



# District Attorney's Office FY 2022 Proposed Budget

Presented to the  
Board of County Commissioners

Multnomah County  
May 5, 2021

Located at: [www.multco.us/budget](http://www.multco.us/budget)



# Agenda

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- Introduction
- Community Budget Advisory Committee
- Department Budget Overview – Approach and Equity
- Budget Overview by Division
  - Service, Data, Performance Trends
  - Budget and Policy Changes
- General Fund Reductions
- New, One-Time-Only, Backfill, Restorations
- Potential State Impacts
- COVID-19 Impacts and Response
- Questions



# Community Budget Advisory Committee (CBAC)

**Rebecca Nickels**, CBAC Chair; Organizational & Leadership Consultant; roles supporting domestic and sexual violence survivors

**Cynthia Escamilla**, Central CBAC Representative; Organizational Design and Development Consultant

**Tim Cunningham**, Partner, Davis Wright Tremaine

**Leah Gibbs**, Veterinarian, activist

**Eric Hunter**, President and CEO, CareOregon

**Chuck Sparks**, retired as Chief Deputy District Attorney

**Ernie Warren**, Managing attorney, Warren & Sugarman (criminal defense and civil work)



# CBAC Budget Feedback

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- Addressing the increase in gun violence
- Technology upgrades
- Bodyworn cameras
- Policy Director

MCDA CBAC Recommendations:  
<https://multco.us/file/97270/download>



# CBAC Recommended Program Offers

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## Funded

- 15304B Unit D - Gun Violence
- 15102B Domestic Violence Backlog from COVID-19\*
- 15301B Unit A/B Property/Drugs/Human Trafficking Restoration
- 15401B Victims Assistance Program Restoration
- 78319 Alfresco Systems Stabilization and Upgrade
- 78319B Email Systems and Public Records
- 15000B Policy Director\*\*

## Not Funded

- 15012B Bodyworn Cameras Expansion

\*American Rescue Plan - *pending amendment*

\*\* *pending amendment*



# Key Budget Themes & Considerations

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- Equity
- Rise to the call for criminal justice reform
- Respond to gun violence
- Maintain capacity to respond to backlog
- Ensure reliable information technology



# Key Budget Themes & Considerations

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## Reform

- Conviction Integrity Unit (15021A)
- Conviction Integrity Unit Expansion - OTO (15021B)
- Policy Director (15000B)

## Gun Violence Response

- Unit D – Gun Violence (15304B)

## Technology

- Alfresco Systems Stabilization and Upgrade (78319)
- Email Systems and Public Records (78319B)





# Applying an Equity Lens

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- **Policy changes to reduce disparate impacts**
  - Requires focused, collaborative and sustained effort
  - Led by Policy Director
  - Examples: protest policy, civil compromise reform, misdemeanor warrant rescission
- **Redress of past decisions with ongoing disparate impacts**
  - Requires focus and capacity provided by a Conviction Integrity Unit
  - Develop Post-conviction justice policies
  - Careful review of commutation and clemency applications
- **Disrupt violence impacting BIPOC community**
  - Shift internal resources and focus on gun violence



# Applying an Equity Lens

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Improved internal Diversity, Equity and Inclusion within existing resources:

- Expanded HR function
- Attracting diverse candidates
- Increased transparency of staffing demographics and measure progress



**District Attorney's Office**  
**\$40,700,894 | 198.76 FTE**

Mike Schmidt, District Attorney

**Administration**  
33.11 FTE

- Management Services
- Administrative Support Services
- Information Technology
- Finance/Human Resources
- Records/Discovery
- Body Worn Cameras – Gresham
- Conviction Integrity / Post-Conviction Justice

**Division 1**

John Casalino  
Chief Deputy  
53.60 FTE

- Juvenile Unit
- Domestic Violence
- MDT – Child Abuse
- Child Support Enforcement

**Division 2**

Kirsten Snowden  
Chief Deputy  
46.10 FTE

- Unit C
- Misdemeanor Trial
- Pretrial

**Division 3**

Don Rees  
Chief Deputy  
40.95 FTE

- Unit A/B – Property Crimes/Drugs/Human Trafficking
- Unit D – Violent Person Crimes
- Unit D – Gun Violence
- Strategic Prosecution

