

MULTNOMAH COUNTY
 FY 2024 Budget Work Session Follow Up

District Attorney’s Office
May 16, 2023



Question 1

Commissioner Rosenbaum (District 3): Please provide the Board with more information on the Performance Measures for the [MCDA Access Attorney Program \(MAAP 15207A\)](#) and explain the shift in performance measures for Measures 2 and 3.

Performance Measures					
Measure Type	Primary Measure	FY22 Actual	FY23 Budgeted	FY23 Estimate	FY24 Offer
Output	Number of contacts with community members and stakeholders	N/A	N/A	194	240
Outcome	Number of cases issued as a result of contacts	N/A	N/A	N/A	N/A
Quality	% of contacts that rate service from MAAP program as meeting or exceeding their expectation	N/A	N/A	N/A	N/A
Output	Number of community member resource referrals	N/A	N/A	24	30

Performance Measures Descriptions

As the MAAP is now up and running, MCDA proposes to eliminate Performance Measures 2 and 3 due to in ability to accurately collect required data.

Response:

Now that the MAAP Pilot has been operational for nearly a year, MCDA is better able to see what data is more appropriate to use as measurements.

Measure 2 was difficult because of the verbiage “as a result of contacts”. The question was asked, was the issuance actually the “result of” a contact with MAAP, or did the attorney already know the problem and planned to issue the case anyway because the defendant committed a crime? Hard to determine, maybe both.

Measure 3 had ethical concerns surrounding surveying justice-involved individuals, particularly defendants, as it's difficult to ensure that qualitative research subjects do not feel in any way pressured to participate in said research, even if it's just for program performance measurement.

Due to the issues surrounding measurements 2 and 3, it was decided that they be retired, and measurement 4 was created with the help of the research and analysis team.

Question 2

Commissioner Jayapal (District 2): Please reshare the District Attorney's recent staffing study.

Response:

Staffing Study Included



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**2022 Multnomah County District Attorney's Office
Weighted Case Analysis (Executive Summary)**

January 2023

Performed by Coraggio Group

1. Introduction

The Multnomah County District Attorney's office (MCDA) faces increasing pressures on Deputy District Attorney (DDA) staffing levels. Since the initial weighted case analysis in 2018, MCDA has worked to track staffing levels for each of its units to better allocate personnel across its many functions. The MCDA, like other District Attorney and Public Defense offices across the state of Oregon, is grappling with staffing shortages, higher attorney turnover, and increasing caseloads, putting a higher burden of work on fewer attorneys.

The weighted case analysis methodology was reviewed and updated in the four years since the initial report, with the analysis and report performed by Coraggio Group instead of internally by the District Attorney's office. Determining total utilization by task across each MCDA's units involved sample time tracking entries, focus group discussions, calculations by total number of cases, and interviews with individual Deputy District Attorneys (DDAs) and Senior Deputy District Attorneys (SDDAs). While there are still no national standards for weighted case analysis due to wide variances in the required duties of prosecutors' offices between states, this analysis provides some comparative data from 2018, while also addressing changes in the criminal justice landscape and MCDA's scope and delegation of responsibilities. This memo will provide background context and data, describe the weighted case methodology, and provide findings and implications for each of the MCDA units and the office as a whole.

2. Office-Wide Results

2018 Case Analysis Summary			2022 Case Analysis Summary		
Unit	Attorneys	FTE Required for Adequate Staffing	Unit	Attorneys	FTE Required for Adequate Staffing
MDT	4.00	9.27	MDT	5.00	7.55
Juvenile	11.00	12.86	Juvenile	5.00	6.02
Domestic Violence	7.00	10.78	Domestic Violence	9.00	11.63
SED	2.60	4.29	SED	2.60	2.25
MTU	7.00	22.62	MTU	7.00	9.67
Unit C	9.00	11.83	Unit C	11.00	14.41
Unit D	6.00	8.37	Unit D	9.00	12.08
NDA/MCJRP	6.00	8.53	SPU/MCJRP	9.00	12.53
Unit A	9.00	10.33	Unit A/B	14.00	20.97
Unit B	6.00	8.33			
Pretrial Unit	3.00	3.21	Pretrial/Intake	6.60	7.33
Intake	3.00	4.47			
			JIU	4.00	4.68
Actual & Required Staffing					
All Units	73.60	114.89	All Units	82.20	109.12
Over/(Under) Staffing					
Over/(Under) Staffed		(41.29)	Over/(Under) Staffed		(26.92)
		(35.9%)	Percentage Over/(Under) Staffed		(24.7%)

In 2018, the weighted case analysis performed internally by the office found that while the Multnomah County District Attorney’s office had 73.60 FTE, the office needed 114.89 FTE to be adequately staffed—again, defined as when each DDA is working an average of 40 hours per week. This represented a shortfall of 41.29 FTE and meant that the office was 35.9% below the FTE count required to achieve adequate staffing levels.

