storage will be necessary to comply with witness/victim privacy concerns as well as Criminal Justice Information Services (CJIS) compliance requirements.

Body-worn camera footage will allow prosecutors to view crime scenes and witness/victim/suspect interviews through an unfiltered lens. Transparency and system confidence will increase by virtue of additional objective evidence available for subsequent review. Charging decisions will improve, leading to better, more just, outcomes.

| <b>Performance Measures</b> |  |                    |                      |                      |                   |
|-----------------------------|--|--------------------|----------------------|----------------------|-------------------|
| <b>Measure Type</b>         | <b>Primary Measure</b>   | <b>FY19 Actual</b> | <b>FY20 Budgeted</b> | <b>FY20 Estimate</b> | <b>FY21 Offer</b> |
| Output                      | Hours of body camera footage reviewed  | 108                | 5,800                | 1,500                | 1,560             |
| Outcome                     | Trials avoided by better charging decisions enabled through the use of body camera footage | N/A                | N/A                  | N/A                  | -10               |

**Performance Measures Descriptions**

Output – All body camera footage submitted by GPD will be reviewed by a deputy district attorney to assist in determining whether criminal charges should be issued. If charges are issued, pertinent footage will be duplicated and made available to defense attorneys. Outcome – Having audio/visual evidence will allow prosecutors to view crime scenes and interviews through an unfiltered lens. Transparency and system confidence will increase by virtue of additional objective evidence available for subsequent review. Charging decisions will improve, leading to better, more just, outcomes.

## Legal / Contractual Obligation

Oregon Constitution: Article VII Section 17. Prosecuting Attorneys. There shall be elected by districts comprised of one, or more counties, a sufficient number of prosecuting attorneys, who shall be the law officers of the State, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of Law, and general police as the Legislative Assembly may direct. Oregon Revised Statute (ORS): 135.185: The District Attorney shall disclose to a represented defendant the certain material within the possession and control of the district attorney.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$204,263               | \$0                    | \$207,174                | \$0                     |
| Materials & Supplies   | \$46,091                | \$0                    | \$28,136                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$250,354</b>        | <b>\$0</b>             | <b>\$235,310</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$250,354</b>        |                        | <b>\$235,310</b>         |                         |
| <b>Program FTE</b>     | 1.48                    | 0.00                   | 1.50                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15012-20 Body Worn Cameras - Gresham

Last year, that program partially funded the BWC Unit with a 0.74 FTE Deputy District Attorney 2 and a 0.74 FTE Office Assistant 2. Gresham PD did not begin deploying BWCs until January 2020. They will be fully deployed and this practice will overload the current capacity of MCDA BWC Unit to review cases in order to protect community members who are victims of criminal conduct as well minimize MCDA's ability to safeguard the rights of the accused. Submitted program 15012B is offered as a solution to this critical problem.



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

### Executive Summary

National best practices in criminal prosecution continue to include the use of data research, evaluation and planning teams to enable data-driven policy development and resource allocation decision making. Similar programs exist within Multnomah County's Department of Community Justice, the Multnomah County Sheriff's Office, the Local Public Safety Coordinating Council, the Multnomah County Circuit Court of the Oregon Judicial Department, as well as within the Portland Police Bureau and state-based agencies such as the Criminal Justice Commission.

### Program Summary

The creation of the Research and Planning Unit has enhanced the ability of the District Attorney to make evidence-based decisions and reinforce the county's long standing commitment to data analysis. This unit now produces research that evaluates, explores and uncovers prosecutorial effects and trends in Multnomah County's criminal justice system and its impact both locally and on the state. This further insight helps to inform policy decision making in important areas such as to strategically address disparities within our county. Additionally, we continue to endeavor to strategically deploy our valuable prosecution and service resources in areas that have the greatest public safety impact. Data, research and planning are critical to achieving successful outcomes.

Furthermore, the trend in public safety in the county and across the nation is for increased cooperation among peers to answer questions greater than any one entity. Experience here in the county has shown that when one partner in criminal justice evaluation comes to the table without the capacity to keep up with others, that weak link causes the whole enterprise to suffer. I am grateful that the county funded one data, research and planning FTE position with MCDA. As public safety systems in Multnomah County join to tackle important questions, the District Attorney's office is determined to be an equal partner with others in this endeavor and, to that end, will need to seek additional staffing resources.

Internally, the DA's office continues to ask more sophisticated questions about its own working processes and policies including examinations of equity and disparity in prosecution, DDA workload and effectiveness, and business/case flow efficiency. At one time it may have been sufficient to find answers to these questions through the authority of long tenure, management discussion and speculation by line staff. These older methods are insufficient in the face of greater reliance in the county and nationwide on sophisticated data analyses that provide more objective means to drive policy.

### Performance Measures

| Measure Type | Primary Measure                                   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Data analysis reports                             | N/A         | 32            | 32            | 32         |
| Outcome      | Number of outcome measures analyzed for reporting | N/A         | 840           | 840           | 840        |

### Performance Measures Descriptions

Data analysis reports refers to a monthly report on community courts, a monthly report on LEAD, and eight independent topical reports. Outcome measures analyzed for reporting is derived from four reports under development (as of Feb 2019) utilizing a total of 350 independent variables as well as the community court count of 10 variables over 12 months.

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fv-2021.pdf>

Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$126,593               | \$0                    | \$196,931                | \$0                     |
| Materials & Supplies   | \$3,407                 | \$0                    | \$10,000                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$130,000</b>        | <b>\$0</b>             | <b>\$206,931</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$130,000</b>        |                        | <b>\$206,931</b>         |                         |
| <b>Program FTE</b>     | 1.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15013-20 MCDA Research & Planning Unit

Two half-time graduate school interns are added to the program in FY21

**Department:** District Attorney      **Program Contact:** John Casalino  
**Program Offer Type:** Innovative/New Program      **Program Offer Stage:** As Proposed  
**Related Programs:**  
**Program Characteristics:** One-Time-Only Request

### Executive Summary

This program provides essential funding for the new out of budget fiscal obligations imposed under SB 1008. SB 1008 establishes a procedure for an expert to evaluate the mental health, cognitive development, maturity, among other things of juveniles who are aged 15, 16 and 17 and have committed rape, murder and serious assaults, among other crimes. This evaluation will assist the prosecutor and the court in determining whether the juvenile's conduct should remain in Juvenile court or be waived to adult court.

### Program Summary

This program provides funding for new obligations imposed by SB 1008. MCDA needs funds to pay for experts to assist in making critical determinations impacting juvenile's accused of violent criminal conduct against community members. The Oregon Legislature passed SB1008 which altered voter approved Ballot Measure 11. Now, 15, 16, 17 year olds who commit murder, rape and serious assaults, among others crimes are initially charged in Juvenile Court. SB1008, however, established a procedure for the state to seek to waive 15, 16, 17 year olds who have committed certain crimes into adult court only if certain numerous specific requirements are determined at a hearing. Information provided by experts in expected and necessary for this hearing.

The determination required by SB 1008 mandates that the district attorney look deeply into the mental health, cognitive development, behavioral background and maturity of juveniles who have committed extremely violent and damaging acts in order for an appropriate remedy for the youth, the victim and the community to be fashioned.

SB 1008 details that "[t]he state has a right to have at least one psychiatrist or licensed psychologist of its selection examine the youth concerning the determination of whether to waive the youth under this section." See ORS 419C.349(5). MCDA does not have the funds to meet this new requirement to the community as provided by this law. This program allows the county to fulfill its obligation to protect community members.

### Performance Measures

| Measure Type | Primary Measure                          | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Number of SB1008 Evaluations             | N/A         | 0             | 6             | 10         |
| Outcome      | Number of youth waived in to adult court | N/A         | 0             | 5             | 8          |

### Performance Measures Descriptions

Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Contractual Services   | \$0                     | \$0                    | \$40,000                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$0</b>              | <b>\$0</b>             | <b>\$40,000</b>          | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$0</b>              |                        | <b>\$40,000</b>          |                         |
| <b>Program FTE</b>     | 0.00                    | 0.00                   | 0.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:

This program did not exist last year. The Oregon Legislature passed SB 1008 to take effect on January 1, 2020. This has created an additional financial resource requirement on the Multnomah County District Attorney's Office (MCDA) that had previously not existed. Without these additional funds, MCDA cannot accurately and adequately address criminal acts such as murder, rape and serious assaults committed against community members in our county. Furthermore, without these funds MCDA will not be able to ensure just outcomes for 15, 16, or 17 year old offenders based on the offender's individual characteristics.

**Department:** District Attorney      **Program Contact:** John Casalino  
**Program Offer Type:** Administration      **Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

This program funds the Division I Chief Deputy District Attorney to provide leadership, policy direction, long and short range planning and daily operational oversight for Division I, which is responsible for protecting some of the most vulnerable children, adults and families in the county. This division includes the Multi-Disciplinary Child Abuse Team (MDT), Domestic Violence (DV) Unit, Juvenile Court Trial Unit, and Support Enforcement Division (SED). The chief deputy district attorney (CDDA) directs these activities on behalf of children and families in a variety of leadership and liaison positions inside and outside the office to make our community more livable.

**Program Summary**

The Chief Deputy District Attorney of Division I is a member of senior level management with specific division level responsibilities to provide leadership, policy direction, strategic planning, problem solving and daily operational oversight for the division, which directly affects the lives and safety of children, teens, domestic violence survivors and families in Multnomah County. The Chief Deputy has direct and daily oversight responsibility for the Domestic Violence Team, Juvenile Unit, Multidisciplinary Child Abuse Team, and Child Support Enforcement Unit. The Chief Deputy also meets weekly to staff cases to determine appropriate and consistent pretrial resolutions for defendants facing mandatory minimum sentencing on indicted charges. The Division I Chief Deputy also prosecutes aggravated murder and murder. The MDT/Child Abuse Unit prosecutes felony crimes involving child victims including homicide, physical abuse, abandonment and neglect, and sexual assault of children where the perpetrator is considered family and protects vulnerable children through litigating dependency cases in juvenile court while coordinating child protection efforts and developing practices and policies to investigate and prosecute abuse and keep children safe and strengthen families. The Juvenile Unit prosecutes serious felonies and certain misdemeanors committed by those under 18 years of age. That Unit seeks community protection, reformation of the youth and restitution to victims of crime. The Support Enforcement Division (SED) establishes, modifies and enforces paternity, child support and medical support orders for the families of Multnomah County. The DV Unit prosecutes crimes involving victims and survivors of domestic violence including physical and sexual assaults, homicides and violations of restraining orders. The Division 1 Chief Deputy performs a critical, family justice liaison role with outside partners, including Department of Human Services and Child Protective Services, Department of Community Justice, all county police agencies, non-profit partners, the defense bar, and the court by serving on numerous collaborative working groups. These include the Family Violence Coordinating Council, Sexual Assault Response Team (SART), Domestic Violence Court Working Group, Multidisciplinary Child Abuse Team Executive Committee, Department of Community Justice Working Group, Juvenile Justice Council, State and Local Child Fatality Review Team, Child Welfare Council, LPSCC—Racial and Ethnic Disparities Subcommittee, Domestic Violence Fatality Review Team, and the Juvenile Justice Task Force.