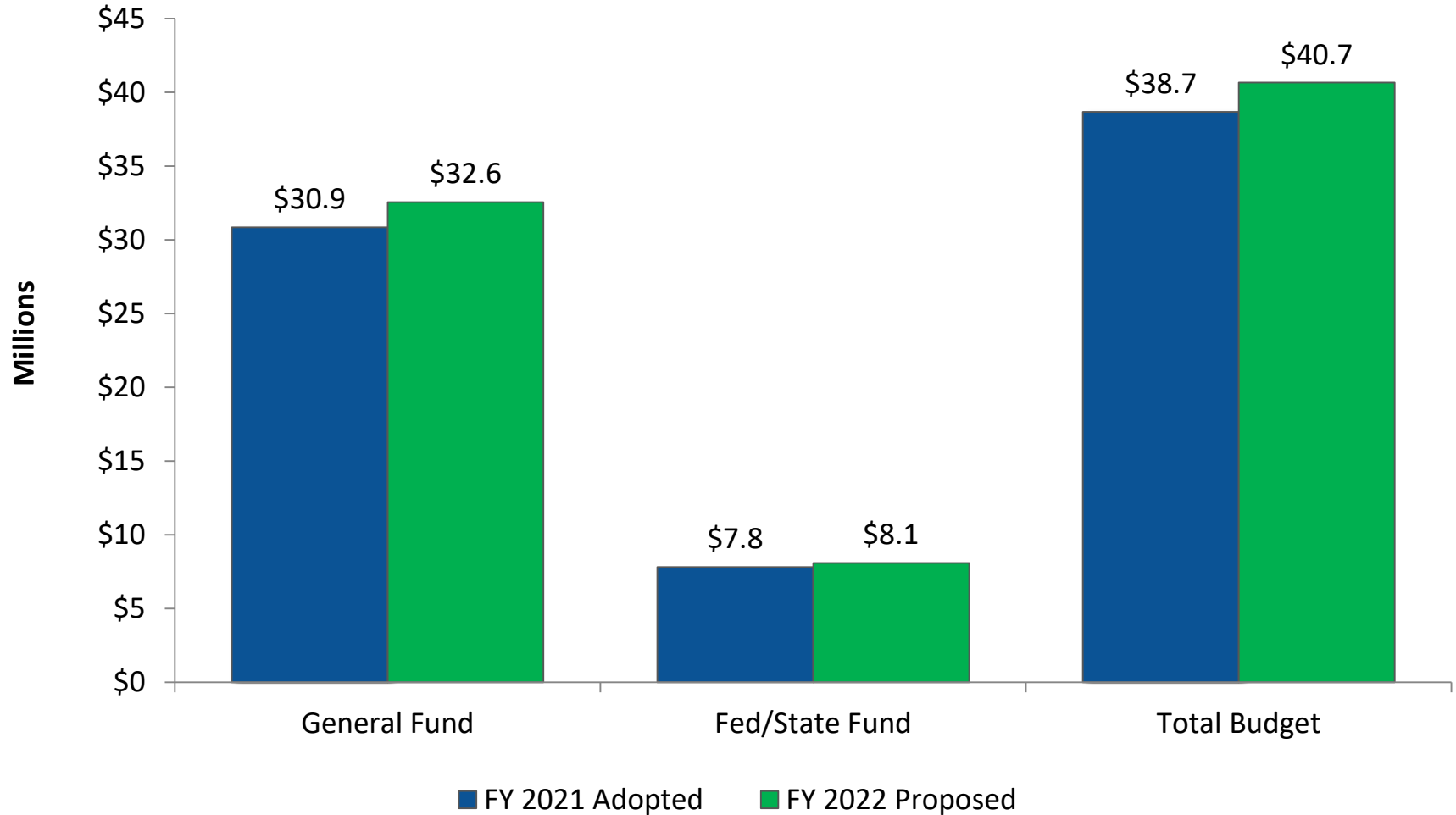
**Division 4**

Jeff Howes  
First Assistant  
25.00 FTE

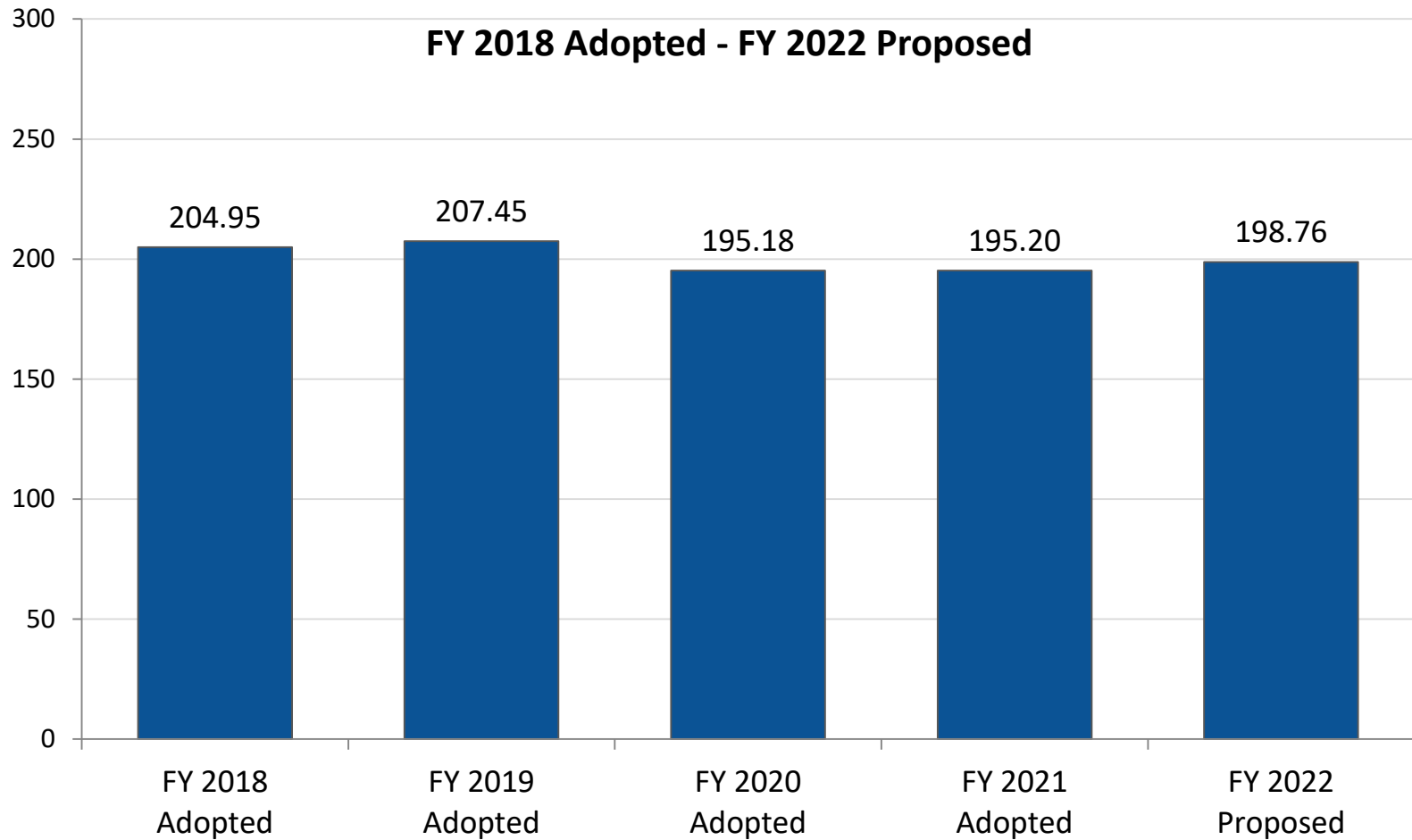
- Victims Assistance
- Investigations

# Budget by Fund - \$40.7M

## *(Expenditures)*

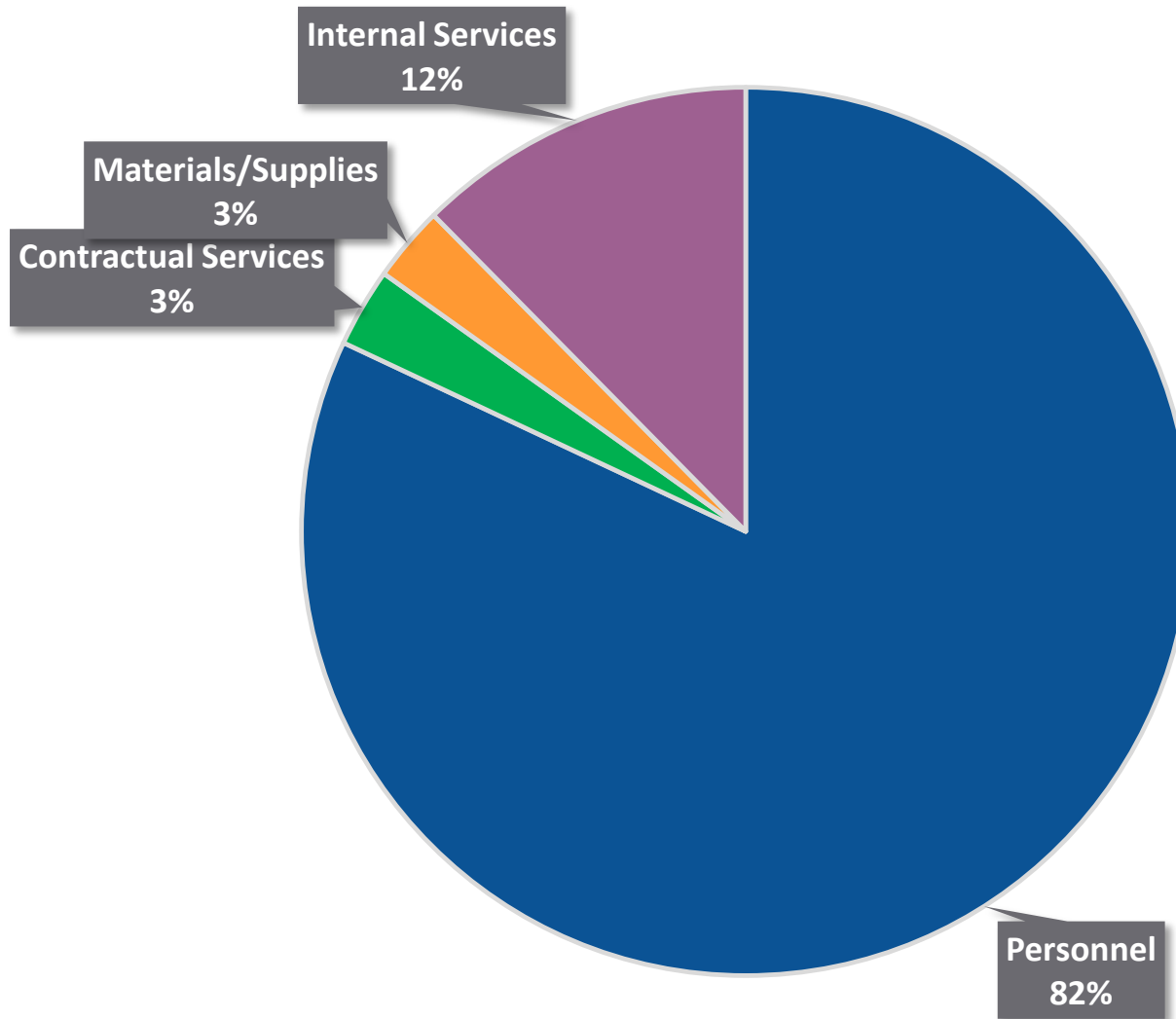


# FTE – 5 Year Trend



# Budget by Category - \$40.7M

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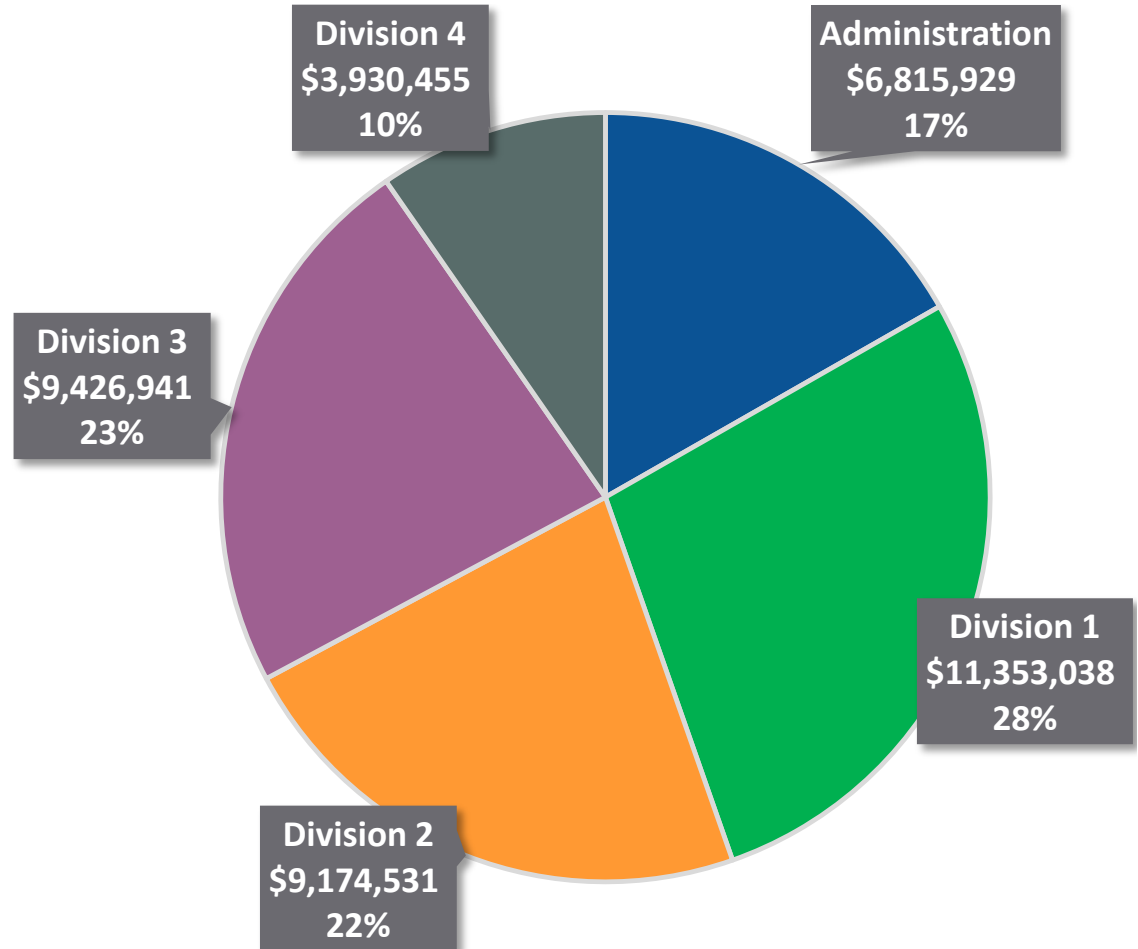
# Budget by Division

**Division 1:** Juvenile, Domestic Violence; Child Abuse; Child Support Enforcement

**Division 2:** Unit C, Misdemeanor Trial, Pretrial

**Division 3:** Property Crimes, Drugs, Human Trafficking, Violent Person Crimes, Gun Violence, Strategic