In 2022, the weighted workload analysis performed by Coraggio Group found that over the past four years, the office has become somewhat more adequately staffed alongside the increase in FTE count of 8.6 attorneys. While the office increased in size to 82.20 FTE, the number of FTE required for the office to reach adequate staffing levels actually declined slightly to 109.12. This decrease in required staffing is largely attributable to the sharp decline in referred misdemeanor cases as well as the majority of juvenile dependency cases being handled by the Oregon Department of Justice since 2020. This means that the office is currently 26.92 DDAs below the required amount to achieve adequate staffing levels, or 24.7% below adequate staffing levels. However, it is worth noting that many individual units still became less adequately staffed between 2018 and 2022.

This time study analysis is supplemented by the new analysis on average case counts per DDA. Unit-by-unit trends are explored in detail below, but the data overall tells a story of increased caseloads per DDA and violent crime compared to the period in which the prior case analysis was conducted, despite a broader decline in cases referred. In January 2019, there were an average of 38 open felony cases per DDA in Multnomah County; in September 2022, the average was 98¹. 102 gun violence cases were prosecuted in Multnomah County in 2019; in the first nine months alone of 2022, the office had already prosecuted 161². However, cases referred to the district attorney's office (and those subsequently issued) have declined over the same period; in the third quarter of 2022, cases referred to office averaged 903 per month, a drop from 1,658 over the same period in 2018. Cases issued in Q3 of 2022 averaged 503 per month, a drop from 1,002 in the base period of 2018.

The 2018 and 2022 results are compared on a unit-by-unit basis in the following section in cases where units retained the same structure over the four-year period between the two analyses. Potential causes of changes in staffing levels and case counts and areas of focus going forward are explored in the final section.

¹ *Mike Schmidt Doesn't Want to Be the Next Chesa Boudin*, Portland Monthly, <https://www.pdxmonthly.com/news-and-city-life/2022/12/mike-schmidt-multnomah-county-district-attorney-da-portland>

² Ibid

3. Improvements to Consider

This final section represents a consolidated list of opportunities for MCDA to consider implementing to continue to improve its operations and address and mitigate attorney staffing shortages. These recommendations are informed by findings from Coraggio's quantitative data collection and qualitative engagement with every unit in the office. This section highlights the potential benefits of each improvement in helping individual DDAs and the office as a whole operate as effectively and efficiently as possible and continue to strive for justice and equitable outcomes in the pursuit of greater public safety for all.

1. MCDA has made great progress in utilizing the CRIMES system for tracking cases as well as developing the Prosecutorial Performance Indicator (PPI) dashboards available to the public. However, updating MCDA's case management and document management systems should be a priority.
 - a. The current case management system (CRIMES) uses 20-25 year-old technology and is not integrated with the document management system. Many DDAs expressed frustration that they still use paper files and that the document management system is so slow that it is almost unusable at times. Incorporating modern software will also assist DDAs to understand their units' caseloads in relation to other units and ultimately help MCDA make data-driven decisions on how to allocate its resources.
 - a. Continuing to enhance the office's recently-improved data collection initiatives and standardizing the reporting of work done and attorney time spent—both within-unit and across-unit—will help track different kinds of work's status and help the office forecast workload and staffing levels in the future.
 - b. Project management and time-tracking platforms such as Wrike can be used by individual DDAs to track their time across a complex array of projects, with different capabilities available at a cost of \$10-25 per user per month³. Choosing an office-wide platform to track work done and time spent could provide another digitized dataset on how long certain kinds of work take or should take to help forecast workloads and allocate resources into the future.
2. Increasing the resources dedicated to mentorship/onboarding of new attorneys could reduce training's impact on the rest of the unit's work and help combat high attrition rates across many units within the office.
 - a. Given high attrition in many units, additional DDAs may be beneficial in covering the cases that SDDAs and other experienced DDAs are unable to take on due to time spent training new DDAs.
 - b. Less-experienced DDAs are also likely to not be as efficient at prosecuting cases; increased dedicated training for new attorneys could expedite their process of reaching proficiency,

