

# **District Attorney FY 2023 Proposed Budget**

Presented to the  
Board of County Commissioners

Multnomah County  
May 19, 2022

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 & Equity
- WESP Update
- Budget Overview by Division
- New & Backfill General Fund
  - Body Worn Cameras
- Reallocations
- COVID-19 and American Rescue Plan Programs
  - FY 2022 Update and FY 2023 Budget
- Questions



# Community Budget Advisory Committee (CBAC)

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**Tim Cunningham** – Attorney, Davis Wright Tremaine LLP

**Leah Gibbs** – Veterinarian, Columbia River Veterinary Specialists

**Wayne Graham** – Consultant/Investor, Graham Group

**Eric Hunter** – President & CEO, CareOregon

**Chuck Sparks** – Retired

**Babak Zolfaghari-Azar** – CHI Family Care Manager, Portland OIC +  
Rosemary Anderson High School



# CBAC Budget Feedback

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- Criminal justice system responses to this wave of violence are inadequate, both in design and resources. The problem continues to grow.
- Shootings are at an all-time high, still climbing, and continuing to erode community safety even when they do not result in death or injury
- The Covid case backlog in the system is a significant problem, straining the scarce resources of MCDA as well as public defenders and courts.
- Currently, despite rising levels of violent and property crime, the MCDA is substantially underfunded and understaffed compared to its own historical staffing levels as well as to similar jurisdictions nationwide
- Lastly, but most importantly, we have been encouraged by the DA's outreach with the communities most impacted by this crime. Making change will require community partnerships, and we believe the approach of moving DA's into the local community is a positive direction



# CBAC Recommended Program Offers

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- Fully and properly fund the District Attorney's Office to do its job and meet the challenges our community faces
- Meet the needs of our community, including our youth, to be safe from gun violence. Meet the needs of victims and their families for justice. Government's first job is public safety, and strong action is needed.
- Completely fund the implementation by MCDA of Body Worn Camera data review for justice system accountability.
- We urge funding for the MCDA Attorney Access Program (MAAP). This is a revival and update of the former Neighborhood DA Program, which will place a MAAP DDA in each commissioner's district, making MCDA an outward-facing office that partners with all communities and hears all voices in each district, working with community groups to proactively identify and resolve issues that can lead to crime before the crime occurs.



# Budget Approach

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- Equity
- Restoring community trust
- Responding to gun violence
- Adequate capacity to respond to caseloads
- Adequate capacity to review BWC evidence



# Applying an Equity Lens

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## **Policy changes to reduce disparate impacts**

- Requires focused, collaborative and sustained effort locally through community outreach and at the state through the work of the Policy Director
- Examples: Wage theft prosecution efforts, legislative agenda, community partnerships

## **Redress of past decisions with ongoing disparate impacts**

- Requires focus and capacity provided by a Justice Integrity Unit
- Develop Post-conviction justice policies
- Careful review of commutation and clemency applications

## **Disrupt violence impacting BIPOC community**

- Prioritizing resources to focus on gun violence

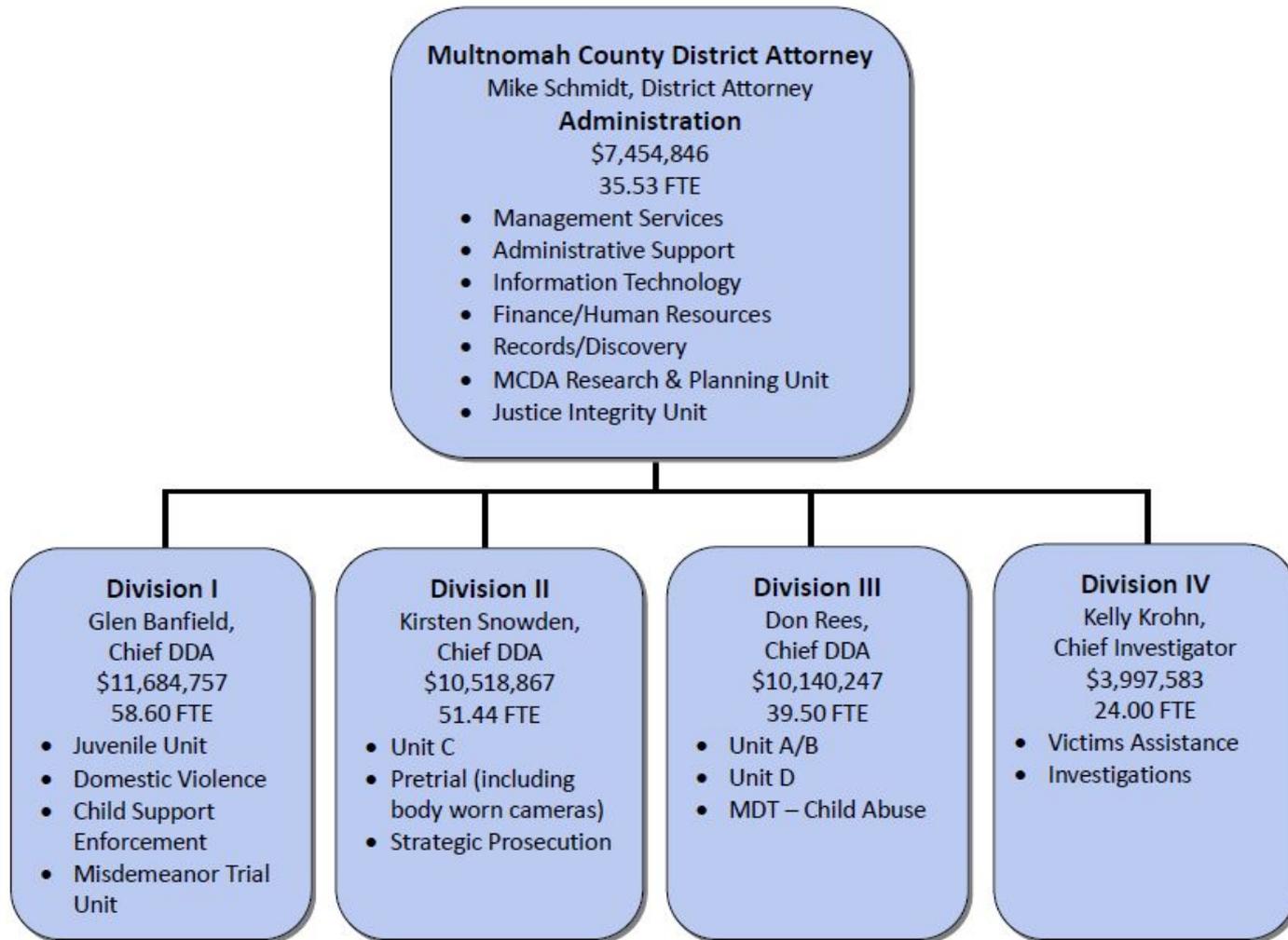


# Workforce Equity Strategic Plan (WESP) Update

- Establishing Mission and Values with Equity focus
- Establishing a funded equity leadership position
- Attracting diverse candidates
- Increased transparency of staffing demographics and measure progress