Prosecution

**Division 4:** Victims Assistance, Investigations



# Accounting Change - Internal Services

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- FY2021 and earlier - Centralized in 6 administrative program offers
- FY2022 - Allocated across 21 program offers
- Why? Better represents costs of individual program offers
- No net impact

Administrative Division	-\$2.3M
Division 1	+\$0.4M
Division 2	+\$0.5M
Division 3	+\$0.8M
Division 4	<u>+\$0.5M</u>
<b>Department TOTAL</b>	<b>\$0.0M</b>







# FY 2022 Proposed Budget by Division

Administration

Division 1

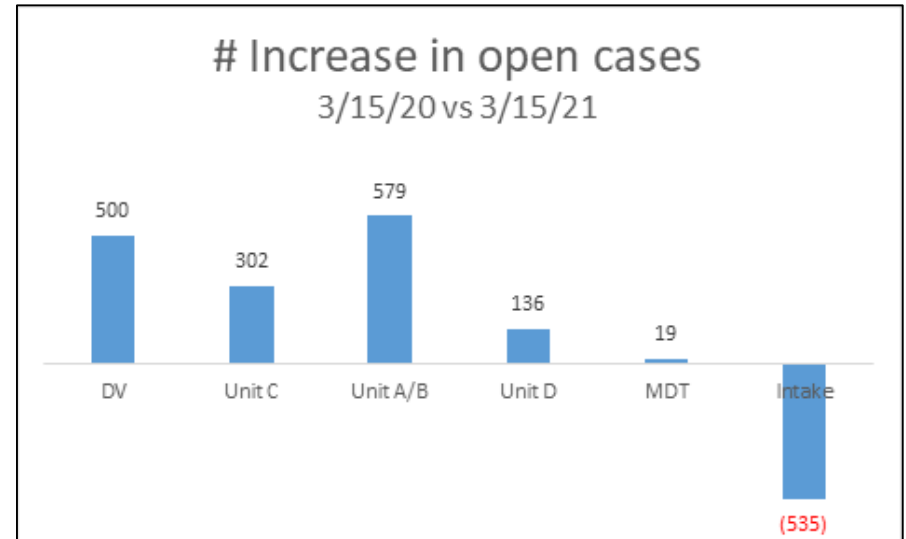
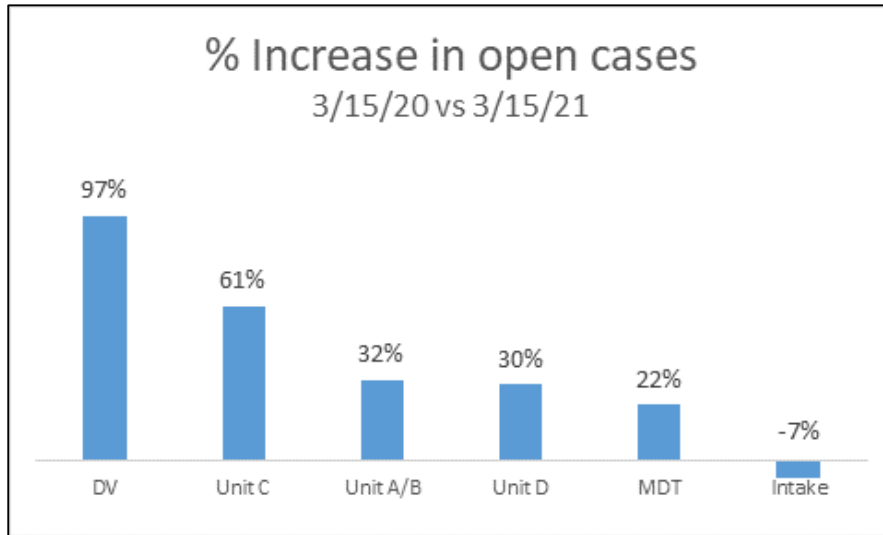
Division 2