³ [https://www.wrike.com/price/?targetID=kwd-37186486298&ga_campaign=\(ROI\)%20Branded%20-%20All&ga_adgroup=6348249287&ga_keyword=wrike%20cost&ga_content=branded&gclid=CjwKCAiAkfucBhBBEiwAFjbrwNjgizw573ALR9wbd-ea4X3NiiVpbz2CfpYtML_UHHBKznhKLLIcBoCJD0QAvD_BwE&gclsrc=aw.ds](https://www.wrike.com/price/?targetID=kwd-37186486298&ga_campaign=(ROI)%20Branded%20-%20All&ga_adgroup=6348249287&ga_keyword=wrike%20cost&ga_content=branded&gclid=CjwKCAiAkfucBhBBEiwAFjbrwNjgizw573ALR9wbd-ea4X3NiiVpbz2CfpYtML_UHHBKznhKLLIcBoCJD0QAvD_BwE&gclsrc=aw.ds)

and potentially reduce attrition rates if newer DDAs feel they have the materials and skills needed to succeed in their roles more quickly.

- c. Additional resources for ongoing training on unit-specific case law for each unit's deputies in general—regardless of tenure—could continue to boost their efficiency and performance when preparing cases for trial.
3. Further investigating opportunities to delegate tasks not requiring legal expertise to legal assistants, paralegals, and interns could improve attorney staffing levels and potentially lower the office's costs to taxpayers.
 - a. Some units in MCDA use legal interns for different administrative tasks, such as MTU and DV, and units such as SED have a large support staff.
 - b. Hiring different non-attorney staff—either legal interns, paralegals, or other legal assistant support staff—to handle the various administrative tasks attorneys in many units currently find themselves responsible for could give them more time to focus on their actual casework.
 - c. Hiring more legal assistants may involve a review of collective bargaining agreements, as well as a set of process-mapping sessions, to identify a comprehensive list of tasks in each unit that could be performed by a legal assistant, and if so, what qualifications are needed.
 - d. Delegating non-technical or administrative tasks to legal assistants would allow DDAs to focus their limited time on their actual cases, but it will also reduce the cost of the office's operations to taxpayers given that these staff typically command a much lower salary than lawyers.
 - e. A more comprehensive cost-benefit or time study analysis would be needed to identify where these support staff/legal assistants would add the most value, whether these staff could obviate the need to hire additional attorneys, and the potential downsides of a district attorney's office staffing model that is increasingly reliant on support staff.
4. If additional resources become available, hiring DDAs into major felony units should be prioritized given surging violent crime levels and the increase in these units' workloads over the last few years.
 - a. Unit C, Unit D, and MDT represented significantly understaffed units, with case counts per attorney rising over time given the increase in violent crime in the Greater Portland Area.
 - b. If additional DDA resources become available, they should be directed to these units, as well as to Unit A/B, given the surging number of minor/non-person felonies as well.
 - c. Many of these units also highlighted not having sufficient time to spend addressing the backlog of direct present cases, which has grown over time for most of these units.

- d. A common theme across units was a desire to spend more time on victim contacts for the most serious cases they handle, a task that could be given higher priority if current caseloads could be distributed across more DDAs.
5. There are opportunities for DDAs themselves to have increased agency in determining different process changes and improvements within their units.
- a. DDAs noted that sometimes they do not have the power to implement process changes they believe would increase their unit's efficiency or effectiveness, and that certain process changes have been implemented in the past without their consultation.
 - b. DDAs understand the day-to-day work and processes within their unit better than anyone else; the office should revisit whether there are opportunities for DDAs to recommend and implement changes in their own unit's processes.



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The MCDA operates by an internal structure of assigning types of criminal offenses to different units which specialize in those types of crimes. These units consist of:

Criminal Trial Units:

- Unit A/B: property crime felonies, fraud, and drug-based felonies
- Unit C: robbery, burglary, vehicular assaults and homicides, gun and weapon violence
- Unit D: assault and sex crimes and homicides
- Domestic Violence (DV): domestic violence misdemeanors and felonies along with mental health court
- Multi-Disciplinary Team (MDT): child abuse offenses and related family dependency work
- Misdemeanor Trial Unit (MTU): misdemeanor offenses that are not domestic violence
- Strategic Prosecution Unit (SPSU): focus on chronic offenders and the Multnomah County Justice Reinvestment (MCJRP) Grant