**Performance Measures**

| Measure Type | Primary Measure                                  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Number of Division 1 cases reviewed (DV,MDT,Juv) | 4,892       | 4,840         | 4,758         | 4,758      |
| Outcome      | Amount of child support collected (in Millions)  | \$30        | \$33.8        | \$31          | \$31       |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.760 - Deputies may be authorized and paid by county. The county court or board of county commissioners may empower the district attorney to appoint one or more deputy district attorneys whose compensation shall be fixed by the county court or board of county commissioners and paid out of the county funds in the same manner as county officers are paid. [Amended by 1961 c.586 §4]

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$329,761               | \$0                    | \$352,310                | \$0                     |
| Materials & Supplies   | \$5,000                 | \$0                    | \$5,300                  | \$0                     |
| Internal Services      | \$147,896               | \$0                    | \$168,991                | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$482,657</b>        | <b>\$0</b>             | <b>\$526,601</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$482,657</b>        |                        | <b>\$526,601</b>         |                         |
| <b>Program FTE</b>     | 1.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15100-20 Division I Administration

Due to county and state funding decisions in FY 2020, Division 1, suffered a detrimental impact that had severe consequences for child safety and families within Multnomah County.

Please see the Juvenile and MDT Program Offers. The Juvenile Program lost TPR and most dependency. This resulted in a significant reduction in safety and proactive measures that protect children and increase parental capacity. The MDT Unit had to vacate the MDT building at 102nd and Burnside and no longer is cohoused with law enforcement and DHS. This ended an evolved model of child protection that had existed since the 1990s. The MDT Unit moved to the Juvenile Court Building. Law Enforcement and DHS has noted that this has lessened the coordination, communication and collaboration that is essential to stop child abuse, strengthen families and hold those who harm children accountable.

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

**Executive Summary**

The Juvenile Court Trial Unit's primary function, due to reduced funding, includes delinquency matters. This unit, working with Multnomah County's Juvenile Services Division, prosecutes serious felonies and misdemeanors committed by those under 18 years of age. This program now prosecutes youth ages 15, 16, and 17 who have committed crimes such as murder, rape and serious assaults subject to SB1008. This program seeks community protection, reformation of the youth and restitution to victims of crime. Refer to program 15101B which partially restored the unit to two primary functions: 1) delinquency and 2) limited dependency.

**Program Summary**

The purposes of the Oregon juvenile justice system are to protect the public and reduce juvenile delinquency and to provide fair and impartial procedures for the initiation, adjudication and disposition of allegations of delinquent conduct. This conduct includes cases ranging from minor misdemeanors to serious felonies—including murder, rape, robbery and serious assaults that were formerly prosecuted by other Multnomah County District Attorney's Office (MCDA) units but now, because of SB1008, are handled in juvenile court. The unit works closely with the Department of Community Justice (DCJ) Juvenile Division in developing appropriate sanctions aimed at accountability, community protection and reformation of the child or youth. Additionally, one of the goals of this program is to reduce the number of youth exposed to the adult criminal system. For over 25 years this program has been involved in the Anne E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). The current interagency agreement with the Juvenile Services Division provides for opportunities for youth to have their matters handled informally, either through the Community Health Initiative Early Intervention Program, or through informal handling by the Juvenile Department. The current agreement calls for MCDA to provide legal sufficiency screening of all referrals, to ensure that youth are held accountable only for acts that are legally sufficient. Legal sufficiency screening by non-lawyers often results in youth being held accountable inappropriately. The goal of these programs is to provide the principles of accountability and reformation without pulling a youth further into the Juvenile System. The deputy district attorneys coordinate with the Department of Human Services, DCJ and juvenile court counselors to serve families impacted by the juvenile system. On July 1, 2019, the Department of Human Services redirected state and federal funds from MCDA to pay their own lawyers at the Department of Justice (DOJ) to represent DHS in all Termination of Parental Rights (TPR) and dependency matters in Multnomah County. Refer to Program 15101B (Dependency and Delinquency) which, in FY 2020, partially restored this unit to two primary functions to serve families in Multnomah County. Lost funding from FY 2020, however, eliminated full victim advocacy to help those involved in the court process navigate the complicated and often unfamiliar juvenile system and impacted victim safety, restitution and restorative justice. This program no longer accomplishes community protection, youth reformation, family preservation and skill building to the extent it has in the past.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Cases reviewed for Delinquency, Dependency, TPR  | 1,857       | 1,363         | 1,558         | 1,558      |
| Outcome      | Early intervention program participants ___% less likely to recidivate than non-participants | 39%         | 40%           | 39%           | 39%        |
| Input        | Number of attorneys in the unit needed to fulfill program description                        | 11          | 5             | 7             | 5          |

**Performance Measures Descriptions**

For additional MCDA Budget Information:  
<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

Juvenile Trial Court: 8.685 Assisting juvenile court; right to appear. (1) The District Attorney shall, upon request of the juvenile court, appear in the juvenile court to assist the court in any matter within its jurisdiction. (2) In counties having a population of more than 150,000, according to the latest federal decennial census, the district attorney shall designate a deputy to assist the juvenile court as provided in subsection (1) of this section. (3) The District Attorney is entitled to appear on behalf of the state in the juvenile court in any matter within the jurisdiction of the court. [1959 c.432 §63 (enacted in lieu of 8.750): 1991 c.681 §4.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$940,187               | \$0                    | \$989,164                | \$0                     |
| Contractual Services   | \$12,000                | \$0                    | \$14,000                 | \$0                     |
| Materials & Supplies   | \$36,300                | \$0                    | \$38,000                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$988,487</b>        | <b>\$0</b>             | <b>\$1,041,164</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$988,487</b>        |                        | <b>\$1,041,164</b>       |                         |
| <b>Program FTE</b>     | 6.00                    | 0.00                   | 6.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15101A-20 Juvenile Court Trial Unit

In FY 2020, State and Federal funding was eliminated in this program because the Department of Human Services decided to have DOJ represent DHS in all Termination of Parental Rights (TPR) and dependency matters in the County. Last year this program offer also reflected a General Fund reduction in order to meet the budget constraint. Because of reductions in both funding and FTE, this program lost two important child protection functions: full dependency and TPR. This program no longer advocates for proactive child protection efforts in dependency court proceedings to the extent it did in the past. This program no longer litigates cases where the abuse or neglect of a child necessitates effort be made to free the child for adoption (TPR). Refer to Program 15101B which restored the reduction in county funding to allow MCDA to continue delinquency and a limited role in dependency. This program now also has additional responsibilities under SB1008.



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

**Executive Summary**

This program allows the Juvenile Court Trial Unit to retain two primary functions: 1) delinquency (prosecuting certain criminal offenses committed by juveniles), 2) limited dependency (litigating some child protection cases in juvenile court). In dependency, this program seeks child safety while strengthening the protective capacity of families. Refer to 15101 A which details the delinquency function of the Juvenile Unit.

**Program Summary**

The Juvenile Court Trial Unit no longer accomplishes family preservation and skill building to the extent it had in the past. It does continue to prosecute crimes committed by juveniles, ranging from misdemeanors to serious felonies—including additional responsibilities imposed by SB 1008. In addition to the delinquency function described in 15101A, this program partially restored this unit to have two primary functions, delinquency and limited dependency to serve families in Multnomah County.

Dependency proceedings are noncriminal and take place in juvenile court where children are found unsafe and the court needs to intervene to protect the child. Dependency is proactive which can result in safer, healthier children who grow up to be adults who also implement safe parenting practices. These DDAs seek to protect children, strengthen families and work with system partners in dependency.

On July 1, 2019, the Department of Human Services (DHS) redirected state and federal funds from the Multnomah County District Attorney's Office (MCDA) to pay their own lawyers at the Department of Justice (DOJ) to represent DHS in all Termination of Parental Rights (TPR) and dependency matters in Multnomah County. Because of overall funding loss in FY 2020 to the Juvenile Court Trial Unit, deputy district attorneys (DDAs) child safety efforts were reduced and in many cases DDAs no longer worked with DHS and other agency partners to develop plans which provided protection for the child and opportunities for parents to expand their protective capacity. Because this unit had reduced funding in FY 2020, it has reduced coordination with community and system partners and reduced engagement in the cross-over youth practice model.

System partners, including judicial, children's attorneys, and parents' attorneys have noted that it is essential for MCDA to remain involved in dependency matters to ensure that children are safer and protective capacity of families is strengthened. This unit, because of SB1008 which took effect on January 1, 2020, will have additional responsibilities to review and prosecute cases where youth ages 15, 16 and 17 commit very harmful offenses such as murder, serious assaults and rape. This law also requires added victim advocate responsibilities.

**Performance Measures**

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Cases reviewed for Delinquency, Dependency, TPR. (Estimate and offer includes Delinquency & Dependency) | 1,857       | 1,363         | 1,558         | 1,558      |
| Outcome      | Early intervention program participants ___% less likely to recidivate than non-participants            | 39%         | 40%           | 39%           | 39%        |
| Input        | Number of attorneys needed to fulfill program description in 15101A & 15101B                            | 11          | 5             | 7             | 5          |

**Performance Measures Descriptions**

Some data fields are incomplete because this unit changed performance measures for FY20. For more information about Juvenile performance measures, please see <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

Continuing MCDA involvement in juvenile dependency cases promote public safety through building parental capacity and safeguarding children.

## Legal / Contractual Obligation

Juvenile Trial Court: 8.685 Assisting juvenile court; right to appear. (1) The District Attorney shall, upon request of the juvenile court, appear in the juvenile court to assist the court in any matter within its jurisdiction. (2) In counties having a population of more than 150,000, according to the latest federal decennial census, the district attorney shall designate a deputy to assist the juvenile court as provided in subsection (1) of this section. (3) The District Attorney is entitled to appear on behalf of the state in the juvenile court in any matter within the jurisdiction of the court. [1959 c.432 §63 (enacted in lieu of 8.750): 1991 c.681 §4.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$578,857               | \$0                    | \$643,616                | \$0                     |
| Materials & Supplies   | \$18,226                | \$0                    | \$36,000                 | \$0                     |
| Internal Services      | \$51,076                | \$0                    | \$0                      | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$648,159</b>        | <b>\$0</b>             | <b>\$679,616</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$648,159</b>        |                        | <b>\$679,616</b>         |                         |
| <b>Program FTE</b>     | 3.00                    | 0.00                   | 3.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15101B-20 Juvenile Dependency and Delinquency

On July 1, 2019, State and Federal funding was eliminated in this program because the DHS decided to have DOJ represent DHS in all TPR and dependency matters in Multnomah County. This was a new program offer in FY 2020. It restored the reduction in County funding for the Juvenile Court Trial Unit and was used to partially backfill the reduction in State funding. This allowed the MCDA to continue with a reduced role in dependency. Partial funding limited MCDA's work on juvenile justice reform issues and reduced both public safety, youth reformation and victim input regarding system decisions. The child abuse unit was also impacted and moved from the Multnomah County MDT building; ending an internationally recognized coordination model that has protected children since the early 90s. This unit now handles additional cases under SB 1008.