# Organizational Chart

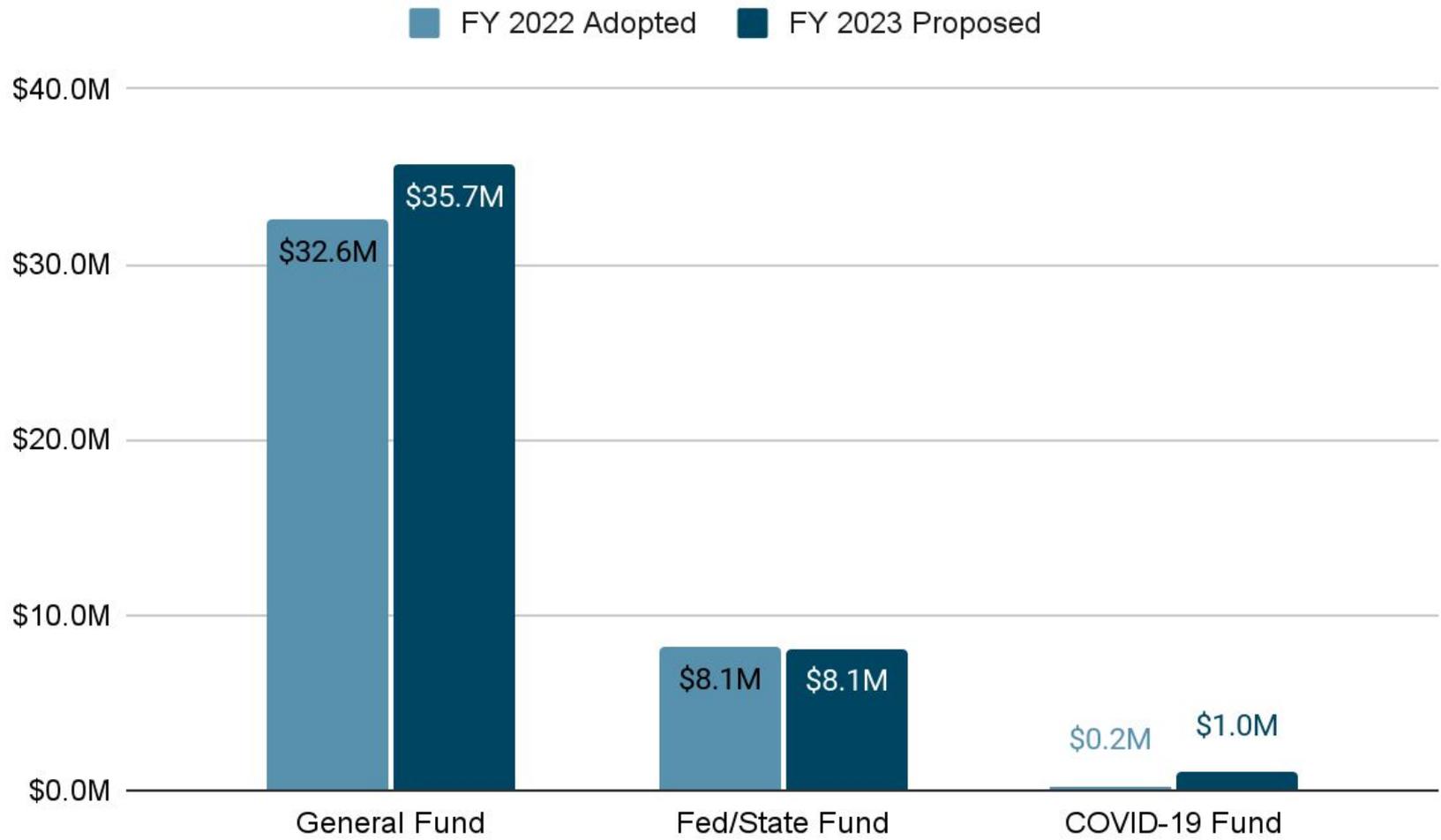


*Excludes \$1,013,156 of ARP funding*



# Budget by Fund - \$44,809,456

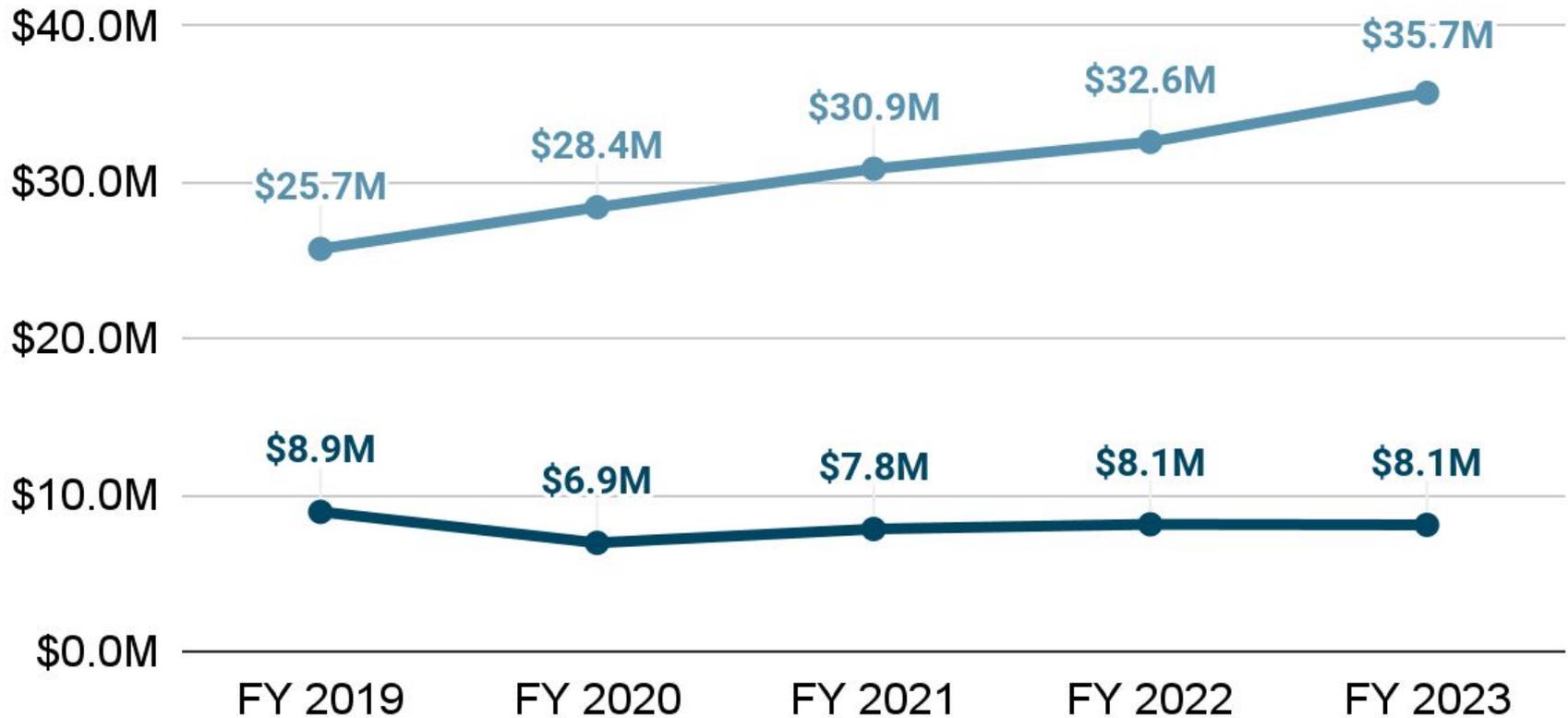
## *(Expenditures)*



# 5 Year Trend of Significant Funds

FY 2019 Adopted to FY 2023 Proposed