Non-Criminal Trial Units:

- Juvenile: juvenile delinquency matters and dependency work for families
- Support Enforcement Division (SED): enforcing child support obligations
- Justice Integrity Unit (JIU): ensures justice integrity in cases that the office has handled in the past as well as future cases by working with relevant community stakeholders and internal committees to reform prosecutorial practices
- Pretrial Unit: support services including extraditions, public records, arraignments, misdemeanor case issuing

2. Criminal Justice Landscape

Multnomah County has seen an increase in gun violence and crime in recent years.¹ Portland's homicide rate jumped 207% from January 2019 through June 2021, the largest increase amongst a set of five comparable cities including Minneapolis, Atlanta, San Francisco, Denver and Nashville. Homicide and violent crime cases are time-intensive for the staff at MCDA and have placed additional burdens on units tasked with working through those cases. MCDA experienced a drastic swell in the number of referred criminal cases – more than 1,000 – following the civil unrest that occurred during some of the racial justice protests.² In addition, the Domestic Violence (DV) unit experienced caseloads increasing by 70% – approximately 300 more cases in 2020 than in 2019.

During the first year of the pandemic, restrictions on gathering in court led to a massive backlog in processing cases through the judicial system, some of them now bumping against the statute of limitations. An average of 25 or 30 criminal trials per week in Multnomah County pre-pandemic dropped to 8.3 per week as of August 2022. There is a bottleneck of proceedings that need to be scheduled, and individual cases can take longer to process as information needs to be updated and witnesses and victims may need to be reinterviewed. The work of many units was complicated by pandemic-era slowdowns that prevented client meetings and in-person evaluations.

The pandemic has affected MCDA's internal structure as well. MCDA has rotated DDAs and staff into the office as required for critical duties and, at least temporarily, shifted many in-office responsibilities to telework where feasible. DDAs report that they have less support in the hybrid work environment, and find that they are taking on additional tasks that were previously centralized, including administrative work such as printing and filing. The continuing case backlog is also concerning for MCDA's capacity to address cases in the future if it does not have sufficient trained staff at present.

In addition, Oregon's public defender system has left thousands of individuals without legal representation, which results in more cases being dismissed before reaching prosecution. In 2021, the courts dropped approximately 300 cases in the first 9 months of the year because there was no available public defender to represent these defendants. A January 2022 report by the American Bar Association found Oregon has 31% of the public defenders it needs. Every existing attorney would have to work more than 26 hours a day during the work week to cover the caseload.³ The public defender shortages in Oregon are further complicated by the fact that Oregon staffs public defenders differently than most other states. Public defenders are not state or county employees in Oregon, and the state instead contracts out public defense work to large nonprofit agencies, groups of private defense attorneys, or individual lawyers. This constitutional crisis is also contributing to MCDA being unable to prosecute hundreds of cases for lack of an available defense attorney—MCDA is issuing cases only to see them dismissed by the courts.

MCDA is increasingly collaborating with community organizations, legislators, education and social service providers, the judiciary, and other external stakeholders. In an ongoing push to communicate more effectively with stakeholders and interested community groups and create public awareness of criminal

¹ *Portland Homicide Problem Analysis 2019-2021*, Portland Police Bureau California Partnership for Safe Communities, www.theCApartnership.org

² *Multnomah County District Attorney FY2022 Proposed Budget*, Multnomah County District Attorney, <https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/Tab%207%20-%20FY%202022%20District%20Attorney%27s%20Office%20-%20PROPOSED.pdf>

³ *Injustice: An Investigation into Oregon's Broken Public Defender System*, KGW, <https://www.kgw.com/article/news/investigations/oregon-broken-public-defender-system/283-b3f0d5b8-35b4-4880-a7a9-7a200535117d>

justice concerns, MCDA is joining other district attorneys' offices across the country to lead a national dialog to advance criminal justice reform. Ideally, MCDA would have adequate staffing to contribute its experience to these broader efforts, as well as to address the casework in Multnomah County.