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

**Executive Summary**

Domestic violence is a social, economic and public health concern. The Domestic Violence (DV) Unit prosecutes felonies and misdemeanors involving victims and survivors of domestic violence including physical and sexual assaults, homicides and violations of restraining orders. Additionally, this unit's mental health deputy district attorney (DDA) handles aid and assist issues in cases and coordinates the efforts of the Multnomah County Mental Health Court. This team works closely with our victim advocates to ensure trauma-informed support for survivors and their children.

**Program Summary**

The DV Unit prosecutes all types of family or intimate partner violence including physical and sexual assaults (rape, sodomy, for example), strangulation, kidnapping and homicide. The goals of this program are to secure victim and community safety while seeking defendant accountability. Additionally, these DDAs play a valuable role in advocating for community-oriented interventions to help support survivors and their children in breaking the vicious, generational, cycle of family violence. Moreover, the unit works to ensure that each victim is treated respectfully, compassionately and with dignity. Our Victim Assistance Program assigns an advocate to each case to provide outreach and assist survivors in obtaining comprehensive wrap around support services to help alleviate survivors' psychological, social, and financial fears. The unit works in collaboration with state and local law enforcement, the Multnomah County Department of Community Justice and a variety of local nonprofit domestic violence organizations and shelters. Initiatives include working closely with the Portland Police Bureau Domestic Violence Reduction Unit (DVRU) and the Domestic Violence Emergency Response Team (DVERT). The senior deputy district attorney is also an executive committee member for the Family Violence Coordination Council, the Domestic Violence Fatality Review, the DV court workgroup and is the co-chair of the local Chapter of Justice Jammers, a work group that meets to identify gaps in the justice system effecting domestic violence victim safety and offender accountability. The DV Unit participates in the Deferred Sentencing Program for eligible offenders. This program allows first time offenders an opportunity to earn a dismissal of the domestic violence charge with successful completion of a highly supervised and closely monitored program that includes batterer's intervention strategies and counseling. The DV Unit works with the county's adult protective services agency to provide a specialized emphasis on the prosecution of elder abuse cases within Multnomah County. This unit acts as a resource for training of community partners, state and local law enforcement agencies. The unit dedicates a full time attorney to Multnomah County Mental Health Court.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | All DV Cases Reviewed (Felony, Misdo, VRO)   | 2,776       | 2,737         | 2,727         | 2,727      |
| Outcome      | Percentage of presumptively prison eligible defendants diverted from prison to community supervision | 66.2%       | 75.35%        | 71.83%        | 71.83%     |
| Input        | Number of Attorneys needed to fulfill description duties   | 7           | 7             | 10.7          | 7.25       |

**Performance Measures Descriptions**

For additional MCDA Budget Information:  
<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

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. 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 8.670 - 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.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$1,636,635             | \$0                    | \$1,756,384              | \$108,325               |
| Contractual Services   | \$34,000                | \$0                    | \$36,000                 | \$0                     |
| Materials & Supplies   | \$19,150                | \$0                    | \$22,200                 | \$0                     |
| Internal Services      | \$0                     | \$0                    | \$0                      | \$19,834                |
| <b>Total GF/non-GF</b> | <b>\$1,689,785</b>      | <b>\$0</b>             | <b>\$1,814,584</b>       | <b>\$128,159</b>        |
| <b>Program Total:</b>  | <b>\$1,689,785</b>      |                        | <b>\$1,942,743</b>       |                         |
| <b>Program FTE</b>     | 10.00                   | 0.00                   | 10.00                    | 0.60                    |

| Program Revenues     |            |            |            |                  |
|----------------------|------------|------------|------------|------------------|
| Intergovernmental    | \$0        | \$0        | \$0        | \$128,159        |
| <b>Total Revenue</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$128,159</b> |

## Explanation of Revenues

This program generates \$19,834 in indirect revenues.

\$128,159 Violence Against Women Act (VAWA) Competitive Formula Grant, Oregon Department of Justice/Crime Victim and Survivor Services Division, Federal through State

## Significant Program Changes

**Last Year this program was:** FY 2020: 15102-20 Domestic Violence Unit

Funding constraints will decrease capacity, while the obligations of the Multnomah County Mental Health Court has expanded.

In order to meet expanding community need with regard to underserved populations—people of color, LGBTQ, among others—while operating under imposed reduced resources, MCDA sought and obtained a Violence Against Women Act (VAWA) grant to fund a prosecutor to provide service to victims in these underserved populations. The grant will only partially fund a prosecutor. See 15102B for full funding request.

**Department:** District Attorney      **Program Contact:** John Casalino  
**Program Offer Type:** Innovative/New Program      **Program Offer Stage:** As Proposed  
**Related Programs:**  
**Program Characteristics:**

**Executive Summary**

The Multnomah County District Attorney's Office (MCDA) successfully obtained a competitive Violence Against Women Act (VAWA) grant to partially fund a prosecutor for the next three years. The goals of the grant position are to protect, build trust and make the lives better for community members belonging to underserved populations who have experienced domestic violence. This program seeks the county government to join MCDA's commitment to ending violence experienced by Native American, people of color, LGBTQ2SIA+, people with physical or developmental disabilities, victims of human trafficking, those experiencing homelessness, limited English proficiency, immigrants and refugees by providing the critical funding for the VAWA prosecutor not covered by the federal grant.

**Program Summary**

The VAWA prosecutor will be partially funded for three years though the newly awarded competitive VAWA Grant to MCDA. The remaining funding is necessary to serve marginalized members of Multnomah County. Statistics and experience show that underserved communities (including women with disabilities, women of color, women experiencing homelessness, women from immigrant communities) are disproportionately impacted by domestic violence. See Bureau of Justice Statistics, 2001. This prosecutor will be part of the Domestic Violence (DV) Unit which has six DV attorneys. A recent evaluation by the Association of Prosecuting Attorneys concluded a shortage of 3.7 DV prosecutors to adequately serve Multnomah County.

This grant will greatly help underserved members of the community and their families who are victims of crimes of domestic violence including sexual assault, stalking or dating violence as well as physical assaults, strangulation, violations of protective orders, burglary, attempted murder and homicides. This prosecutor will assist victims through referrals, case consultation, investigative assistance and case review. This prosecutor will be available to serve all victims who are included in the federal definition of underserved, marginalized and/or oppressed. This project connects enhanced domestic violence prosecution services with system partners that serve the diverse populations targeted by this project to ensure cross training, information sharing, and support services that meet the unique needs of these survivors.

The VAWA prosecutor will have direct contact with traditionally underserved victims and coordinate services with law enforcement, advocates and project partners to ensure long term victim safety. This, along with the ability to work with law enforcement on case follow-up, will lead to more successful prosecution and increased offender accountability.

**Performance Measures**

| <b>Measure Type</b> | <b>Primary Measure</b>  | <b>FY19 Actual</b> | <b>FY20 Budgeted</b> | <b>FY20 Estimate</b> | <b>FY21 Offer</b> |
|---------------------|---|--------------------|----------------------|----------------------|-------------------|
| Output              | Number of underserved victims of domestic violence served through case consultation | N/A                | N/A                  | 100                  | 200               |
| Outcome             | Number of offenders prosecuted for harming underserved community members            | N/A                | N/A                  | 23                   | 45                |

**Performance Measures Descriptions**

Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$0                     | \$0                    | \$71,319                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$0</b>              | <b>\$0</b>             | <b>\$71,319</b>          | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$0</b>              |                        | <b>\$71,319</b>          |                         |
| <b>Program FTE</b>     | 0.00                    | 0.00                   | 0.40                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:

This is a new program. MCDA did not have a VAWA deputy district attorney last year. Inadequate funding has impeded MCDA efforts to end domestic violence in our county. In order to mitigate the impact of those funding measures this office applied for, and successfully obtained, a competitive federal VAWA grant to partially fund an additional domestic violence prosecutor for the next three years. The core function to serve marginalized members, as required by grant restrictions is to, "Prosecute domestic violence, sexual assault, stalking and dating violence crimes. Provide services to ensure the long term safety of victims; and hold offenders accountable for their crimes." This program is offered to enable the county to fulfill its promise to fund efforts to lessen and eliminate the impact of domestic violence on underserved community members in our county by providing remaining funds for an FTE not covered by the grant.

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

**Executive Summary**

This program serves three primary functions: 1) Prosecute felony crimes involving child victims including homicide, physical abuse, abandonment and neglect, sexual exploitation and sexual assault (rape sodomy, for example) of children where the perpetrator is considered family, 2) Protect vulnerable children through litigating dependency cases in juvenile court; and 3) Coordinate the Multi-Disciplinary Child Abuse Team's (MDT's) child protection efforts and develop practices and policies to investigate and prosecute abuse while working to help keep children safe and strengthen families.

**Program Summary**

The MDT is part of a larger team comprised of representatives from law enforcement, public schools, hospitals, courts, health departments, the Oregon Department of Human Services (DHS), and the Oregon Department of Employment Child Care Division. The team provides services to child victims, minimizes the number of victim interviews, prevents abuse of other potential victims, advances public safety and increases the effectiveness of prosecution of both criminal and dependency cases. Cases in the MDT unit are often time and emotion intensive.

Last year, this program prosecuted some of the most troubling homicides (abusive head trauma), and serious felony sexual and physical assaults against children, in the county. These deputy district attorneys (DDAs) respond to child death crime scenes all hours of the day. This team reviews all unexpected child fatalities. DDAs also work with the Department of Human Services (DHS) and other agencies to protect children who are abused and neglected. They work with our Victim Assistance Program to ensure all practices are trauma-informed and mitigate the life-long consequences of child abuse.

These attorneys litigate some of the most high risk/high lethality child protection cases in Juvenile Court. With the court, DHS and other agencies and community partners, the office develops plans that provide protection for the child and opportunities for the parents to mitigate the dangers which brought the child to the attention of the court in the first place, with the goal that the child(ren) and parents be safe and to further parenting skills.