Division 3

Division 4

# Case Backlog

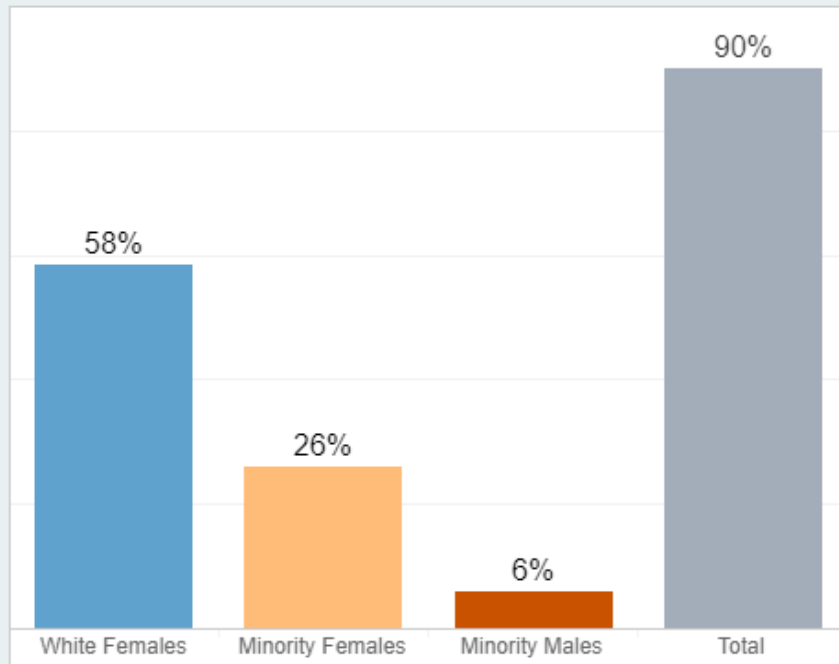
Despite reduced intake, inability to resolve cases is creating backlog



# Data Dashboards – Transparency and Legitimacy

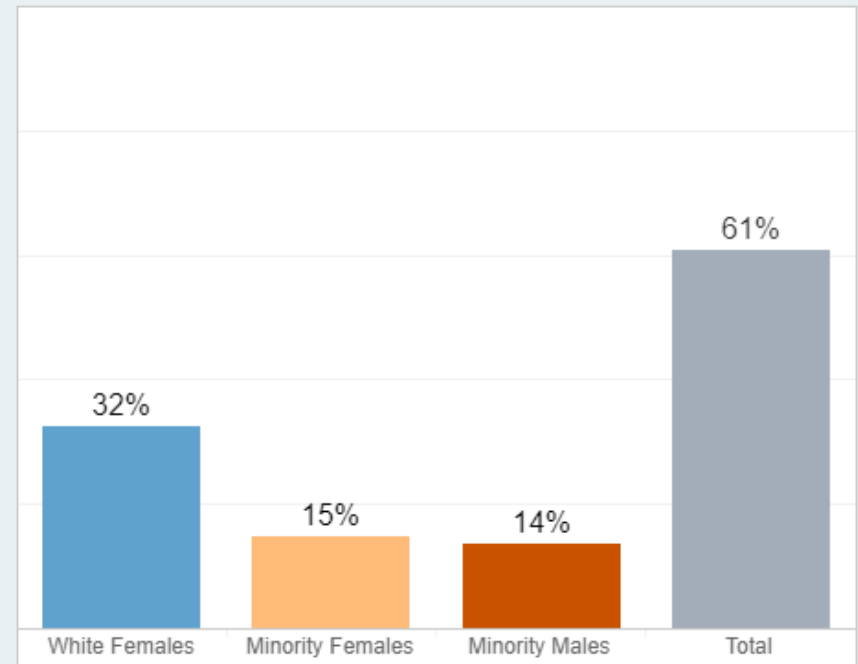
## Staff Diversity

As of January 1st, 2021, 90% of staff were women or racial/ethnic minorities.