3. Methodology

This workload analysis centers around Multnomah County DDA's self-reported time spend on different activities within their roles. To do so, they were asked to estimate the time that they spend on a list of mutually exclusive, completely exhaustive activities associated with their roles. Focus groups were conducted with the office's DDAs on a unit-by-unit basis for each of the 11 units within the office, during which time the group was asked to come to a consensus on the number of hours per week they spend on different activities. These tasks were split into two categories: tasks associated with different stages of the vertical prosecution of the cases assigned to that unit, as well as tasks associated with the unit's duties outside of their main caseload such as continuing legal education, training and research, and community duties. In instances where units failed to come to a consensus during the focus group time allotted on the average number of hours spent per activity—or in instances where DDAs' responsibilities differed significantly within-unit and clarification was needed—individual DDAs were asked to complete a follow-up time log outlining how much time they themselves spent on the same list of tasks. In cases where it was easiest for DDAs to provide an amount of time spent per month, per day, or even per year on a given activity, their estimates were converted to a per-week figure.

These estimates of weekly time spent on different case-related and non-case-related activities were summed individually for each DDA to get the number of hours they work in an average week. This sum was then averaged across all DDAs in a unit to obtain the number of hours a DDA in each unit works in an average week. Under the assumption that an "adequately staffed" unit is one in which each full-time DDA works 40 hours per week, this estimate of average hours worked was then divided by 40 and then multiplied by the actual number of full-time equivalent (FTE) deputies to get the number of DDAs required for the unit to be "adequately staffed" assuming all other factors remained constant.

This time study analysis was also supplemented by an analysis of case counts to show changes in open case counts or analogous activities on a per-DDA basis for each individual unit since the prior weighted case analysis was performed in 2018. This data was obtained through monthly unit memos, and SDDAs were interviewed to ensure that Coraggio Group correctly understood the scope of their unit's cases and, where applicable, obtain estimates of how much time different case types take relative to each other in any given month they are open. These estimates were used to "weight" the relative workload that one single case or analogous activity of one kind added to a given DDA's workload in one month compared to other kinds of cases or activities they handled. A three-month weighted average of each case/analogous activity type on a per-DDA basis was created for a baseline period in 2018 when the prior weighted case analysis was done, and then compared to that generated from the latest three months of data available (July through September 2022, or Q3 2022). Changes in per-DDA case/analogous activity counts—standardized and weighted to a single type of case to account for variations in proportions of different case types—are expressed as percent increases in predicted workload.

The desire was to exactly replicate the methodology of the weighted case analysis performed internally by MCDA in 2018; however, DDAs' preferred methods of reporting their time spent on different activities as well as significant differences in the scope of activities performed by each unit necessitated certain modifications to the prior methodology.

First, teams of DDAs in focus groups found it very difficult to estimate both the probability of an issued case reaching any given stage of their unit's vertical prosecution process and the average time spent per case when it did reach that stage. Instead, DDAs found it easier to provide an estimate of the amount of time they spend weekly on each stage of the vertical prosecution process *across all their open cases*; this represented an alternative method of capturing each unit's time spent on its case-related activities in a mutually exclusive and completely exhaustive manner.

Second, many units found that the pre-existing list of activities/stages within the vertical prosecution process did not appropriately describe the duties and processes of their unit; moreover, some units prosecute cases horizontally, and some do not carry a caseload in the conventional sense or have sub-groups of DDAs who do not carry caseloads. As a result, units were allowed to create an alternative list of activities to use for estimating their weekly time spend, and the Coraggio team asked probing questions to ensure that each unit's list of activities was indeed mutually exclusive and completely exhaustive in order to avoid double-counting time spent on the same activity or failing to count time spent on omitted activities.

Finally, in the 2018 weighted case analysis, time spent on 1) non-case-related activities and 2) vacation and other leave types were treated as entirely different fixed yearly quantities, added to each unit's total working time on top of time required to complete their total volume of casework. They were treated differently in this analysis. Non-case-related activities were included as separate line items for which DDAs assessed their time spent per reference time period, which was then standardized to a per-week basis. This does not represent a significant change in methodology as in neither case study did time spent on these activities vary with the level of cases. Vacation and leave time were not included in this analysis, as they do not have an impact on a DDA's "average week", and their proportional impact on a unit's staffing levels would not vary with the count of DDAs in each unit.

Future weighted case analyses should continue to elaborate on this work by asking DDAs not just how much time they *are* spending on a given prosecution stage per case or per week, but how much time they *should* be spending to do their work. This will continue to inform how district attorneys' office staffing levels should be adjusted in line with different caseloads.