MDT DDAs coordinate discussion and resolution of inter-agency issues, assist in training with agencies involved in child abuse, participate in policy meetings with regard to child abuse and neglect, prepare and update the protocols for the larger MDT, and advise community partners on child abuse legal issues. The senior deputy district attorney is on call 24/7 to assist law enforcement, medical personnel and DHS in regard to infant deaths and immediate physical and child sexual assault cases. This program also coordinates the distribution of state Child Abuse Multidisciplinary Intervention (CAMI) funds to a variety of local partners on an annual basis for projects/services associated with child abuse intervention.

**Performance Measures**

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Number of Dependency/Criminal cases reviewed  | 259         | 291           | 285           | 285        |
| Outcome      | Percentage of presumptively prison eligible defendant diverted from prison to community supervision | 38.5%       | 43%           | 41.7%         | 41.7%      |
| Input        | Number of Attorneys needed to fulfill program duties  | 9           | 9             | 9             | 9          |

**Performance Measures Descriptions**

Some data fields are incomplete because of organizational changes that make prior performance measures inapplicable. Combining dependency and criminal work, MDT DDA's have between 300-325 children protected on their caseloads each month. Reducing child abuse/protecting children reduces adverse childhood experiences that cause health consequences that persist into adulthood. For additional MCDA Budget Information:  
<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fv-2021.pdf>

## Legal / Contractual Obligation

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. 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 8.670 - 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.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$1,081,368             | \$209,188              | \$1,222,831              | \$204,523               |
| Contractual Services   | \$17,000                | \$670,624              | \$18,000                 | \$703,557               |
| Materials & Supplies   | \$14,650                | \$33,263               | \$16,300                 | \$25,275                |
| Internal Services      | \$0                     | \$38,303               | \$0                      | \$37,449                |
| <b>Total GF/non-GF</b> | <b>\$1,113,018</b>      | <b>\$951,378</b>       | <b>\$1,257,131</b>       | <b>\$970,804</b>        |
| <b>Program Total:</b>  | <b>\$2,064,396</b>      |                        | <b>\$2,227,935</b>       |                         |
| <b>Program FTE</b>     | 5.00                    | 2.00                   | 5.00                     | 2.00                    |

| Program Revenues     |            |                  |            |                  |
|----------------------|------------|------------------|------------|------------------|
| Intergovernmental    | \$0        | \$951,378        | \$0        | \$970,804        |
| <b>Total Revenue</b> | <b>\$0</b> | <b>\$951,378</b> | <b>\$0</b> | <b>\$970,804</b> |

## Explanation of Revenues

This program generates \$37,449 in indirect revenues.

\$970,804 Child Abuse Multidisciplinary Intervention (CAMI) Grant, Oregon Department of Justice/Crime Victim and Survivor Services Division.

## Significant Program Changes

**Last Year this program was:** FY 2020: 15103-20 MDT - Child Abuse Unit

In FY 2020, due to County funding constraints combined with a loss of State funding, the MDT unit moved to the Juvenile Court Building on 68th and Glisan. This meant that the Unit is no longer co-housed with the Department of Human Services (DHS) and a specialized police unit comprised of detectives from the Portland Police Bureau and the Gresham Police Department (Child Abuse Team). LE, DHS and Medical partners have noted that this move—combined with full representation by DOJ in dependency matters—has reduced coordination, collaboration and communication regarding child abuse investigation and planning in the MDT here in Multnomah County.



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

**Executive Summary**

The Multnomah County District Attorney's Support Enforcement Division (SED) establishes, modifies and enforces paternity, child support and medical support orders for the families of Multnomah County as part of the Oregon Child Support Program (OCSP) by working with both parents to provide the financial and emotional support their children need to grow and thrive. OCSP delegates the authority of non-public assistance cases to county district attorney offices.

**Program Summary**

The Child Support Enforcement (CSE) Program, operated by the Support Enforcement Division (SED), was enacted in 1975 as a federal-state-local partnership. The federal government reimburses each state 66% of all allowable expenditures on CSE activities, including staffing costs. The federal government's funding is open-ended in that it pays its percentage of expenditures by matching the amounts spent by state and local governments with no upper limit or ceiling.

Operating in two locations (downtown and East County), the SED routinely carries an average caseload of approximately 7,500 cases and collects approximately \$31 million annually. Every dollar collected (less a \$25 annual fee after \$500 collected) is sent directly to custodial parents for the benefit of the children in our community, providing a critical safety net for families.

Implemented in 2019, a modernized statewide child support computer conversion provides SED with a more automated system to establish, modify and enforce support orders which result in payments benefiting over 10,000 children in our community. While seeking accountability from parents ordered to pay support, SED also works to reduce barriers for those who are unable to meet their obligations by working with the courts to refer parents for job placement, addiction evaluations and appropriate mental health services.

SED works with all 50 states, local tribes, and US territories to cooperatively provide child support services. In addition, OCSP and CSE have reciprocity agreements with over 30 foreign nations.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Average number of families (cases) assisted each month | 7,896       | 7,700         | 7,900         | 7,900      |
| Outcome      | Amount of child support collected (in Millions)        | \$30        | \$33.8        | \$31          | \$31       |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

Per ORS 25.080, the District Attorney's Office provides support services by application to 1) a child support recipient who lives in Multnomah County 2) a child support recipient who lives out of state but the obligating party lives in Multnomah County or 3) both the obligating party and support order are in Multnomah County. Cases may remain in the District Attorney caseload for the duration of the support order and until all arrears are paid in full. ORS 416.415 (paternity); ORS 416.425, (modifying support orders); ORS 416.429, (establish and enforce arrearages)

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$686,798               | \$2,215,709            | \$763,132                | \$2,362,866             |
| Contractual Services   | \$0                     | \$10,000               | \$0                      | \$10,000                |
| Materials & Supplies   | \$0                     | \$54,130               | \$0                      | \$52,650                |
| Internal Services      | \$198,481               | \$791,528              | \$223,559                | \$782,924               |
| <b>Total GF/non-GF</b> | <b>\$885,279</b>        | <b>\$3,071,367</b>     | <b>\$986,691</b>         | <b>\$3,208,440</b>      |
| <b>Program Total:</b>  | <b>\$3,956,646</b>      |                        | <b>\$4,195,131</b>       |                         |
| <b>Program FTE</b>     | 4.51                    | 21.09                  | 4.51                     | 21.09                   |

| Program Revenues          |            |                    |            |                    |
|---------------------------|------------|--------------------|------------|--------------------|
| Intergovernmental         | \$0        | \$3,041,905        | \$0        | \$3,178,496        |
| Beginning Working Capital | \$0        | \$29,462           | \$0        | \$29,944           |
| <b>Total Revenue</b>      | <b>\$0</b> | <b>\$3,071,367</b> | <b>\$0</b> | <b>\$3,208,440</b> |

## Explanation of Revenues

This program generates \$536,481 in indirect revenues.

\$2,982,161 Child Support Enforcement (CSE) Program, Oregon Department of Justice/Child Support Program/Support Enforcement Division (SED), Federal through State

\$196,335 Child Support Enforcement (CSE) Program, Oregon Department of Justice/Child Support Program/Support Enforcement Division (SED), State

\$29,944 Beginning Working Capital

## Significant Program Changes

**Last Year this program was:** FY 2020: 15104-20 Child Support Enforcement

For more information about SED performance measures, please see

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

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

**Executive Summary**

This program funds a chief deputy district attorney (CDDA) who provides leadership, policy direction, long and short-range planning, and daily operational oversight for Division II. This division includes Unit C, the Pretrial Unit and the Misdemeanor Trial Unit. Collectively these units handle a wide range of crimes including aggravated murder, armed robbery, vehicular homicide, DUII, resisting arrest and criminal trespass. This division also handles a variety of non-trial matters. The Division II CDDA also engages system and community partners in a variety of leadership positions outside the office.

**Program Summary**

The CDDA of Division II is a member of senior level management with specific division level responsibilities to provide leadership, policy direction, long and short-range planning and daily operational oversight. The CDDA has direct and daily oversight responsibility of the Unit C, the Pretrial Unit and the Misdemeanor Trial Unit and meets daily with attorneys to discuss case strategy and resolution. The CDDA also presides over weekly case staffing meetings to determine appropriate and consistent pretrial offers for defendants facing mandatory minimum sentencing on their indicted charges. The Division II CDDA also prosecutes aggravated murder and murder cases.

Unit C is a felony trial unit which is responsible for the prosecution homicides, robberies, weapons offenses, gang crimes, vehicular homicides, vehicular assaults, arson, residential burglaries and felony animal abuse.

The Pretrial Unit is responsible for reviewing and issuing all misdemeanor cases other than those involving domestic violence. Pretrial attorneys also handle all judicial appeal cases, civil litigation, post-conviction cases, felony arraignments, habeas proceedings, fugitive and extradition matters, out of state material witness cases and public records requests. The unit also oversees the administration of the grand jury process process and body-worn camera case processing.

The Misdemeanor Trial Unit prosecutes all misdemeanor crimes except those involving domestic violence. These crimes include offenses such as driving under the influence of intoxicants (DUII), resisting arrest, assault, sex abuse, theft, prostitution, stalking, trespass, strangulation and disorderly conduct.

Lastly, the Division II CDDA performs a critical, criminal justice liaison role with outside partners focused on gang violence prevention. To that end, the Division II CDDA is the co-chair of the Local Public Safety Coordinating Council (LPSCC) Youth and Gang Violence Subcommittee and is a member of numerous collaborative working groups such as the Portland Area Gun Initiative, the PPB Bi-weekly Shooting Review and the Community Peace Collaborative.

**Performance Measures**

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Number of Division II criminal cases reviewed for prosecution   | 13,315      | 13,000        | 12,995        | 12,995     |
| Outcome      | Number of Division II non-criminal fugitive cases, public record requests, extraditions, and expungements | 2,694       | 2,345         | 2,600         | 2,600      |

**Performance Measures Descriptions**

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.760 Deputies may be authorized and paid by county. The county court or board of county commissioners may empower the district attorney to appoint one or more deputy district attorneys whose compensation shall be fixed by the county court or board of county commissioners and paid out of the county funds in the same manner as county officers are paid. [Amended by 1961 c.586 §4]

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$329,761               | \$0                    | \$352,310                | \$0                     |
| Contractual Services   | \$1,000                 | \$0                    | \$1,000                  | \$0                     |
| Materials & Supplies   | \$8,000                 | \$0                    | \$8,300                  | \$0                     |
| Internal Services      | \$222,646               | \$0                    | \$382,889                | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$561,407</b>        | <b>\$0</b>             | <b>\$744,499</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$561,407</b>        |                        | <b>\$744,499</b>         |                         |
| <b>Program FTE</b>     | 1.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:** FY 2020: 15200-20 Division II Administration

The Multnomah County District Attorney's Office reorganized in 2019 in order to more efficiently and effectively prosecute misdemeanor crimes. As a result, the Pretrial Unit has absorbed the functions and duties the Misdemeanor Intake Unit which no longer exists as a stand-alone program offer. The Strategic Prosecution and Services Unit supervisory duties have shifted to Division III.