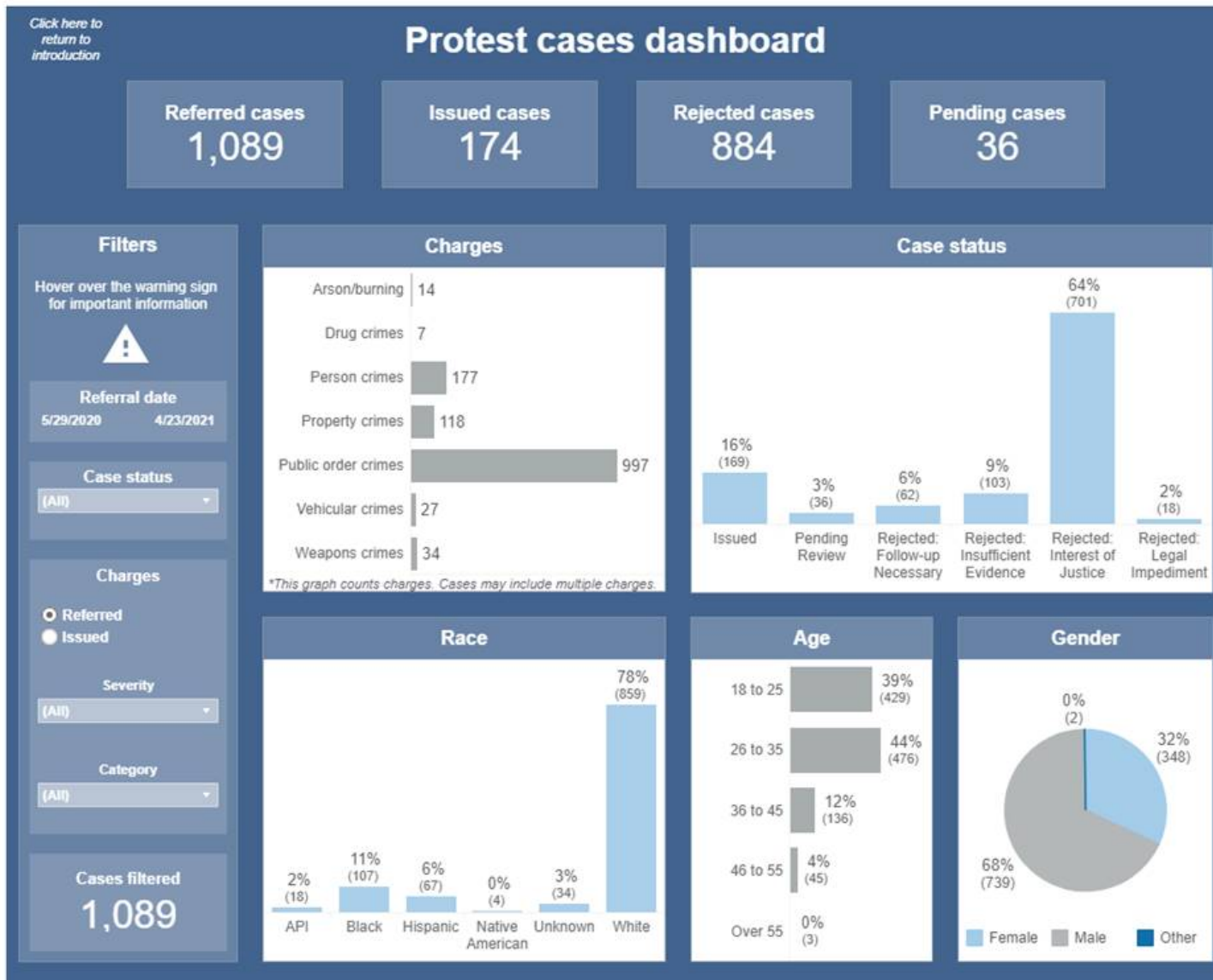


## Diversity of All Prosecutors

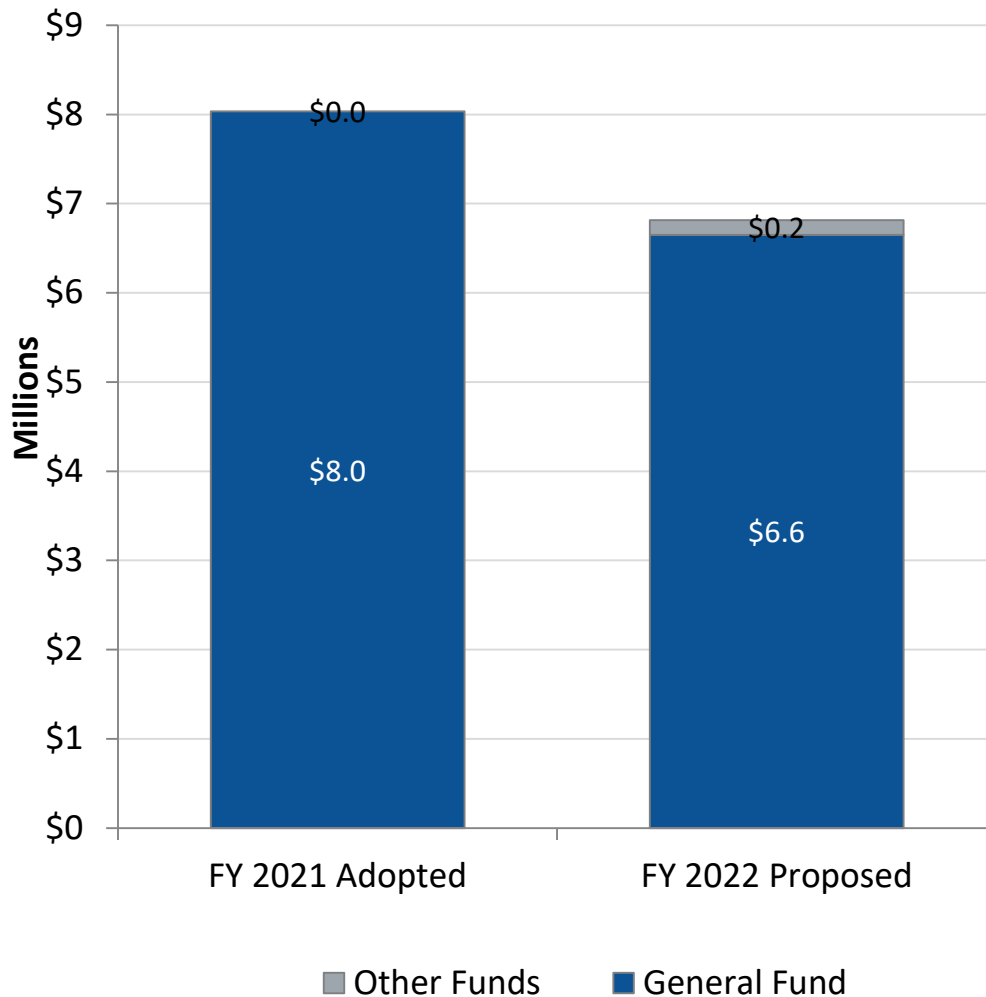
As of January 1st 2021, 61% of all prosecutors were women or racial/ethnic minorities.



# Data Dashboards – Transparency and Legitimacy



# Administration

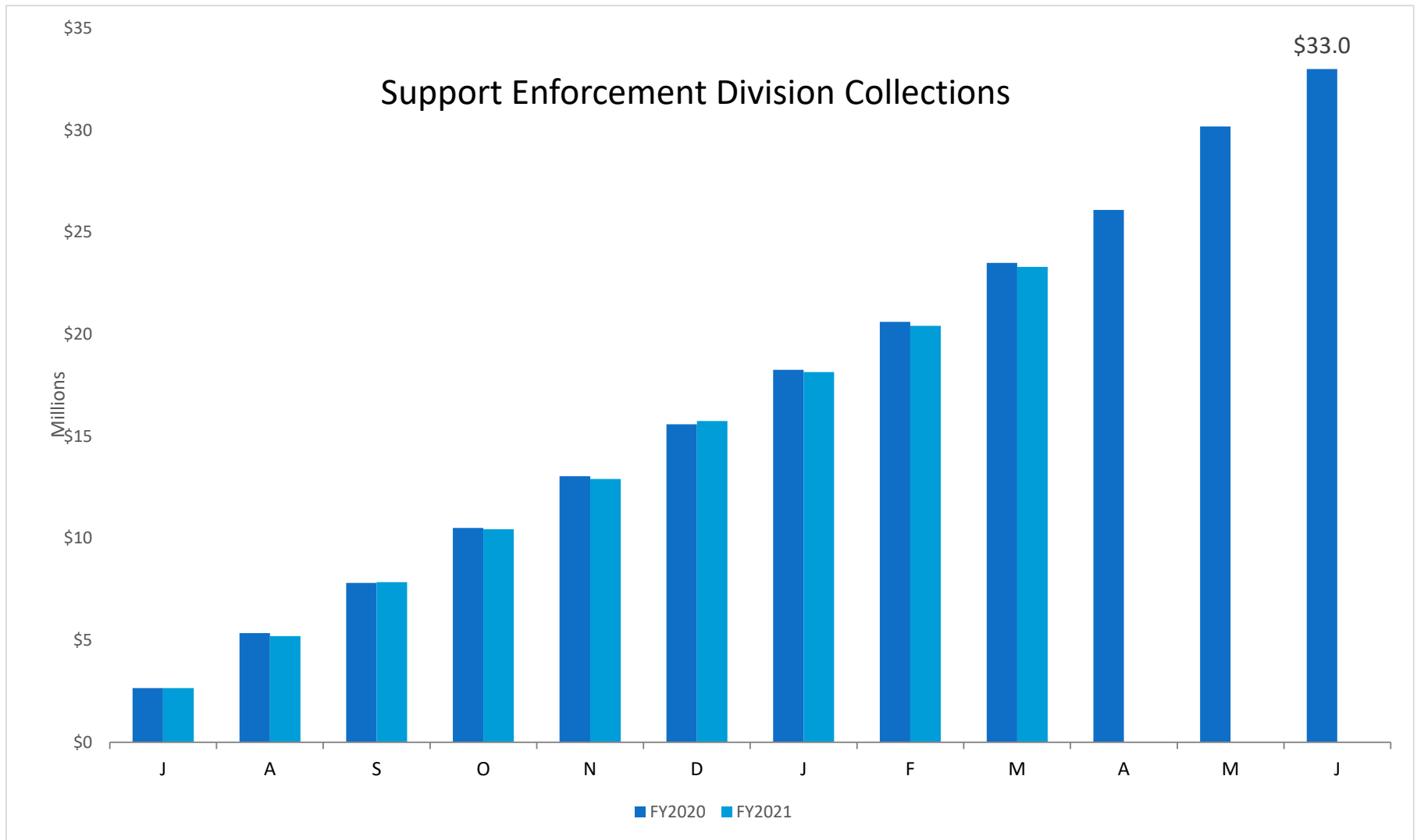


- Management Services
- Administrative Support
- IT/Finance/HR
- Records/Discovery
- Body Worn Cameras
  
- New & One-Time-Only Conviction Integrity (15021A/15021B), +\$524K
  - GF +2.00 FTE /Other Funds +0.56 FTE
- Policy Director\* (15000B), \$277K