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⁴ *Mike Schmidt Doesn't Want to Be the Next Chesa Boudin*, Portland Monthly, <https://www.pdxmonthly.com/news-and-city-life/2022/12/mike-schmidt-multnomah-county-district-attorney-da-portland>

⁵Ibid

5. Unit-by-Unit results

Criminal Trial Units

Unit A/B

Unit A/B is the result of the merging of Unit A and Unit B. Unit A, also known as the Property Unit, handles felony prosecution of lower-level property crimes, and is also responsible for handling white collar prosecutions and some traffic offenses. Unit B, also known as the Drug Unit, is responsible for the prosecution of drug crimes, human trafficking, gambling, and some obscenity-related offenses. Unit A/B has 14.0 FTE.

Core Unit Activities	Hours per week
Pre-Issuing	3.0
Referral Review	10.0
Discovery	4.8
Grand Jury	4.0
Hearings	5.0
Negotiations	6.0
Follow-up	1.5
Trial Prep	2.0
Trial	1.3
Restitution	2.5
Closing	1.0
Post-Conviction	0.5
Victim Contacts	2.5
Administrative	3.8
Managing the Docket	3.0
Other Unit Activities	Hours per week
CLE	0.4
Supervisory/Community/Administrative Duties	2.1
Training and Research	2.5
Special Projects/Research Requests from Other Units	4.0
Unit Staffing Levels	
Average Hours/DDA/Week	59.9
Actual FTE Count	14.00
DDA FTE Required	20.97
Over/(Under) Staffed	(6.97)
Percentage Over/(Under) Staffed	33%

DDAs in Unit A/B reported working an average of 59.9 hours per week, meaning that in order to be adequately staffed, the unit would require 20.97 FTE. This represents a staffing shortage of 6.97 FTE. In 2018, Unit A and Unit B combined had 15.00 FTE, required 18.67 FTE for adequate staffing, and therefore had a staffing shortage of 3.67 FTE. This indicates that in 2018, Unit A and Unit B combined were 20% below adequate staffing levels, and in 2022 the combined Unit A/B was 33% below adequate staffing levels, with staffing having grown less adequate over time.

Time Period	Monthly Average Total Open Cases Unit-Wide	Deputy Count	Monthly Average Total Open Cases per Deputy	2022 Caseload per Deputy Relative to 2018
Last 3 Month Period (2022)	1317.3	14	94.1	214%
Base 3 Month Period (2018)	660	15	44	

Unit A/B case counts per DDA have also increased relative to those of Unit A and Unit B deputies combined in 2018. The three-month average of open cases per DDA in Unit A/B was 44.0 in 2018, and the average for Unit A/B in the third quarter of 2022 was 94.1. This represents 214% of the average caseload per DDA in 2018. The defense attorney shortage also disproportionately impacts Unit A/B, as there are hundreds of cases for which DDAs have reviewed and issued a charge but DDAs are unable to present these cases to a grand jury for indictment because there is no available defense attorney to appoint. These case are not included in case counts above but, rather, are waiting in limbo pending defense counsel when they can be indicted and given trial dates. On average this would add approximately 25-30 additional cases to each Unit A/B DDA’s case count. To compound this issue, there is a lack of experienced level 2 DDAs to handle complex cases such as elder abuse, white-collar crime, complex forgery and ID theft cases as well as drug overdose death and complex drug trafficking organization cases. Level 1 DDAs are only allowed to prosecute misdemeanors, whereas level 3 and level 4 DDAs are allowed to prosecute murder cases. As murder rates have skyrocketed in the Portland area, level 3 and level 4 DDAs are increasingly assigned to murder cases. Between this need and the lack of many experienced DDAs, there is a shortage of level 2 (mid-level) DDAs in the office who are most suitable for the felony property and drug crimes assigned to Unit A/B.

Unit C (UC)

Unit C handles major property crimes and violent offenses, including aggravated animal abuse, arson I, burglary I, and robberies and weapons offenses. Unit C is also responsible for prosecuting all felony cases arising from unintentional collisions where fatalities or serious injuries occur. Unit C has a total of 11.0 FTE.