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

**Executive Summary**

Unit C is a felony trial unit responsible for prosecuting a variety of very serious and mid-level felony crimes including homicides, robberies, weapons offenses, gang crimes, vehicular homicides, vehicular assaults, arson, residential burglaries and felony animal abuse. These crimes are predominantly person crimes, and many of the violent cases handled by this unit have long-lasting effects on the victimized community members.

**Program Summary**

Unit C works cooperatively with state and local law enforcement agencies to target and reduce the instances of violent offenses. In the continuum of prosecution services, this unit prosecutes mostly high-risk and some medium-level offenders. Due to the nature of these crimes, many cases handled in Unit C have high visibility in the community. Unit C works cooperatively with the Portland Police Bureau, Multnomah County Sheriff's Office, Gresham Police Department, and other local law enforcement agencies in the county to promote better case investigation and development by consulting with and training officers in the complex legal issues these cases present. Members of the unit are available to officers with questions 24 hours per day, 7 days per week. Due to the negative impact of group and gang violence in our community, Unit C attorneys are involved in numerous meetings with law enforcement and regularly attend community engagement and outreach programs. These events are used to address and educate the public, while utilizing evidence-based solutions to gang-related crimes in Multnomah County. Unit C collaborates with the US Attorney's Office the Bureau of Alcohol, Tobacco, Firearms and Explosives to vigorously prosecute the illegal use, possession and transfer of firearms. Hundreds of felony weapons cases are handled by Unit C annually, resulting in both state and federal prosecutions. Unit C is responsible for prosecuting all felony cases that result from unintentional vehicular collisions where serious physical injury or fatalities occur. Unit C attorneys are assigned to the vehicular crimes team and each attorney is on-call to respond to vehicular crashes approximately seven weeks per year. Unit C attorneys spend approximately six hours per incident responding to the scene of a crash and assisting law enforcement with the initial investigation. The program seeks to hold offenders accountable for committing serious person and property crimes and to keep victims protected.

**Performance Measures**

| <b>Measure Type</b> | <b>Primary Measure</b>   | <b>FY19 Actual</b> | <b>FY20 Budgeted</b> | <b>FY20 Estimate</b> | <b>FY21 Offer</b> |
|---------------------|--|--------------------|----------------------|----------------------|-------------------|
| Output              | Cases reviewed for prosecution by Unit C   | 924                | 950                  | 900                  | 900               |
| Outcome             | Percentage of presumptively prison eligible defendants diverted from prison to community supervision | 55.4%              | 55%                  | 55.0%                | 55.0%             |

**Performance Measures Descriptions**

For additional MCDA Budget Information:  
<http://mcda.us/wp-content/uploads/2019/02/MCDA-Budget-Informational-Packet-FY-20.pdf>

## Legal / Contractual Obligation

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. 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 8.670 Proceedings before magistrates and grand jury.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$2,213,947             | \$0                    | \$2,609,507              | \$0                     |
| Contractual Services   | \$43,000                | \$0                    | \$44,000                 | \$0                     |
| Materials & Supplies   | \$18,500                | \$0                    | \$20,900                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$2,275,447</b>      | <b>\$0</b>             | <b>\$2,674,407</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$2,275,447</b>      |                        | <b>\$2,674,407</b>       |                         |
| <b>Program FTE</b>     | 12.00                   | 0.00                   | 12.00                    | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15201-20 Unit C

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

### Executive Summary

This program works collaboratively with the state courts and local law enforcement agencies to prosecute all misdemeanor crimes except those involving domestic violence. These misdemeanor crimes include offenses such as driving under the influence of intoxicants (DUII), resisting arrest, assault, sex abuse, theft, prostitution, stalking, trespass, strangulation and disorderly conduct. Cases handled by the Misdemeanor Trial Unit are either diverted to a specialty court program or they are set for trial.

### Program Summary

Attorneys assigned to the Misdemeanor Trial Unit (MTU) prepare cases for trial and represent the State of Oregon in misdemeanor jury and bench trials. These attorneys also appear in court on other matters including plea entries, sentencings, probation violation hearings, and restitution hearings. MTU attorneys work collaboratively with the Neighborhood and Strategic Prosecution program by prosecuting many of their issued cases. All cases sent to the MTU are presumed to be trials until otherwise stated. For this reason, all files have to be prepared for actual litigation. This includes: verifying that all discovery obligations are met, extending a pretrial plea offer to the defendant, subpoenaing all necessary witnesses for trial, preparing direct and cross examination, assembling all evidence and conferring with victims when applicable. Misdemeanor Trial Unit attorneys must also review, research and respond to all written motions as part of their trial preparation.

Many misdemeanor cases resolve in one of the specialty courts that are staffed by the MTU. Most non-violent offenders qualify for Community Court where they can earn a reduction or dismissal of their charges by giving back to local neighborhoods through community service while accessing social services such as alcohol treatment, drug treatment and mental health services. With thousands of cases processed each year, Community Court offers a cost-effective collaboration between the state courts, prosecution and social service providers. Offenders who decline or are ineligible for Community Court are prosecuted by the attorneys in the MTU. Because of the large volume of cases and the continued expansion of East County, prosecutors present cases to courts located in downtown Portland and also in Gresham.

All misdemeanor Possession of Controlled Substance (PCS) cases are now eligible for the Treatment First Program. This program has drastically reduced the felony-level conviction rate for individuals arrested for drug possession in Multnomah County. As a result of the Treatment First Program, most of the convictions for drug possession in Multnomah County are now occurring at a misdemeanor level.

### Performance Measures

| Measure Type | Primary Measure                                     | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Misdemeanor cases resolved with a trial             | 162         | 650           | 180           | 180        |
| Outcome      | Misdemeanor cases offered specialty court diversion | 3,927       | 4,500         | 4,000         | 4,000      |

### Performance Measures Descriptions

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## 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<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$1,784,198             | \$0                    | \$1,911,702              | \$0                     |
| Contractual Services   | \$3,000                 | \$0                    | \$3,500                  | \$0                     |
| Materials & Supplies   | \$14,000                | \$0                    | \$16,650                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$1,801,198</b>      | <b>\$0</b>             | <b>\$1,931,852</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$1,801,198</b>      |                        | <b>\$1,931,852</b>       |                         |
| <b>Program FTE</b>     | 13.00                   | 0.00                   | 12.00                    | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15202-20 Misdemeanor Trial Unit

FTE is reduced by 1.00 FTE to meet general fund constraint (Civil Commitment Deputy District Attorney 1). Program 15202B restores this 1.00 FTE.



**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 1.00 FTE deputy district attorney position previously reduced as part of a 2% budgetary constraint. This position reviews commitment and pre-commitment reports and investigations compiled by Multnomah County Forensic Investigators as part of the Civil Commitment process outlined in ORS 426.095. This position makes appearances on behalf of the committing jurisdiction, coordinates witnesses and presents evidence and argument to the court in connection with involuntary commitment hearings as outlined in ORS 426.095.

### Program Summary

**Civil commitments:** The deputy district attorney (DDA) in this position receives, reviews, organizes and presents evidence to the court in connection with the involuntary psychiatric civil commitments of persons who are alleged to be mentally ill and are a danger to self, danger to others, or are unable to provide for basic personal needs as necessary for health or safety as those terms are defined in ORS 426.005-426.390.

Civil Commitment proceedings are non-criminal proceedings required by statute (ORS 426.070) when a Circuit Court or community mental health program director or designee receives notice that a local health officer believes a person meets the criteria for involuntary commitment. At these Civil Commitment proceedings the allegedly mentally ill person (AMIP) is represented by counsel, and the has a right to examine treating physicians, and cross-examine all witnesses, evidence and persons conducting evaluations. The DDA in this position represents the "State's interest" and presents all evidence and arguments to the court; to include civilian witness testimony and the testimony of psychiatric experts.

By law a civil commitment hearing must be held within five judicial days of a hold initiated under ORS 426.070. These hearings are conducted at various hospitals and psychiatric facilities located throughout the county. They are not conducted in the courthouse where the DA's Office is located. Commonly the DDA in this position will travel to more than one facility per day to participate in these hearings. Due to an increased population with mental health issues, the workload requirements for this position has increased greatly. Due to the firm time constraints on when these hearings must occur, these hearings also commonly last in excess of the standard 8-hour working court day.

These civil obligations can be fulfilled by other county entities. Continued funding/ capacity reductions to MCDA, combined with the priority to pursue primary criminal core obligations that cannot be delegated to another county department, mean that if this 1.00 FTE position hadn't been restored, MCDA would have been unable to continue this civil function.

### Performance Measures

| Measure Type | Primary Measure                                  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Number of ORS 426.070 holds reviewed             | 2,028       | N/A           | 2,000         | 2,000      |
| Outcome      | Number of Civil Commitment proceedings conducted | 315         | N/A           | 325           | 325        |

### Performance Measures Descriptions

NEW - Number of ORS 426.070 holds reviewed

NEW - Number of Civil Commitment proceedings conducted - MCDA's current case tracking system does not allow it to track the number of civil commitment hearings conducted. MCDA began hand counting civil commitment hearings in January 2019.

## Legal / Contractual Obligation

ORS 426.005-426.390 requires by law that after a commitment proceeding is initiated a community mental health program director or designee will initiate an investigation, and that if based on said investigation a hold is placed, within 5 judicial days of said hold a representative of the "state's interest" must present evidence to the court establishing by clear and convincing evidence the criteria set out in 426.005 et al. These civil obligations can be fulfilled by other county entities.

## Revenue/Expense Detail

|                         | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|-------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| <b>Program Expenses</b> | <b>2020</b>             | <b>2020</b>            | <b>2021</b>              | <b>2021</b>             |
| Personnel               | \$0                     | \$0                    | \$156,405                | \$0                     |
| <b>Total GF/non-GF</b>  | <b>\$0</b>              | <b>\$0</b>             | <b>\$156,405</b>         | <b>\$0</b>              |
| <b>Program Total:</b>   | <b>\$0</b>              |                        | <b>\$156,405</b>         |                         |
| <b>Program FTE</b>      | 0.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:

This is a new program offer submitted to restore a 1.00 FTE DDA previously reduced as part of a 2% budgetary constraint. As stated above, these hearings are non-criminal, but statutes do require a party to represent the "state's interest" and present evidence on behalf of the county at these hearings.

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

**Executive Summary**

The Pretrial Unit is responsible for reviewing and issuing all misdemeanor cases other than those involving domestic violence. Pretrial attorneys also handle all judicial appeal cases, civil litigation, post-conviction cases, felony arraignments, habeas proceedings, fugitive and extradition matters, out of state material witness cases and public records requests. The unit also oversees the administration of the grand jury process and body-worn camera case processing.