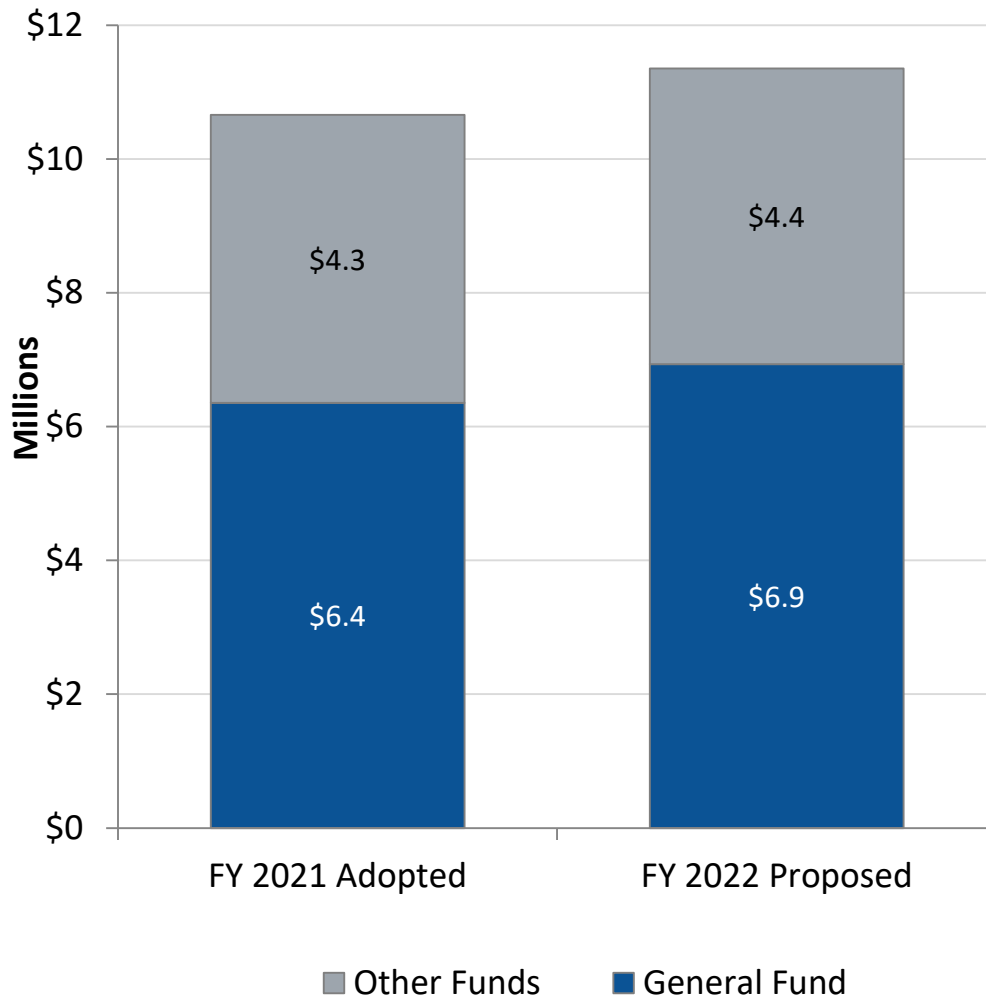
\*Budget amendment pending



# Division 1



# Division 1



- Juvenile
- Domestic Violence
- Child Abuse (MDT)
- Child Support Enforcement

American Rescue Plan\*  
Domestic Violence Backlog  
from COVID-19

- 97% increase in cases pending
- Adds 1.00 Limited Duration DDA

*\*pending amendment*



## Notice of Mental Illness (NMI)

- Holds Reviewed per month (FY20) = 245
- Hearings per month (FY20) = 26
- Hearings per month (CY21) = 30
- Hearings per month (April 2021) = 41





# Division 2

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## Strategies to reduce jail usage

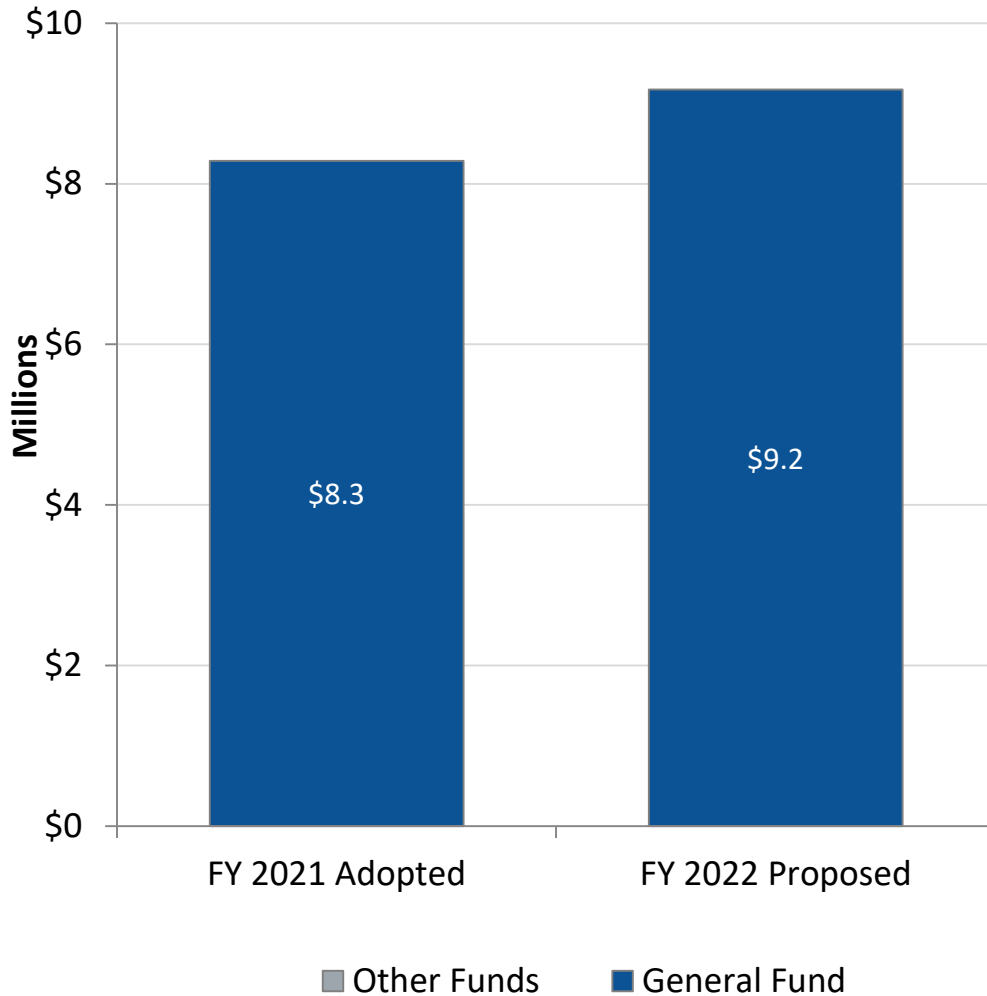
- Using community service over jail for misdemeanor cases
- Addressing the backlog of cases by implementing new resolution guidelines.
- Clearing old warrants that do not further public safety.