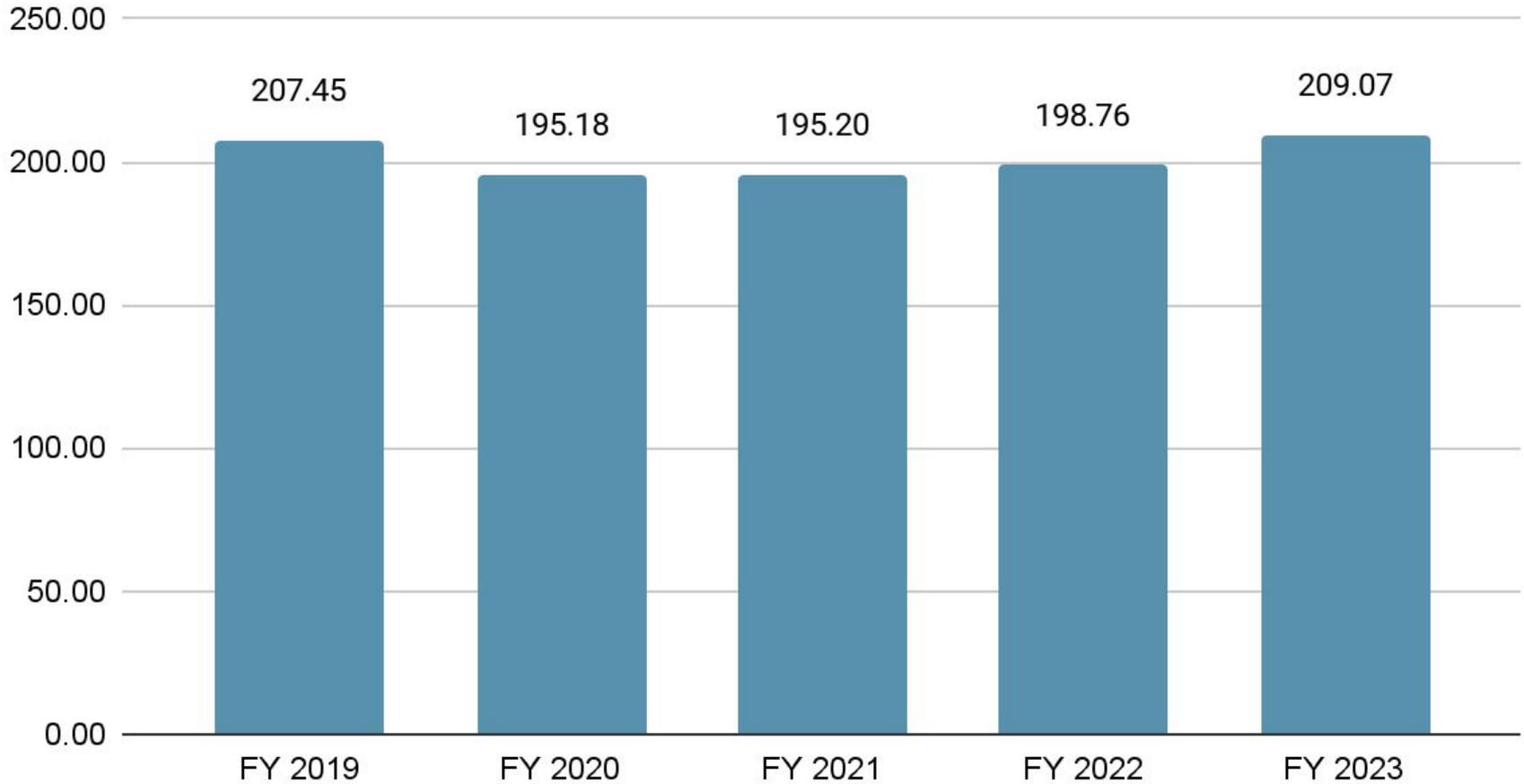
● General Fund ● Fed/State Fund



# FTE - 5 Year Trend

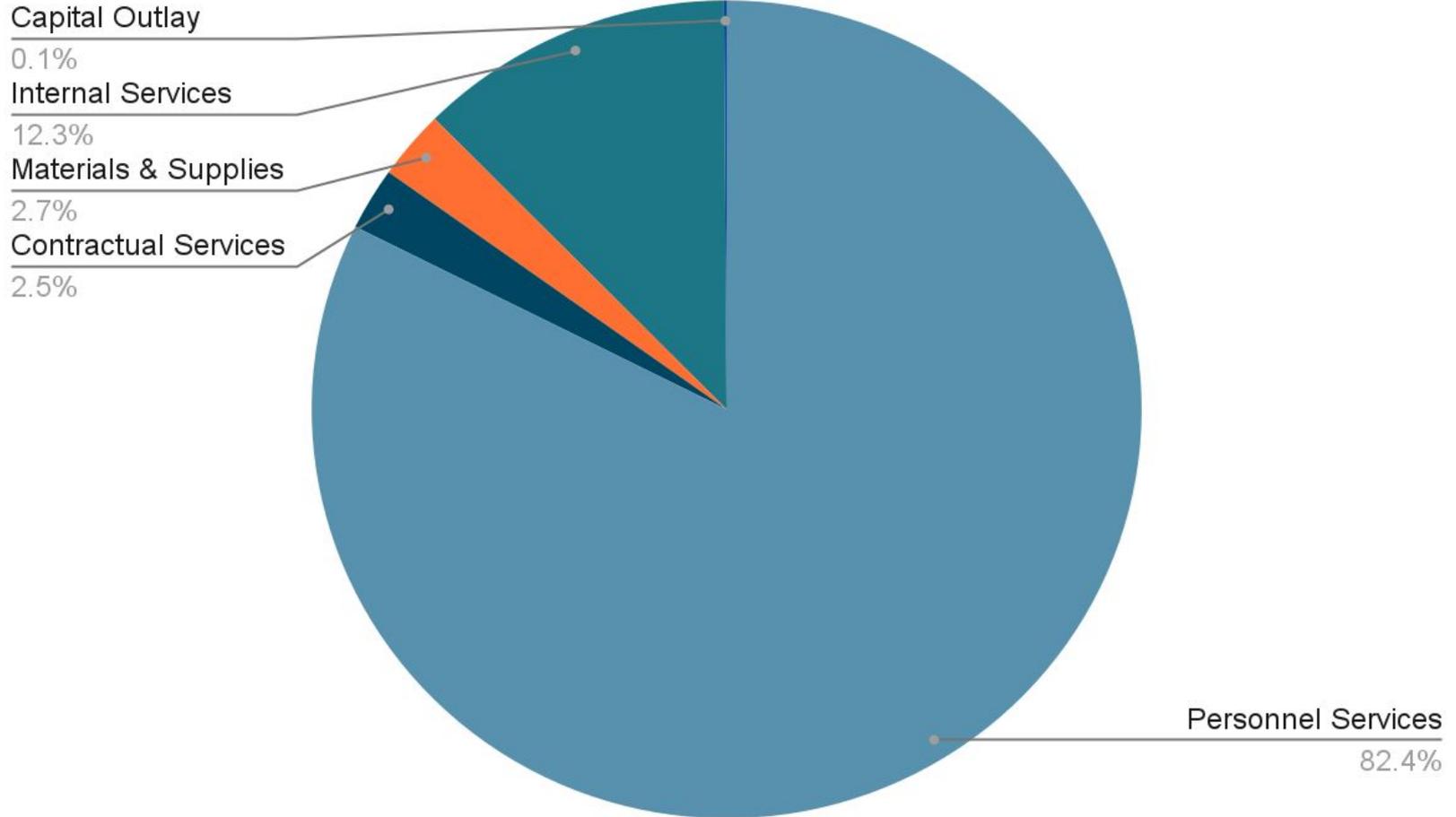
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FY 2019 Adopted - FY 2023 Proposed