**Program Summary**

The Pretrial Unit recently merged with the Misdemeanor Intake Unit to increase supervision efficiencies and to improve misdemeanor case issuing quality by eliminating case review by legal interns. Pretrial attorneys and staff receive daily case packets, which include police reports documenting misdemeanor crimes as well as other supporting documents, from law enforcement agencies throughout Multnomah County. These case packets are delivered to Pretrial twice each morning for attorneys to review. Pretrial receives approximately 1000 cases a month for review. All in-custody misdemeanor cases must be reviewed and a charging decision made by 12:00 p.m. each business day so the court can process the cases for arraignment. The number of custody cases received averages 20 to 40 on week days, with the exception of Monday when the number of cases can reach upwards of 80 cases received due to police activity over the weekend. After a holiday weekend, the custody reports to review can approach 70 to 100 cases. Other than misdemeanor case issuing, Pretrial provides a variety of important functions within the Multnomah County District Attorney's Office including felony arraignments, civil litigation, post-conviction relief and appeals. The Pretrial Unit also works with the governor's office in fugitive and extradition matters. All public records requests are handled by Pretrial, which includes preparing public records orders that resolve disputes between members of the public and local governmental agencies relating to access to the agency's records. The number of public records appeals has increased by 40% since 2016. Pretrial also provides administration for all three grand jury panels in Multnomah County by working with the chief criminal presiding judge to ensure all grand jurors are provided the support necessary for their four-week term. Pretrial handles all applications for expungement of records. Applicants who qualify to have their arrest and or conviction set aside may overcome obstacles that have previously prevented them from obtaining employment and or housing. In addition, the stigma of having a conviction is erased as soon as the court formally orders the conviction or arrest erased.

**Performance Measures**

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Misdemeanor cases reviewed for prosecution                        | 13,762      | 12,500        | 12,500        | 12,328     |
| Outcome      | Number of applications received to set aside criminal convictions | 2,218       | 1,900         | 1,900         | 2,250      |

**Performance Measures Descriptions**

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## 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<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$2,938,823             | \$0                    | \$2,909,046              | \$0                     |
| Contractual Services   | \$52,000                | \$0                    | \$31,200                 | \$0                     |
| Materials & Supplies   | \$31,000                | \$0                    | \$34,300                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$3,021,823</b>      | <b>\$0</b>             | <b>\$2,974,546</b>       | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$3,021,823</b>      |                        | <b>\$2,974,546</b>       |                         |
| <b>Program FTE</b>     | 23.10                   | 0.00                   | 21.10                    | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15204-20 Pretrial

FTE is reduced by 2.00 to meet General Fund constraint (Deputy District Attorney 1 and Office Assistant 2). Program 15204B restores these 2.00 FTE.

**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:

**Department:** District Attorney

**Program Contact:** Don Rees

**Program Offer Type:** Administration

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**
**Executive Summary**

This program funds a chief deputy district attorney (CDDA) who provides leadership, policy direction, long and short range planning and daily operational oversight for Division III. This Division includes Unit A/B-Property Crimes, Drugs/Human Trafficking, Unit D-Violent Person Crimes, the Neighborhood DA Program/MCJRP and the Post-Conviction Unit.

**Program Summary**

The CDDA of Division III is a member of senior level management with specific division level responsibilities to provide leadership, policy direction, strategic planning, problem solving and daily operational oversight for the division, which directly affects the lives and safety of community members in Multnomah County. The CDDA has direct and daily oversight responsibility for deputy district attorney staff working in felony trial units: Unit A/B - Property Crimes, Drugs/Human Trafficking, Unit D - Violent Person Crimes, the Neighborhood DA Program/MCJRP and the Post-Conviction Unit.

The Chief Deputy also meets weekly to staff cases to determine appropriate and consistent pretrial resolutions for defendants facing mandatory minimum sentencing on indicted charges. The Division III CDDA also prosecutes aggravated murder and murder cases.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Total number of Property Crime, Drug Crime, Violent Crime, and Pre-Trial Felony cases reviewed | 3,675       | 3,502         | 3,818         | 3,600      |
| Outcome      | Total number of Property Crime, Drug Crime, Violent Crime, and Pre-Trial Felony cases issued   | 2,251       | 2,121         | 2,300         | 2,250      |
| Outcome      | Total number of Property Crime, Drug Crime, Violent Crime, and Pre-Trial Felony cases resolved | 1,659       | 1,969         | 2,154         | 2,155      |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

ORS 8.760 - Deputies may be authorized and paid by county. The county court or board of county commissioners may empower the district attorney to appoint one or more deputy district attorneys whose compensation shall be fixed by the county court or board of county commissioners and paid out of the county funds in the same manner as county officers are paid. [Amended by 1961 c.586 §4]

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$329,761               | \$0                    | \$352,310                | \$0                     |
| Contractual Services   | \$11,100                | \$0                    | \$12,000                 | \$0                     |
| Materials & Supplies   | \$7,300                 | \$0                    | \$7,500                  | \$0                     |
| Internal Services      | \$24,278                | \$0                    | \$30,024                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$372,439</b>        | <b>\$0</b>             | <b>\$401,834</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$372,439</b>        |                        | <b>\$401,834</b>         |                         |
| <b>Program FTE</b>     | 1.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15300-20 Division III Administration



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

**Executive Summary**

Unit A/B, the felony trial unit designated to handle property crimes, human trafficking and drugs, protects victims of trafficking, assists victims of property crimes and in most cases diverts those individuals struggling with drug addiction to specialty courts and diversion programs aimed at treatment rather than prison. Crimes prosecuted include compelling and promoting prostitution, fraud and criminal mistreatment targeting the elderly, auto theft, forgery, identity theft, white collar crime and delivery of heroin and methamphetamines and fatal overdoses caused by these drugs.

**Program Summary**

Unit A/B participates in a number of progressive programs aimed at diverting persons away from prison and into treatment. Most repeat property and drug offenders may avoid presumptive prison sentences by agreeing to intensive supervision and treatment through the Multnomah County Justice Reinvestment Program (MCJRP). Prosecutors in this unit meet with offenders in judicial settlement conferences to assess their needs. Working with community justice partners and the courts, this unit tailors probationary sentence opportunities aimed at reducing recidivism while keeping the community safe. Input with regard to case resolution is sought from victims in every property crime case. Assigned prosecutors seek restitution on behalf of victims of these property crimes.

This unit is also responsible for staffing and participating in the Success Through Accountability, Restitution, and Treatment (START) Court program which is a post-sentencing drug court providing supervision and drug treatment for property offenders.

Another program specifically for those with drug addiction, is called Treatment First. Participants in this program are treated in lieu of criminal prosecution. The DISP program (DUII Intensive Supervision Program) is also administered in this unit. Repeat drunk drivers are given the opportunity for court supervised alcohol treatment in lieu of prison as long as they commit to the terms of the program which includes zero tolerance for alcohol and strict restrictions on driving privileges.

In addition to treatment for drug users, this unit plays a key role in the local drug control strategy aimed at dealers by reducing the supply of drugs through enforcement and prosecution.

**Performance Measures**

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Cases Issued  | 2,916       | 3,000         | 2,916         | 3,000      |
| Outcome      | Percentage of presumptively prison eligible defendants (drug) diverted from prison to community supervision     | 73.4%       | 88%           | 78%           | 78%        |
| Outcome      | Percentage of presumptively prison eligible defendants (property) diverted from prison to community supervision | 73.3%       | 75%           | 75%           | 75%        |

**Performance Measures Descriptions**

Output- The number of cases for which a charging document has been created in this unit.

Outcome- Percentage of presumptively prison eligible defendants diverted from prison to community supervision

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

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. 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 8.670 - 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.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$3,327,497             | \$63,661               | \$3,529,503              | \$136,545               |
| Contractual Services   | \$1,000                 | \$0                    | \$2,000                  | \$0                     |
| Materials & Supplies   | \$43,250                | \$5,838                | \$49,000                 | \$0                     |
| Internal Services      | \$0                     | \$11,657               | \$0                      | \$19,110                |
| <b>Total GF/non-GF</b> | <b>\$3,371,747</b>      | <b>\$81,156</b>        | <b>\$3,580,503</b>       | <b>\$155,655</b>        |
| <b>Program Total:</b>  | <b>\$3,452,903</b>      |                        | <b>\$3,736,158</b>       |                         |
| <b>Program FTE</b>     | 20.08                   | 0.42                   | 20.00                    | 0.50                    |

| Program Revenues          |            |                 |            |                  |
|---------------------------|------------|-----------------|------------|------------------|
| Intergovernmental         | \$0        | \$75,318        | \$0        | \$155,655        |
| Beginning Working Capital | \$0        | \$5,838         | \$0        | \$0              |
| <b>Total Revenue</b>      | <b>\$0</b> | <b>\$81,156</b> | <b>\$0</b> | <b>\$155,655</b> |

## Explanation of Revenues

This program generates \$19,110 in indirect revenues.

\$77,666 Child Abuse Multidisciplinary Intervention (CAMI) Grant Program, Oregon Department of Justice/Crime Victim and Survivor Services Division, State

\$77,989 Criminal Justice Commission Specialty Court Grant Program, Federal through State.

## Significant Program Changes

Last Year this program was: FY 2020: 15301-20 Unit A/B - Property/Drugs/Human Trafficking

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

**Executive Summary**

Felony trial Unit D prosecutes cases involving violent person crimes committed against non-related victims and survivors including aggravated murder and other criminal homicides, sexual assaults, kidnapping, weapon assaults and official misconduct. These cases involve some of the most serious or highest level offenders.

**Program Summary**

Deputy district attorneys (DDAs) in this unit work in close cooperation with federal, state and local law enforcement agencies to prosecute some of the most serious, dangerous, violent and upsetting conduct that occurs in Multnomah County. The program protects community members from grave harm and holds offenders accountable through the prosecution of crimes involving aggravated murder, other types of homicide, aggravated assault, kidnap, sexual assaults including rape and child pornography. Additionally, in cooperation with a variety of law enforcement and other agencies, this program investigates and, when appropriate, prosecutes cases involving official misconduct of public officials. The program is a key partner in the East County Major Crimes Team which targets and responds to the most serious crimes in the East County communities. Through its inter-agency cooperation, collaboration, and prosecution efforts, this program is a key part of holding high and medium level offenders accountable for committing serious person crimes. When appropriate, offenders are offered probation in lieu of presumptive prison sentences and receive mental health and addiction treatment under court supervision as an alternative to incarceration.