## Recruitment and Training

- Commitment to diversity within the office
- Misdemeanor Attorneys
  - 6 of 10 are female and/or BIPOC
- Interns
  - 8 of 11 are female and/or BIPOC



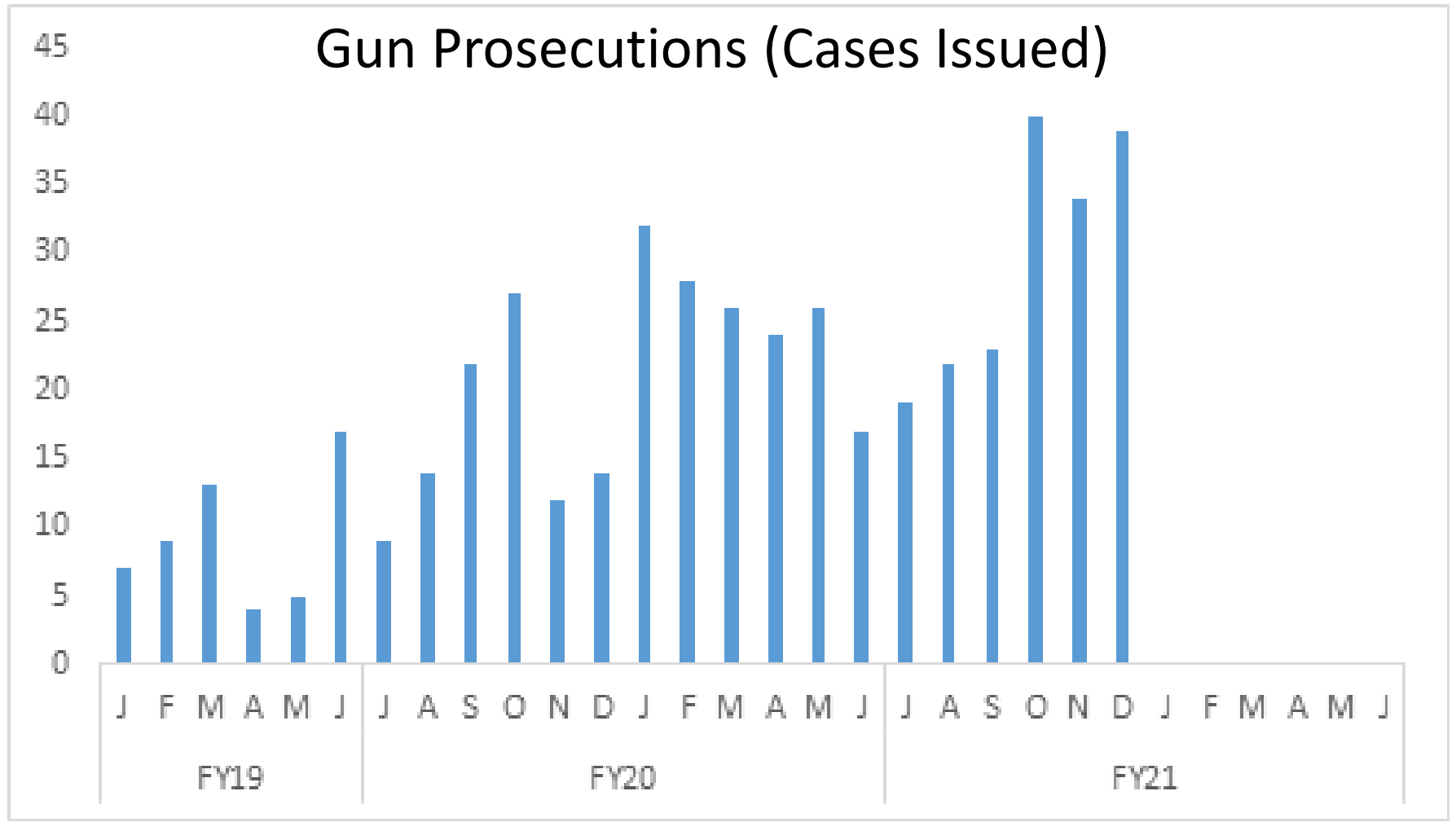
# Division 2



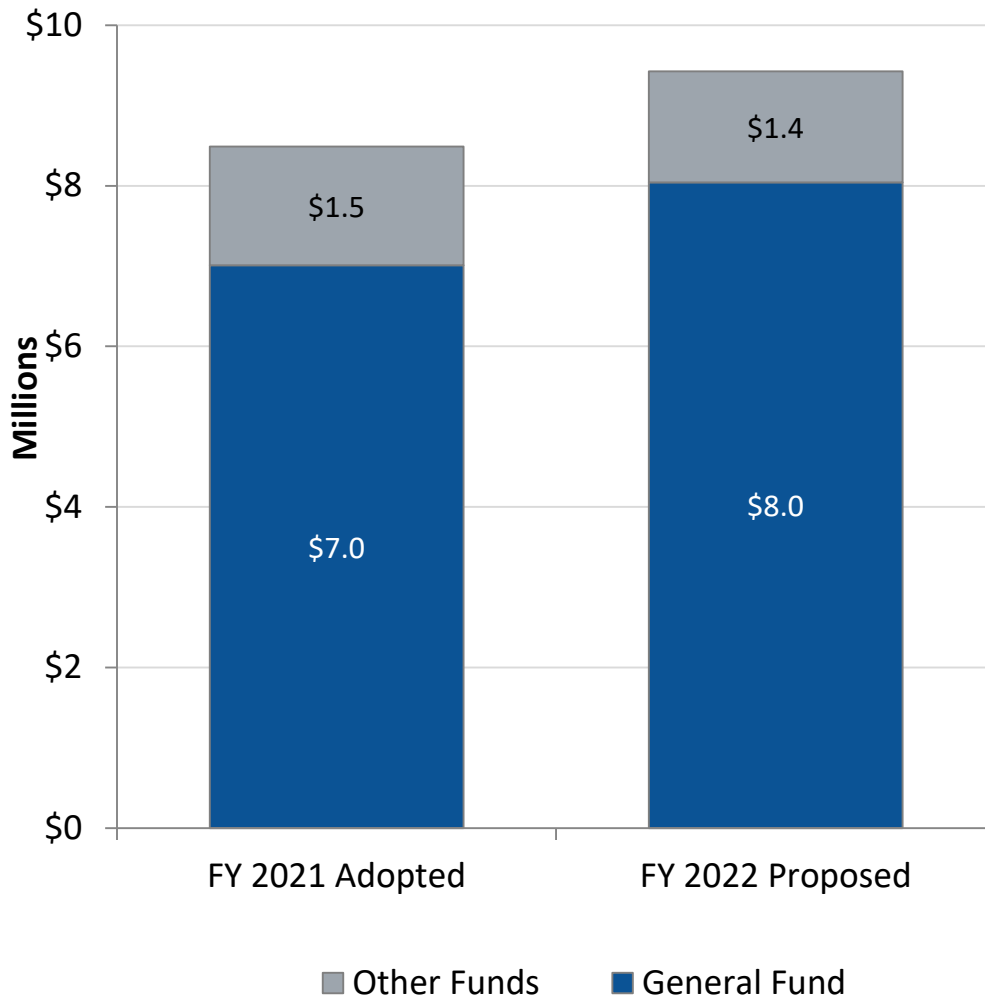
- Unit C
- Misdemeanor Trial Unit
- Pretrial