Core Unit Activities	Hours per week
Consulting with Law Enforcement / Pre-issuing	5.0
Referral Review	10.0
Grand Jury	3.0
Hearings	10.0
Negotiations	4.0
Restitution	0.5
Discovery	2.0
Trial Prep	3.0
Trial	3.0
Closing	0.5
Post-Conviction	0.5
Victim Contacts	2.5
Administrative Duties	3.0
Other Unit Activities	Hours per week
CLE	0.4
Training / Professional Development	1.0
Meetings with Partners	1.5
Murder Calls (~6 calls a month)	1.5
Vehicle Calls (x calls a month)	1.0
Unit Staffing Levels	
Average Hours/DDA/Week	52.4
Actual FTE Count	11.00
DDA FTE Required	14.41
Over/(Under) Staffed	(3.41)
Percent Over/(Under) Staffed	24%

Unit C DDAs reported working an average of 52.4 hours per week, meaning that the unit requires 14.41 FTE to be fully staffed and that there is a shortage of 3.41 FTE required for adequate staffing. In 2018, the unit had 9.0 FTE and was determined to need 11.83 FTE; this means that the unit has gone from being 23% below adequate staffing levels in 2018 to being similarly staffed at 24% below adequate staffing levels in 2022.

Case Type	Per-Month Workload by Open Case Type (Relative to Non-BM11)
Non-BM11	1
BM11	5
Murder	10

Time Period	Total Cases Unit-Wide	Murders	BM11	Non-BM11	DDA Count	Total Workload Per DDA (in terms of Non-BM11 Cases)	2022 Workload per Attorney Relative to 2018
Last 3 Month Period (2022)	538	49.3	193.7	294	11	339	123%
Base 3 Month Period (2018)	355	30.3	161.7	163	9	276.4	

Unit C DDAs highlighted that there has been a shift to more serious crimes, and that more of the cases they are handling are time-intensive case types such as a murder cases and BM-11 cases. This is reflected in unit memos. Interviews provided estimates that in a given month, an open BM11 case takes 5 times as much work as a non-BM11 case, and an open murder case takes approximately 10 times as much work as a non-BM11 case. From here, an estimate of Unit C’s workload per DDA over time could be obtained from the counts of each of these case types. This resulted in each Unit C DDA having an average monthly workload of 276.4 non-BM11-equivalent cases in the base period for 2018 compared to an average monthly workload of 339.0 non-BM11-equivalent cases in Q3 of 2022. This implies each DDA has 123% of their prior workload as indicated by case counts which is largely driven by the increase in gun violence prosecution.

Gun Violence Prosecution Year-to-Date Prosecution Trends

All Gun Violence Cases

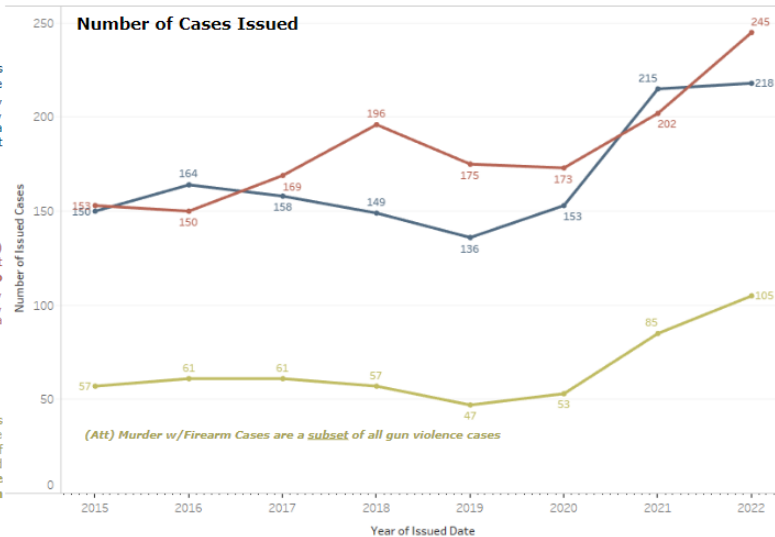
"Gun violence" cases are defined as cases with at least one issued charge (with a firearm-tag) of Assault, Manslaughter, Attempted Murder, Murder, and/or Unlawful Use of a Weapon, and cases with adult defendant(s).

Felon in Possession of Firearm Cases

Felon in possession of firearm (FPFA) cases are defined as cases with at least one issued FPFA charge and no gun violence charges (Assault, Manslaughter, Attempted Murder, Murder, and/or Unlawful Use of a Weapon).

(Att) Murder w/Firearm Cases

"Attempted Murder w/Firearm" cases are defined as cases with at least one issued charge (with a firearm tab) of Attempted Murder and/or Murder, and cases with adult defendant(s). These cases are a subset of all gun violence cases.