The DDAs in this unit are some of the most highly skilled trial attorneys in the office that have experience in complex legal issues. Routinely, they are called to the scene of homicides and serious assaults at all hours of the night during the week and weekends throughout the county. These DDAs provide legal counsel and investigation direction to law enforcement to ensure the integrity of the case and to safeguard the rights of the victim and the accused. Because of the sensitive, personal, violent and upsetting nature of the crimes prosecuted in Unit D, the deputy district attorneys in this program have specialized training to assist survivors and victims cope with the trauma caused by offenders and to ensure victims and survivors have a voice in the criminal justice process. A victim advocate is assigned to each case in Unit D supporting the survivors and victims and working closely with the case prosecutor. Meetings with survivors and victims typically occur before the case is formally indicted and continue through case resolution. Survivors and victims have the opportunity to provide input at the various stages of case prosecution including pretrial release considerations, settlement negotiations and sentencing hearings.

These DDAs are involved in several policy efforts to try and make our community free of violence and hate.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Percentage of presumptively prison eligible defendants diverted from prison to community supervision | 50.8%       | 45%           | 52%           | 52%        |
| Outcome      | Percentage of cases with a crime victim/sexual assault survivor                                      | 91.3%       | 95%           | 92%           | 92%        |

**Performance Measures Descriptions**

For additional MCDA Budget Information:

<https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

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. 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 8.670 Proceedings before magistrates and grand jury.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$1,553,564             | \$0                    | \$1,753,079              | \$235,458               |
| Contractual Services   | \$107,000               | \$0                    | \$110,000                | \$0                     |
| Materials & Supplies   | \$26,100                | \$0                    | \$29,200                 | \$0                     |
| Internal Services      | \$0                     | \$0                    | \$0                      | \$54,438                |
| <b>Total GF/non-GF</b> | <b>\$1,686,664</b>      | <b>\$0</b>             | <b>\$1,892,279</b>       | <b>\$289,896</b>        |
| <b>Program Total:</b>  | <b>\$1,686,664</b>      |                        | <b>\$2,182,175</b>       |                         |
| <b>Program FTE</b>     | 8.00                    | 0.00                   | 8.00                     | 1.00                    |

| Program Revenues     |            |            |            |                  |
|----------------------|------------|------------|------------|------------------|
| Intergovernmental    | \$0        | \$0        | \$0        | \$289,896        |
| <b>Total Revenue</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$289,896</b> |

## Explanation of Revenues

This program generates \$54,438 in indirect revenues.  
\$289,896 Bureau of Justice Assistance - Sexual Assault Kit Elimination

## Significant Program Changes

Last Year this program was: FY 2020: 15304-20 Unit D - Violent Person Crimes

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

**Executive Summary**

The Strategic Prosecution and Services Unit works directly with community members, advocates, community groups, neighborhood associations, business owners and associations and law enforcement agencies in communities throughout Multnomah County to identify and develop strategies to combat quality of life crimes and improve neighborhood livability. The Strategic Prosecution and Services Unit deputy district attorneys (DDAs) prosecute felony and misdemeanor cases throughout the county with a focus on chronic offenders. These DDAs work to find individual solutions for chronic offenders. Additionally, this unit is also responsible for all prosecution functions of the Multnomah County Justice Reinvestment Program.

**Program Summary**

This nationally recognized model program engages a variety of community, business and law enforcement partners in identifying crime issues and developing strategies within a community to combat quality of life crime in neighborhoods throughout Multnomah County. The Strategic Prosecution and Services prosecutors are strategically located at Central Precinct, the Gresham Police Department and TriMet.

Specialized prosecutors are contracted with the Lloyd Business District and TriMet to prosecute crimes and solve crime problems specific to those entities. Each Strategic Prosecution DDA is responsible for working with police, other government agencies, businesses and members of our community to improve the quality of life in the areas they serve. This includes keeping police officers up to date on criminal law changes, making the criminal justice system user-friendly for responsible area businesses, marshaling prosecution resources to solve entrenched neighborhood problems, attending community meetings and providing legal tools for citizens and police to use to improve their quality of life, such as collaborating on partnership agreements, business trespass agreements, homeless issues, diversion programs, innovative gang interventions, focused prosecutions and involving citizens to obtain search warrants in an effort to close neighborhood drug houses. As mentioned, this unit seeks to improve livability for community members who are impacted by criminal conduct in their neighborhoods. This includes seeking to reduce harmful behaviors that are considered quality-of-life crimes such as drinking, camping, graffiti, drugs, prostitution, property damage and neighborhood auto theft that cause community members harm and stress. This unit focuses on chronic offenders to find customized solutions to break their offending cycle which adversely impacts other community members.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Cases/search warrants/police reports reviewed  | 6,500       | 6,500         | 7,200         | 7,200      |
| Outcome      | Neighborhood DAs problem solving contacts: citizens, law enforcement, businesses, and neighborhood assocs. | 18,000      | 24,000        | 18,000        | 21,600     |

**Performance Measures Descriptions**

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

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. 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 8.670 Proceedings before magistrates and grand jury.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$971,886               | \$979,880              | \$1,141,774              | \$999,892               |
| Materials & Supplies   | \$11,700                | \$0                    | \$15,200                 | \$0                     |
| Internal Services      | \$0                     | \$34,999               | \$0                      | \$33,816                |
| <b>Total GF/non-GF</b> | <b>\$983,586</b>        | <b>\$1,014,879</b>     | <b>\$1,156,974</b>       | <b>\$1,033,708</b>      |
| <b>Program Total:</b>  | <b>\$1,998,465</b>      |                        | <b>\$2,190,682</b>       |                         |
| <b>Program FTE</b>     | 5.71                    | 4.72                   | 5.74                     | 4.71                    |

| Program Revenues          |                 |                    |                 |                    |
|---------------------------|-----------------|--------------------|-----------------|--------------------|
| Intergovernmental         | \$0             | \$665,349          | \$0             | \$676,296          |
| Other / Miscellaneous     | \$25,000        | \$334,530          | \$20,000        | \$357,412          |
| Beginning Working Capital | \$0             | \$15,000           | \$0             | \$0                |
| <b>Total Revenue</b>      | <b>\$25,000</b> | <b>\$1,014,879</b> | <b>\$20,000</b> | <b>\$1,033,708</b> |

## Explanation of Revenues

This program generates \$33,816 in indirect revenues.

\$676,296 Justice Reinvestment Grant Program, Oregon Criminal Justice Commission, State

\$75,000 Neighborhood District Attorney Program, Agreement with Lloyd Enhance Services District (ESD), Local

\$282,413 Neighborhood District Attorney Program, Intergovernmental Agreement with Tri-County Metropolitan Transportation District of Oregon (TriMet), Local

\$20,000 Sex Buyers Accountability and Diversion (SBAD) Program, Intergovernmental Agreement with City of Portland, Local

## Significant Program Changes

Last Year this program was: FY 2020: 15308A-20 Neighborhood DA Program / MCJRP

**Department:** District Attorney

**Program Contact:** Paul Weatheroy

**Program Offer Type:** Administration

**Program Offer Stage:** As Proposed

**Related Programs:**
**Program Characteristics:**

### Executive Summary

The chief investigator provides leadership, policy direction, long and short range planning as well as daily operational oversight for Division IV. This Division is responsible for protecting victims of crime, which includes the most vulnerable persons in Multnomah County. The chief investigator is dedicated to public service and community outreach. The chief investigator creates and develops partnerships with local, state, and federal law enforcement, other government and community organizations throughout the county. This division includes a staff of 6.5 investigators.

### Program Summary

The chief investigator, Division IV, is a member of senior management with specific division level responsibilities. This position provides direct oversight for district attorney investigators and the Victims Assistance Program, comprised of 17 paid victim advocates and approximately 40 Sexual Assault Volunteer Advocates (SAVAs).

The chief investigator provides leadership, policy direction, strategic planning, problem solving and daily operational oversight for the division which directly affects the lives and safety of children, teens, families, LGBTQ, homeless and other vulnerable populations that have been victims in Multnomah County. District attorney investigators perform duties which include conducting interviews, processing evidence, locating witnesses, and other critical tasks needed to support deputy district attorneys and to help them protect the community and hold defendants accountable.

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

### Performance Measures

| Measure Type | Primary Measure                            | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|--|-------------|---------------|---------------|------------|
| Output       | Number of cases assigned a victim advocate | 3,196       | 3,600         | 3,500         | 3,600      |
| Outcome      | Subpoenas Issued                           | 3,341       | 4,550         | 3,400         | 3,500      |
| Outcome      | Subpoenas Served                           | 2,800       | 3,250         | 3,150         | 3,300      |

### Performance Measures Descriptions

76% of victims who completed surveys report that: The information provided by the VAP helped them to better understand the criminal justice process as it relates to their case. The information provided by the VAP helped them better understand their rights as a victim of crime. The services provided by the VAP helped them make informed decisions about their situation.

## Legal / Contractual Obligation

ORS 8.760 - Deputies may be authorized and paid by county. The county court or board of county commissioners may empower the district attorney to appoint one or more deputy district attorneys whose compensation shall be fixed by the county court or board of county commissioners and paid out of the county funds in the same manner as county officers are paid. [Amended by 1961 c.586 §4]

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$201,912               | \$0                    | \$215,535                | \$0                     |
| Materials & Supplies   | \$4,000                 | \$0                    | \$3,750                  | \$0                     |
| Internal Services      | \$24,798                | \$0                    | \$27,220                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$230,710</b>        | <b>\$0</b>             | <b>\$246,505</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$230,710</b>        |                        | <b>\$246,505</b>         |                         |
| <b>Program FTE</b>     | 1.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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: FY 2020: 15400-20 Division IV Administration



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

### Executive Summary

The victim advocate is a champion for the victim during various stages of the criminal justice process. The primary goal of the Victim Assistance Program and Restitution Recovery Program is to make the criminal justice system more responsive to individual citizens, particularly to victims of crime. It is the philosophy of the office that every effort be made to provide victims a meaningful role throughout the process and involvement at every stage of a criminal case, and assure the rights of crime victims by investigating the economic loss to victims and ensuring that losses are accurately presented in court.

### Program Summary

Victim advocates work directly with crime victims to explain the overall criminal justice system as well as how individual stages apply to their situation. Victim advocates act as a liaison between diverse stakeholders including law enforcement, attorneys, government and community agencies, and victims of crime. They translate highly complex and technical information about the criminal justice process in a trauma-informed manner to best help victims. This includes the rights afforded to them under the Oregon Constitution, safety planning, short-term crisis intervention, court accompaniment; coordinated advocacy and referrals to an array of services and resources and guiding victims through the prosecution process so that they can make informed decisions.

All named victims with defendants being prosecuted by the District Attorney's Office receive information about their rights as victims, an opportunity to submit information about their losses for restitution, and notification letters on the case status and disposition. The District Attorney's Office provides an average of 30,000 victims' rights notifications each year.