# Budget by Category - \$44,809,456

*Includes \$1,013,156 of ARP Funding*





# FY 2023 Proposed Budget by Division

Administration

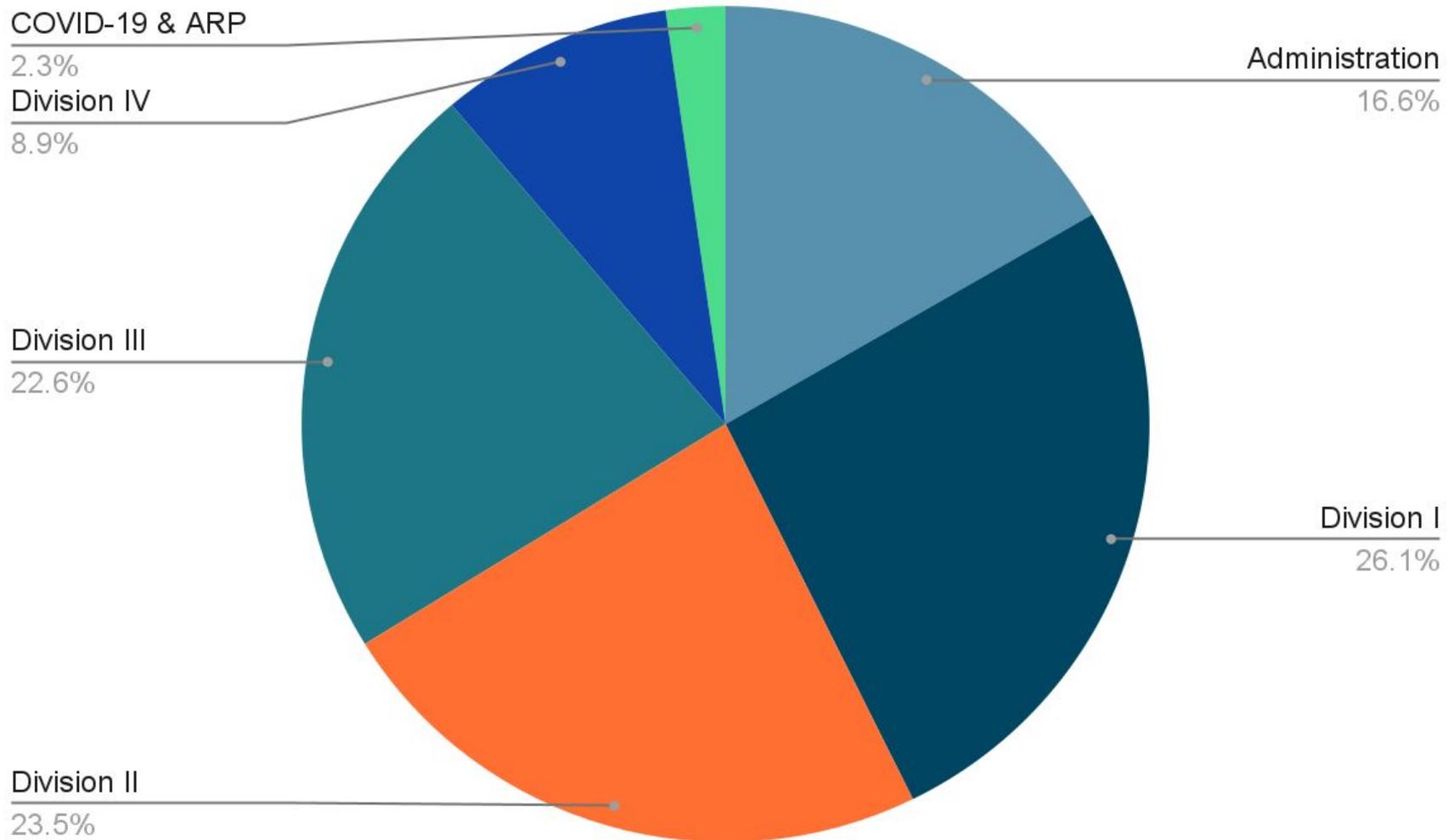
Division I

Division II

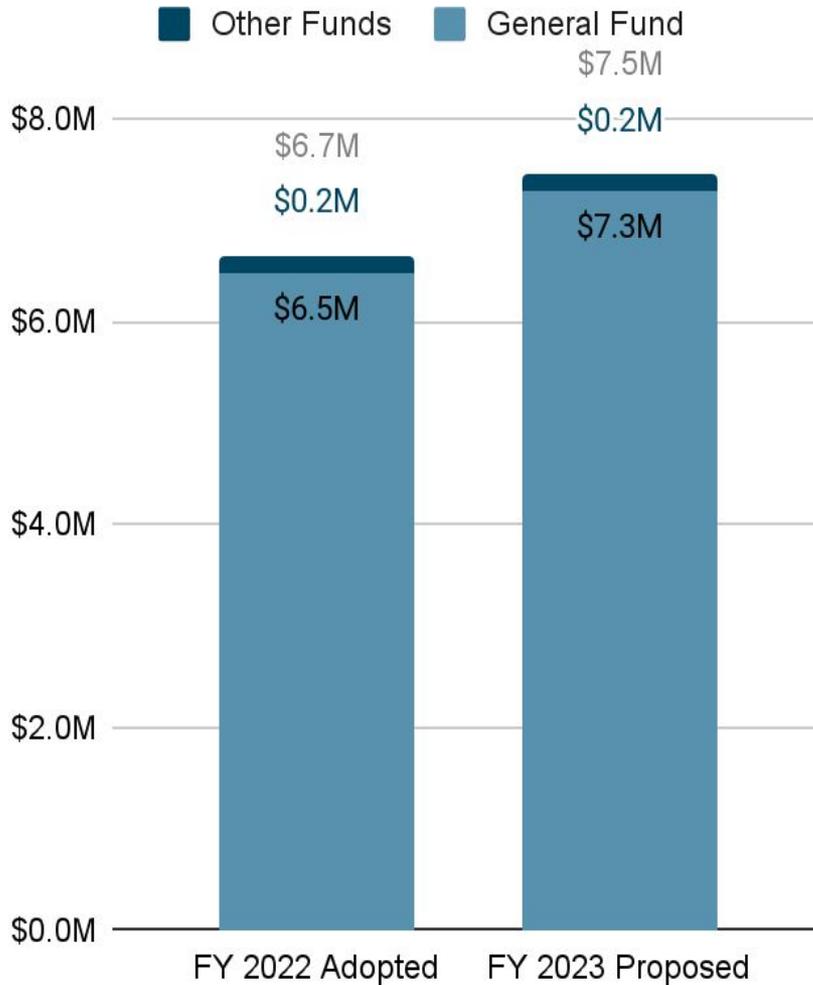
Division III

Division IV

# Budget by Division (\$44,809,456 and 209.07 FTE)



# Administration



- Justice Integrity Unit Expansion (15021B) now funded with ongoing GF (previously a pilot)
- New 1.00 FTE Equity and Inclusion Manager (15023)
- Reallocating 2.00 FTE in Information Technology (15002)