# Division 3



# Division 3

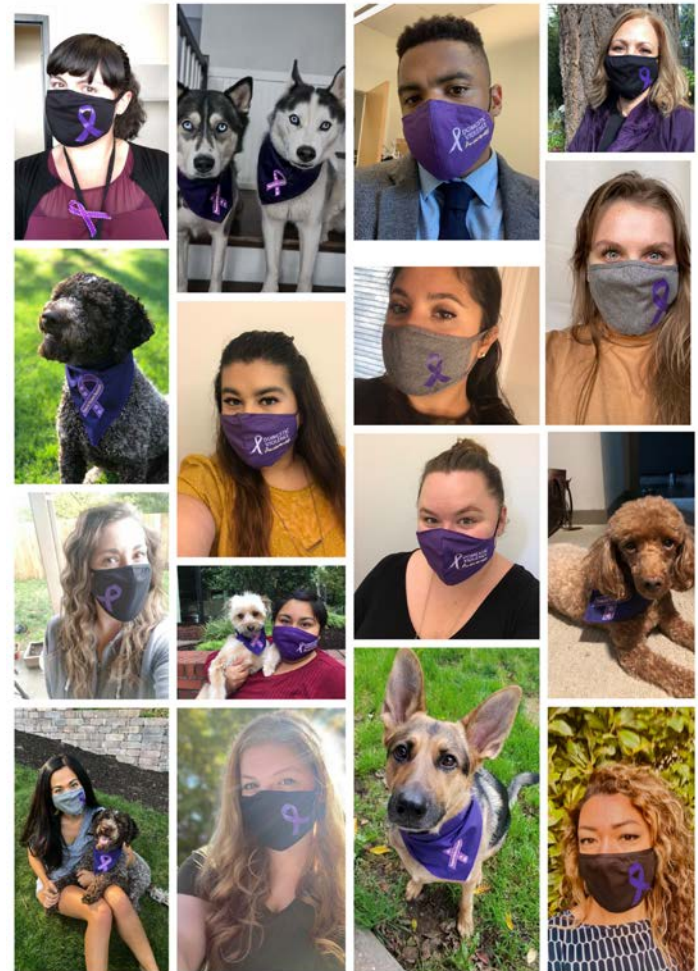


- Property Crimes
- Drugs
- Human Trafficking
- Violent Person Crimes
- Gun Violence
- Strategic Prosecution
  - -1.00 FTE Senior Legal Assistant at Gresham

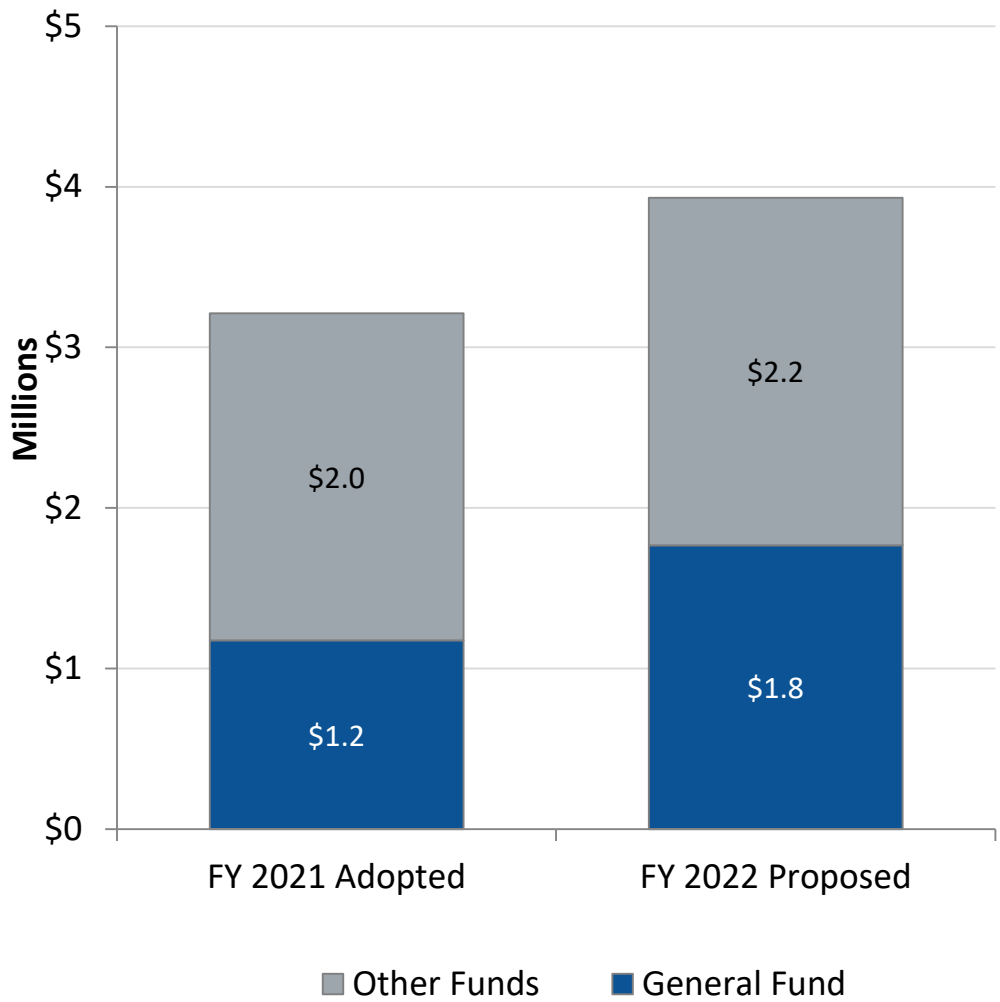


# Division 4 Victims Assistance, Investigations

- Victims served: 6,238
- Hospital responses for sexual assault survivors: 251
- Services provided: 66,743



# Division 4 Victims' Assistance, Investigations



- Victim Assistance
- Investigations



A stylized graphic on the left side of the page. It features two dark green mountain peaks with rounded tops. Below the mountains is a dark green wavy band representing a forest or a field. At the bottom is a dark blue wavy band representing water. The entire graphic is composed of solid colors and simple shapes.

# FY 2022 Proposed Budget Summary & Impacts

# General Fund Reductions

Prog. Name/# or Description	FY 2022 General Fund	General Fund FTE
15308A – Strategic Prosecutions Unit / eliminates LASr position at East County Courthouse	(\$92,103)	(1.00)
<b>Department Total</b>	<b>(\$92,103)</b>	<b>(1.00)</b>





# New, OTO, Backfill & Restored Offers

Prog. Name & # or Description	FY 2022 General Fund	GF Backfill	FY 2022 Other Funds	Total	Restor ation	OTO	NEW
15021A - Conviction Integrity Unit	\$115,537	N/A	\$148,850	\$264,387			X
15021B – Conviction Integrity Unit Expansion	\$260,000	N/A	\$0	\$260,000		X	X
15202B – Misdemeanor Trial Unit Restoration	\$178,266	N/A	\$0	\$178,266	X		
15301B – Unit A/B Property/Drugs/Human Trafficking Restoration	\$235,470	N/A	\$0	\$235,470	X		
15304B Unit D – Gun Violence	\$203,571	\$188,506	\$0	\$203,571			
15308C - Strategic Prosecution Unit – Lloyd BID Contract Backfill	\$75,000	\$75,000	\$0	\$75,000			
15401B – Victims Assistance Program Restoration	\$111,532	N/A	\$0	\$111,532	X		
15401C – Victims Assistance VOCA Backfill	\$92,326	\$92,326	\$0	\$92,326			
<b>Department Total</b>	<b>\$1,271,702</b>	<b>\$355,832</b>	<b>\$148,850</b>	<b>\$1,420,552</b>			



# Potential State Impacts (1/3)

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- SB 755 – Implements Ballot Measure 110, which decriminalized personal use possession of controlled substances while making substantial investment in non-criminal justice centered treatment and recovery services. This has impacted drug courts and systems-based treatment options.



# Potential State Impacts (2/3)

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- SB 819 – Allows a prosecutor to petition to resentencing a defendant when the sentence no longer serves the interests of justice.



# Potential State Impacts (3/3)

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- SB 48 – Modifies the system of pretrial detention by lowering release criterion.
- SB 397 – Expungement
- SB 401 – Eliminates mandatory minimums by repealing Ballot Measure 11.
- SB 499 – Wrongful conviction against the state liable up to \$65k per year of imprisonment.



# COVID-19 Impacts and Response - FY 2021

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- Operational changes
  - Continued operations throughout the pandemic
  - Moved quickly to Work From Home
- Federal Criminal Justice Commission (CJC) - Corona Virus Emergency Supplemental Grant (CESF) at \$135,000
  - PPE for staff and crime victims
  - Remote work laptops and software
  - Plexiglass barriers in high traffic areas
  - Temperature check kiosks at entryways
- Backlog of cases





# Questions

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