The program also provides 24-hour on-call response to accompany victims and survivors of sexual assault to the hospital during law enforcement interviews and forensic medical examinations. The program carries out this effort with a team of paid staff and over 40 volunteers. This immediate crisis intervention service provides critical information and resources to survivors of sexual assault during the early stages of investigation. This allows survivors to make the most informed choices throughout this difficult process. The immediate response is followed by ongoing support and advocacy throughout the investigation and prosecution of the case.

In addition to the above services, the program has been involved in establishing several other programs: U visa certification, Witness Intimidation Support Program, Sexual Assault Response Team, Untested Sexual Assault Kit Project, Multnomah County Justice Reinvestment Project, Human Trafficking Team and prosecution services at the Gateway Center for Domestic Violence Services.

### Performance Measures

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Number of victims of crime assigned a victim advocate on cases                        | 4,549       | N/A           | 3,904         | 3,904      |
| Outcome      | Number of services contacts provided to victims of crime by Victim Assistance Program | 81,619      | N/A           | 102,128       | 113,475    |

### Performance Measures Descriptions

NEW Output Measure - from "number of cases assigned" to "number of victims of crime assigned a victim advocate" to recognize that many cases have multiple individuals who have been victimized.

NEW Outcome Measure - from "number of court appearances" to "number of services contacts provided" in order to more accurately capture the variety of services provided including information about the criminal justice system, crime victim rights, referrals to services, assistance with restitution, and safety planning.

## Legal / Contractual Obligation

Article I Section 42 Oregon Constitution - Rights of Victims in criminal prosecutions and juvenile delinquency proceedings. ORS 147.405, ORS 147.410, ORS 147.417 - Victim to be notified of constitutional rights. ORS 147.22 - Disbursement of moneys to be used for comprehensive victim's assistance programs.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$535,078               | \$1,112,382            | \$348,707                | \$1,293,846             |
| Contractual Services   | \$2,000                 | \$45,040               | \$6,000                  | \$28,856                |
| Materials & Supplies   | \$26,100                | \$4,595                | \$29,200                 | \$7,716                 |
| Internal Services      | \$0                     | \$201,680              | \$0                      | \$236,327               |
| <b>Total GF/non-GF</b> | <b>\$563,178</b>        | <b>\$1,363,697</b>     | <b>\$383,907</b>         | <b>\$1,566,745</b>      |
| <b>Program Total:</b>  | <b>\$1,926,875</b>      |                        | <b>\$1,950,652</b>       |                         |
| <b>Program FTE</b>     | 5.64                    | 11.36                  | 3.46                     | 12.54                   |

| Program Revenues          |            |                    |            |                    |
|---------------------------|------------|--------------------|------------|--------------------|
| Intergovernmental         | \$0        | \$1,362,412        | \$0        | \$1,566,745        |
| Beginning Working Capital | \$0        | \$1,285            | \$0        | \$0                |
| <b>Total Revenue</b>      | <b>\$0</b> | <b>\$1,363,697</b> | <b>\$0</b> | <b>\$1,566,745</b> |

## Explanation of Revenues

This program generates \$236,327 in indirect revenues.

\$470,099 Criminal Fine Account (CFA) Grant, Oregon Department of Justice/Crime Victim and Survivor Services Division, State

\$1,037,065 Victims of Crime Act (VOCA) Grants, Oregon Department of Justice/Crime Victim and Survivor Services Division, Federal through State

\$58,154 VOCA Funding Initiatives Competitive Grant/Oregon Department of Justice/ Crime Victim and Survivor Services Division

\$1,427 VOCA Support Services & Training

## Significant Program Changes

**Last Year this program was:** FY 2020: 15401-20 Victims Assistance Program

FTE is reduced by 2.00 to meet General Fund constraint (1.00 Victim Advocate and 1.00 Restitution Clerk). Program 15401C restores the 1.00 FTE Victim Advocate.

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

### Executive Summary

In FY 2019 the VAP was reduced by 3 FTE, which included one Victim Advocate who provided specialized services to victims of youth offenders. This position was partially restored through new VOCA grant funding.

Restores 1.00 FTE of a Victim Advocate position. This advocate position provides services on average to over 300 victims of crime each year that are associated with cases issued by the office. In addition to assigned cases, advocates serve a number of victims and survivors who do not have open cases with the office

### Program Summary

Victim advocates work directly with crime victims to explain the overall criminal justice system as well as how individual stages apply to their situation. Victim advocates act as a liaison between diverse stakeholders including law enforcement, attorneys, government and community agencies, and victims of crime. They translate highly complex and technical information about the criminal justice process in a trauma-informed manner to best help victims. This includes the rights afforded to them under the Oregon Constitution, safety planning, short-term crisis intervention, court accompaniment; coordinated advocacy and referrals to an array of services and resources and guiding victims through the prosecution process so that they can make informed decisions.

On average, each advocate in the program serves just over 300 victims on issued cases each year. Additionally, there are a number of victims and survivors who are served by the program who do not have cases that are charged.

The role of an advocate is relationship based and can require a great deal of time to build rapport, meaningfully connect with victims and establish trust in a system that they may face great barriers to accessing.

Victims from traditionally underserved populations or who face significant barriers need additional assistance to access services and supports to cope with the impacts of being victimized. Advocates are often the first to learn about tampering, witness intimidation and new crimes that are being committed.

Currently the program is able to offer an array of services with bilingual and bicultural staff.

### Performance Measures

| Measure Type | Primary Measure   | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|---|-------------|---------------|---------------|------------|
| Output       | Number of victims of crime assigned a victim advocate on cases                        | 4,549       | N/A           | 3,904         | 3,904      |
| Outcome      | Number of services contacts provided to victims of crime by Victim Assistance Program | 81,619      | N/A           | 102,128       | 113,475    |

### Performance Measures Descriptions

NEW Output Measure - from "number of cases assigned" to "number of victims of crime assigned a victim advocate" to recognize that many cases have multiple individuals who have been victimized.

NEW Outcome Measure - from "number of court appearances" to "number of services contacts provided" in order to more accurately capture the variety of services provided including information about the criminal justice system, crime victim rights, referrals to services, assistance with restitution, and safety planning.

## Legal / Contractual Obligation

Article I Section 42 Oregon Constitution - Rights of Victims in criminal prosecutions and juvenile delinquency proceedings. ORS 147.405, ORS 147.410, ORS 147.417 - Victim to be notified of constitutional rights. ORS 147.22 - Disbursement of moneys to be used for comprehensive victim's assistance programs.

## Revenue/Expense Detail

|                        | Adopted<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$0                     | \$0                    | \$102,361                | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$0</b>              | <b>\$0</b>             | <b>\$102,361</b>         | <b>\$0</b>              |
| <b>Program Total:</b>  | <b>\$0</b>              |                        | <b>\$102,361</b>         |                         |
| <b>Program FTE</b>     | 0.00                    | 0.00                   | 1.00                     | 0.00                    |

| Program Revenues     |            |            |            |            |
|----------------------|------------|------------|------------|------------|
| <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:

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

**Executive Summary**

The Investigations Unit assists deputy district attorneys in the investigation of cases and performs other functions ancillary to court proceedings such as the service of subpoenas, preparation of court exhibits, interviewing witnesses, transporting victims and witnesses to court, and the gathering and protecting of evidence. Investigators are under the general supervision of the chief investigator and are directly employed by the District Attorney.

**Program Summary**

The Investigations Unit is staffed by one chief investigator and 6.5 FTE experienced investigators. Investigators are utilized in the juvenile, and trial divisions of the Multnomah County District Attorney's Office. Investigators work closely and in cooperation with federal, state and local law enforcement agencies and deputy district attorneys to provide investigation services for felony and misdemeanor cases. The program provides case specific evidence gathering and evaluation, location of witnesses, witness interviews and transport for testimony, court testimony, video redaction of 911 tapes and video evidence, background investigations and personal service of subpoenas that require witness court appearance. Investigations are a crucial and integral part of the prosecution of all criminal investigations.

The Investigations Unit provides support in criminal prosecutions which directly affect the lives and safety of children, teens, families, LGBTQ, houseless and other vulnerable populations that have been victims in Multnomah County. Investigators perform all of the duties listed above and other critical tasks needed to support deputy district attorneys and help them protect the community and hold defendants accountable.

Furthermore, communities of color have historically been underserved in Multnomah County. We have assembled a diverse, gifted, caring and committed investigative team, reflective of the community we serve. Over 50% of our team includes people of color.

Investigators are sometimes required to provide security for the district attorney, deputy district attorneys, other court personnel, or witnesses who have been threatened by hostile subjects.

**Performance Measures**

| Measure Type | Primary Measure  | FY19 Actual | FY20 Budgeted | FY20 Estimate | FY21 Offer |
|--------------|------------------|-------------|---------------|---------------|------------|
| Output       | Subpoenas Issued | 3,341       | 4,450         | 3,400         | 3,500      |
| Outcome      | Subpoenas Served | 2,800       | 4,550         | 3,150         | 4,450      |

**Performance Measures Descriptions**

For additional MCDA Budget Information: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

## Legal / Contractual Obligation

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<br>General Fund | Adopted<br>Other Funds | Proposed<br>General Fund | Proposed<br>Other Funds |
|------------------------|-------------------------|------------------------|--------------------------|-------------------------|
| Program Expenses       | 2020                    | 2020                   | 2021                     | 2021                    |
| Personnel              | \$337,536               | \$433,087              | \$346,965                | \$471,039               |
| Materials & Supplies   | \$25,750                | \$0                    | \$30,750                 | \$0                     |
| Internal Services      | \$49,329                | \$31,269               | \$75,454                 | \$0                     |
| <b>Total GF/non-GF</b> | <b>\$412,615</b>        | <b>\$464,356</b>       | <b>\$453,169</b>         | <b>\$471,039</b>        |
| <b>Program Total:</b>  | <b>\$876,971</b>        |                        | <b>\$924,208</b>         |                         |
| <b>Program FTE</b>     | 2.59                    | 3.41                   | 2.57                     | 3.43                    |

| Program Revenues     |            |                  |            |                  |
|----------------------|------------|------------------|------------|------------------|
| Intergovernmental    | \$0        | \$464,356        | \$0        | \$471,039        |
| <b>Total Revenue</b> | <b>\$0</b> | <b>\$464,356</b> | <b>\$0</b> | <b>\$471,039</b> |

## Explanation of Revenues

\$413,142 Investigations, Intergovernmental Agreement with City of Portland, Local  
\$57,897 Investigations, Intergovernmental Agreement with City of Gresham, Local

## Significant Program Changes

**Last Year this program was:** FY 2020: 15402-20 Investigations

The chief investigator is a member of the Multnomah County Threat Assessment Team (MCTAT), which is a multi-disciplinary team, including professionals from local, state, and federal law enforcement, mental health organizations and representatives from local universities and community colleges. MCTAT identifies and helps manage threats against organizations and members of our community.