# Administration: Service Trends

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## Justice Integrity Unit

- **266** clemency petitions
- **301** JIU applications since January, 2022
  - Claims of innocence
  - Collateral consequences
  - Excessive sentences
- Expungement applications **+500%**

## Information Technology (IT)

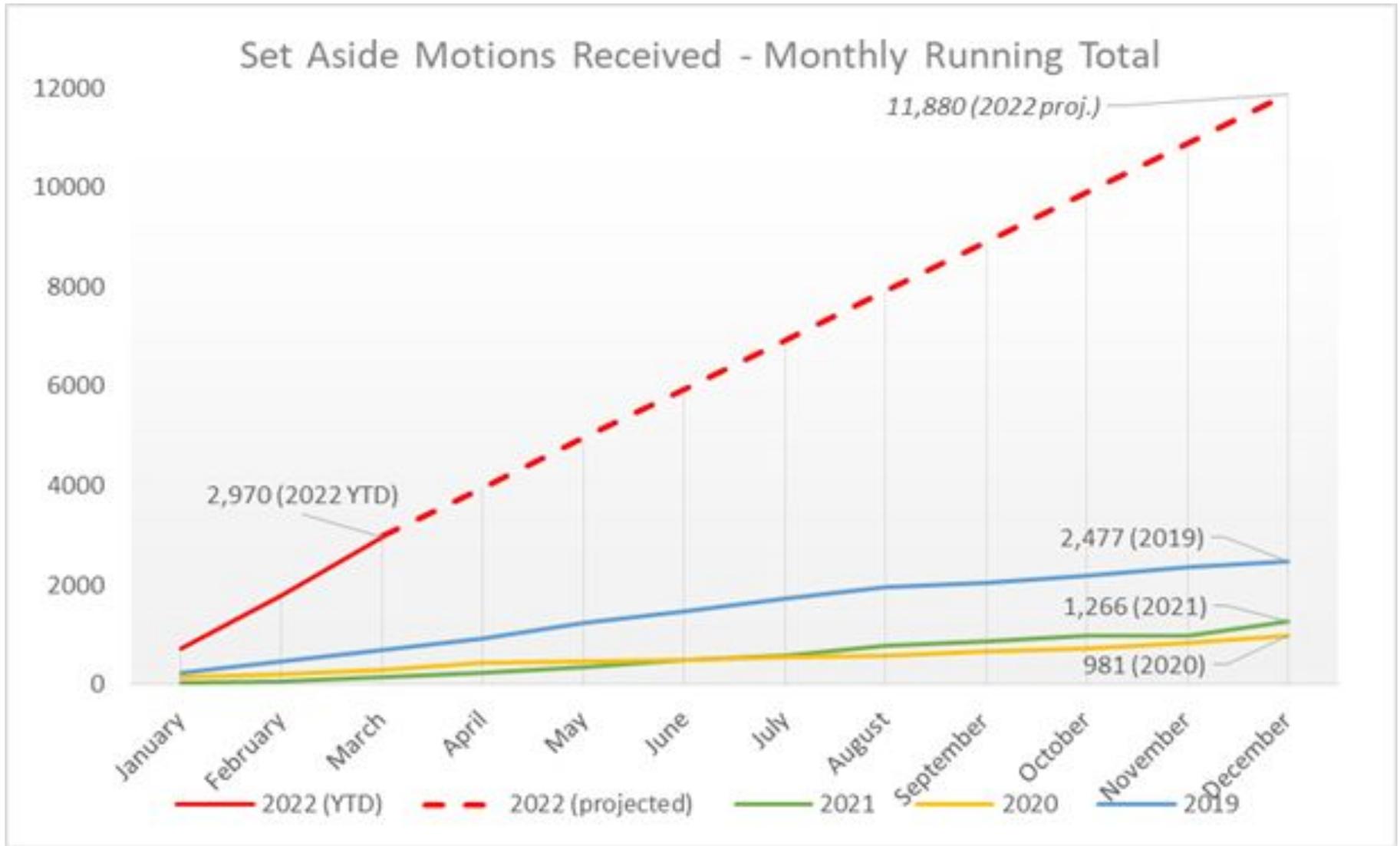
- Working with County to pursue paperless office and electronic-discovery
- Transition to Gmail
- Constant maintenance of failing resources

## Research and Planning

- Launch of PPI dashboards - MCDA joins a small handful of DA offices nationally in being a leader in transparency



# Administration: Service Trends



**Justice Integrity Unit:** Restoring community trust and advancing justice



# Division I



- Only funding changes tied to inflation
- Units in Division
  - Juvenile Unit
  - Domestic Violence Unit
  - Support Enforcement Division (SED)
  - Misdemeanor Trial Unit (MTU)



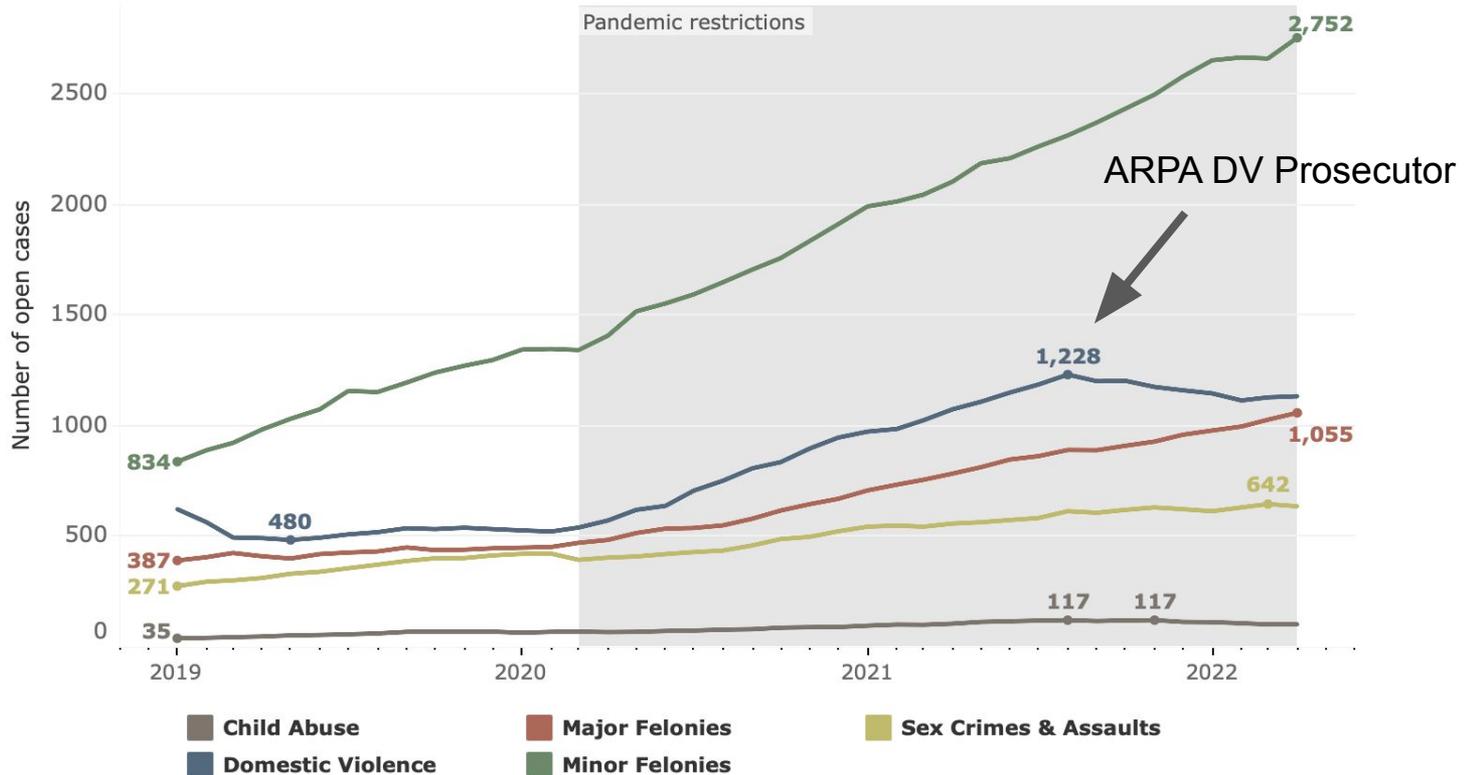
# Division I: Service Trends - DV Unit

## Monthly Felony Caseload Size by Unit

How the indicator is measured | Number of felony cases in each unit at the start of each month

### Number of open cases, by unit, at the end of a month

January 2019 to April 2022



# Division I: Significant Program Changes

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- **Juvenile Unit** has increased caseload of very violent crimes and homicides by youth due to increased violent crime, COVID-19 court backlogs, and law changes pursuant to SB 1008. Offset increased caseload sizes by discontinuing involvement in dependency cases.
- **Misdemeanor Trial Unit** experiencing significant caseload increase because of COVID-19 and court backlogs.
- **Support Enforcement Division** has transitioned to a treatment court model. This new model will allow us to leverage community resources that could provide drug and alcohol treatment, parent mentorship, employment resources, address housing and healthcare among other desperately needed services.



## **Juvenile Unit:** Trends and application of new legislation



# Division II



- Pretrial (including BWC)
  - Added 6.00 FTE for body worn cameras (BWC) (15205B)
- Units in Division
  - Pretrial
  - Strategic Prosecution Unit
  - Unit C - Gun Violence



# Division II: Service Trends - Gun Violence

## Prosecutions by Law Enforcement Agency

Select totals for trendlines.	Portland Police Bureau	Gresham Police Department	Multnomah County Sheriff	Other Agencies	Grand Total
		79% (459)	16% (93)	4% (22)	1% (8)
<b>2019</b>	104	20	8	4	<b>136</b>
<b>2020</b>	122	25	5	1	<b>153</b>
<b>2021</b>	171	34	7	2	<b>214</b>
<b>2022</b>	62	14	2	1	<b>79</b>

### Prosecuted Case Count

All Cases

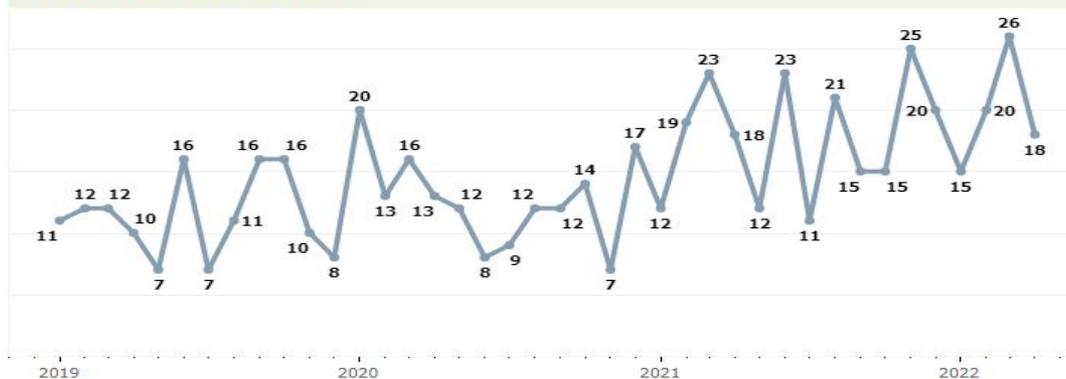
	2019	2020	2021	2022
January	11	20	12	15
February	12	13	19	20
March	12	16	23	26
April	10	13	18	18
May	7	12	12	
June	16	8	23	
July	7	9	11	
August	11	12	21	
September	16	12	15	
October	16	14	15	
November	10	7	25	
December	8	17	20	
<b>Grand Total</b>	<b>136</b>	<b>153</b>	<b>214</b>	<b>79</b>

### Prosecuted Case Count

Cases w/Domestic Violence Nexus

	2019	2020	2021	2022
January	2	3	1	1
February	2	4	6	5
March	1	5	3	5
April	1		5	2
May	2	3	2	
June	2	2	6	
July	1	2	4	
August	4	2	7	
September	4	3	2	
October	2	3	3	
November	3	1	6	
December	2	6	4	
<b>Grand Total</b>	<b>26</b>	<b>34</b>	<b>49</b>	<b>13</b>

### Prosecuted Cases Trendline



# Division II: Telling Our Story

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**Strategic Prosecution and Services Unit:**  
Leveraging data for the best possible public  
safety outcomes with limited resources



# Division III



## Units in Division:

- Unit A/B
  - Property and Drugs
- Unit D
  - Aggravated / assault, sex crimes and Homicides.
  - Added 2.00 FTE for Gun Violence Case Backlog (15304B) - previously ARP funded.
- Multi-Disciplinary Team (MDT)
  - inter-family physical and sexual abuse of children



# Division III: Service Trends-Victims of Violence

## Issued Cases Involving Gun Violence | Year-to-Year Comparison

Cases Issued in 2019\*

45

\*1/1/2019 - 4/30/2019

Cases Issued in 2020\*

62

\*1/1/2020 - 4/30/2020

Cases Issued in 2021\*

72

\*1/1/2021 - 4/30/2021

Cases Issued in 2022\*

79

\*1/1/2022 - 4/30/2022

### Cases Issued by Month and Victim Demographics

#### FILTERS

Use the below filters to display data by case issue date, defendant demographics and case type.

#### Issue Date

1/4/2019 4/28/2022

#### Defendant Gender

(All)

#### Defendant Age

(All)

#### Defendant Race

(All)

#### Case Type

(All)

Case Type Descriptions

Cases with at least one identified victim

92%

Cases by Victim Type

Business Victim Person Victim

6%

94%

Race data availability

Known Unknown

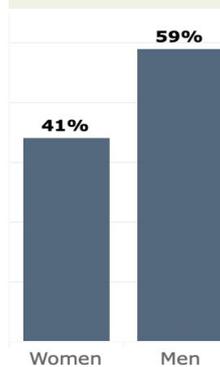
87%

13%

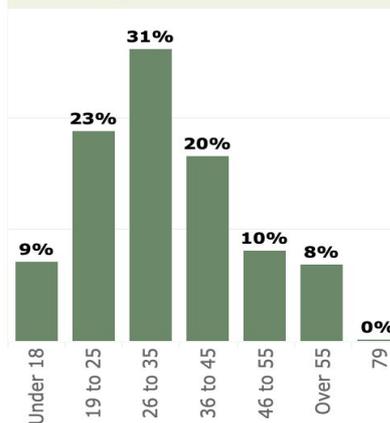
The below graphics only include data on individuals who were victims of crimes that involved gun violence (i.e., the gun was used in commission of the crime).

*Hover over bars/values for trendlines.*

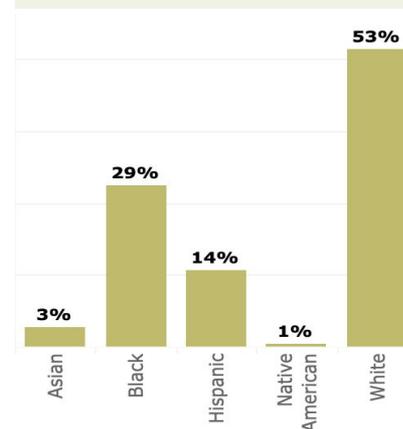
#### Victim Gender



#### Victim Age



#### Victim Race



# Division III: Significant Program Changes

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2 additional DDA's in Unit D to address record number of homicides:

- FY 2023 forecast to see more homicides than FY 2022: average of two per week. Historic average was two per month.
- BIPOC communities impacted disproportionately.

Addressing Case Backlog in Post Pandemic Environment as Courts Re-Open

Child Abuse Team Anticipates Increased Reporting as Children Return to School



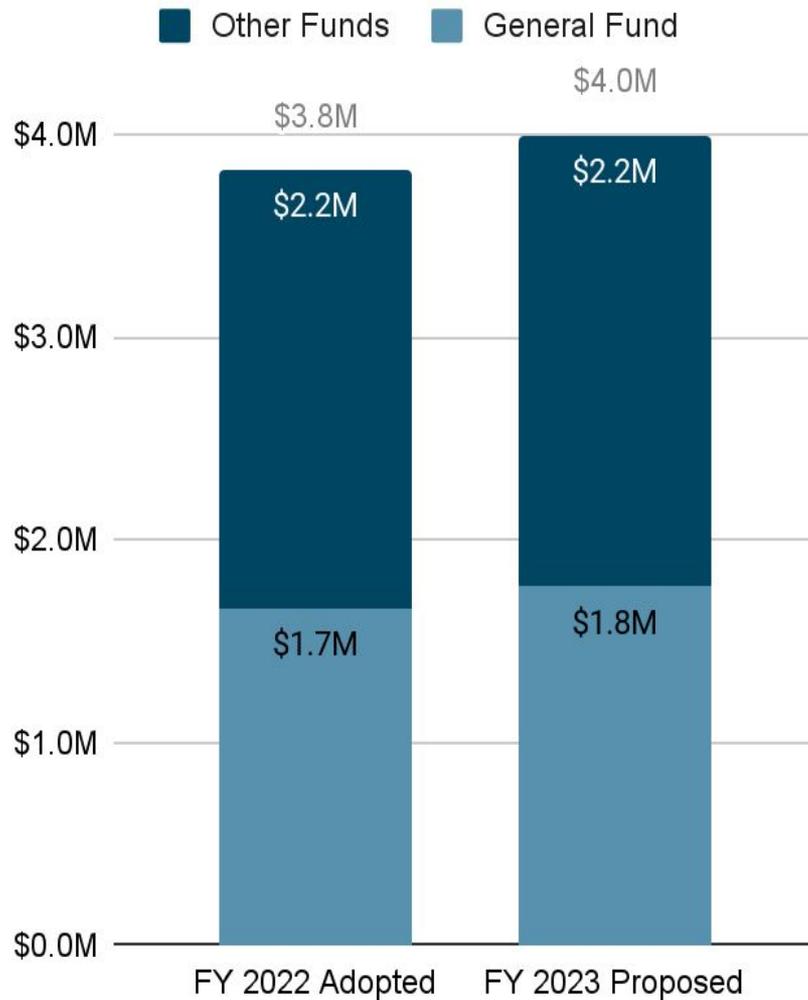
# Division III: Telling Our Story

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Prosecuting gun violence amidst an epidemic



# Division IV



- Only funding changes tied to inflation.
- Units in Division
  - Investigators
  - Victim Advocates



# Division IV: Service Trends

## 5.2

### Speedy Contact with Victims

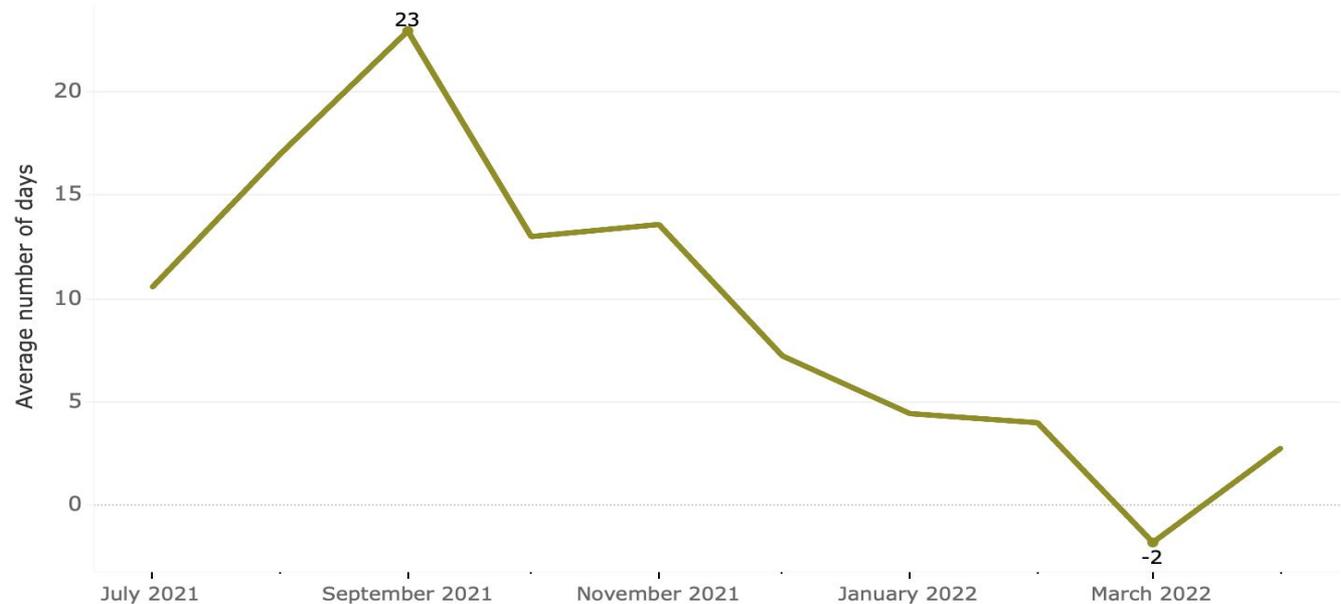
**How the indicator is measured** | Average number of days from person crime felony referral to first contact with victim by prosecutor's office. Values are calculated by determining the number of days between first recorded victim contact and date of case referral for each case with at least one person (non-business) victim and calculating the monthly average.

**Desired outcome** | Maintain low average number of days to contact

**Rationale** | Quicker contact with victims is beneficial to both victims and prosecutors. Such contact is more likely to result in service provision for victims. It can also help prosecutors secure conviction by obtaining victim cooperation.

#### Time to victim contact

July 2021 to April 2022



# Division IV: Operational Program Changes

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- Investigators
  - Hired Interim Chief Investigator.
  - Re-hired experienced Murder Investigator.
  - Hired three additional Investigators to fill staff shortages.
  - Assigned an Investigator to the Justice Integrity Unit.
  - Absorbed the workload for Police body worn camera review
- Victim Advocates
  - Increased workloads across MCDA impact Victims Assistance Program and Investigations.
  - Over 3,600 victims will be assigned a Victim Advocate.
  - Over 84,600 service contacts will be provided to victims of crime.



# Division IV: Telling Our Story

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**DA Investigations:** Impact of disproportionate victimization of houseless communities and criminal investigations





# **FY 2023 Proposed Budget**

## Summary & Impacts

# New Offers

Program	FY 2023 General Fund	FY 2023 Other Funds	Total	OTO	New
15021B - Justice Integrity Unit Expansion	\$275,000	\$0	\$275,000		X
15023 - Equity - Leadership	\$169,273	\$0	\$169,273		X
15205B - Body Worn Cameras - Expansion	\$879,313	\$0	\$879,313		X
15304B - Gun Violence Case Backlog	\$450,000	\$0	\$450,000		X
<b>Total</b>	<b>\$1,773,586</b>	<b>\$0</b>	<b>\$1,773,586</b>		



# Backfill in Existing Offers

Used existing General Fund resources to backfill partial positions previously funded by grants

Program	FY 2023 General Fund	GF Backfill	FY 2023 Other Funds	Total
15304 - Unit D - Violent Person Crimes	\$2,262,089	\$66,472	\$0	\$2,262,089
15401A - Victims Assistance Program	\$911,351	\$32,000	\$1,689,149	\$2,600,500



# Significant General Fund Reallocations

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- Reduced staffing costs due to staff turnover (-\$708,000)
  - Adding 2.00 FTE in Information Technology \$280,736
  - Salary increases for “Lead Deputy” designation \$116,000
  - Internal Services increases \$244,792
  - Backfilling 0.26 FTE previously funded by grants \$66,472



# COVID-19 & American Rescue Plan (ARP) Programs

## FY 2022

- Domestic Violence Unit caseloads lowered by 11%
- Gun Violence caseloads lowered by 33%

## FY 2023

- Domestic Violence funding continues: 1.00 LDA prosecutor
- Gun Violence funding continues: 2.00 LDA prosecutors, 2.00 LDA investigators

Program	FY 2022 Revised	FY 2023 Proposed	Variance
15900 - ARP - Domestic Violence Case Backlog	242,360	191,354	(51,006)
15901 - ARP - Gun Violence Case Backlog	1,050,000	821,802*	(228,198)
<b>Total</b>	<b>1,292,360</b>	<b>1,013,156</b>	<b>(279,204)</b>

\*Two previous ARP-funded positions now funded with \$450,000 ongoing General Fund (15304B).



# Questions

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