Gun Violence prosecutions increased **1%** from 2021 to 2022

Gun Violence prosecutions increased **60%** from 2019 to 2022

FPFA prosecutions increased **21%** from 2021 to 2022

FPFA prosecutions increased **40%** from 2019 to 2022

Murder w/Firearm prosecutions increased **24%** from 2021 to 2022

Murder w/Firearm prosecutions increased **123%** from 2019 to 2022

This calculation does not include the impact of increases in homicide callouts, which is captured at the end of the report. There is also a backlog in cases pending review; for Q3 of 2022, there was an average of 140 direct presents compared to an average of 58 in the same period in 2018 (however, Unit C has made significant progress in reducing the number of direct presents from 176 at the start of 2022). There has also been an increase both in death investigations, which take a significant time investment without being captured by the data as an open case, as well as preventative detention hearings, which did not occur in 2018 due to a recent statutory change. DDAs also highlighted wanting more time to prepare for trials, more time to perform robust victim contacts throughout the lifetime of the case, and more time to gather evidence.

Unit D (UD)

Unit D is responsible for the prosecution of non-DV felony crimes involving personal violence, sex crimes, assault, sexual assault against children, and other specified felonies. The unit has a total of 9.0 FTE.

Core Unit Activities	Hours per week
Pre-issuing	4.6
Referral Review (direct presents and custody)	10.2
Discovery (tracking down police reports, filing)	2.0
Grand Jury	1.4
Hearings (incl. hearing prep)	11.2
Negotiations	3.0
Restitution	0.2
Follow-up (correspondence, emails, phone)	7.2
Trial Prep	2.5
Trial	3.0
Closing	0.25
Post-Conviction	0.25
Victim Contacts	3.0
Administrative	3.0
Other Unit Activities	Hours per week
CLE	0.4
Supervisory/administrative/community duties	0.5
Training and Consulting	1.0
Unit Staffing Levels	
Average Hours/DDA/Week	53.7
Actual FTE Count	9.0
DDA FTE Required	12.08
Over/(Under) Staffed	(3.08)
Percentage Over/(Under) Staffed	(26%)

Unit D DDAs reported working an average of 53.7 hours per week, which means that in order to be adequately staffed, the unit would require 12.08 FTE, representing a staffing shortage of 3.08 FTE. In 2018, Unit D had 6.0 FTE and was it determined to need 8.37 FTE; this indicates that Unit D has gone from being 28% below adequate staffing levels in 2018 to a similar staffing level of 26% below adequate staffing levels in 2022.

Case Type	Absolute Time Spend per Case (relative to Non-BM11)	Average Case Type Duration in Months	Relative Time Spend per Open Case Type per Month (Non-BM11 = 1)
Murder	15.32	12	7.66
BM11	4.75	9	3.17
Non-BM11	1.00	3	1.00

Time Period	Monthly Average Total Open Cases Unit-Wide	Murders	BM11	Non-BM11	Deputy Count	Workload per Deputy (in terms of open BM11 Cases)	Workload Per Attorney in 2022 Relative to 2018
Last 3 Month Period (2022)	308	27.7	116.3	164	9	82.7	99%
Base 3 Month Period (2018)	162.3	15.3	71.3	75.7	5	83.8	

Increases in homicides and BM-11 cases, as well as non-BM11 cases, are driving an increase in workload. Interviews identified estimates of the absolute total workload of a single non-BM11, BM11, and murder case and the average duration of these cases which were used to get an estimate of how much each case type contributed to a DDA's workload in a given month. From these estimates, data on the counts of these activities was used to express DDAs' total workload per month over time in terms of monthly workload on non-BM11 cases. This analysis found that workload increased from a monthly average of 82.7 non-BM11 case equivalents per DDA for during the 2018 base period to 83.8 during Q3 of 2022, or 99% of the workload during the initial period. Ultimately the number of cases and murders per DDA stayed relatively constant over time, but it is worth noting that more and more level 3 DDAs in other units have also been taking on murder cases to pick up the backlog that those in Unit D do not have the capacity to handle. There has also been an increase in time-consuming preventative detention hearings, which were nonexistent in 2018. Unit D DDAs highlighted wanting to spend more time on victim outreach themselves, which is currently handled almost entirely by victim advocates. Unit D DDAs also noted the need to spend more time on unit-specific case law and formalized training, more meticulous evidence gathering, and more in-depth research into and consideration of the background of the defendants they are prosecuting.

Domestic Violence Unit (DV)

The Domestic Violence unit is responsible for handling domestic violence felony and misdemeanor cases, in addition to screening, issuing, negotiating, and prosecuting allegations of contempt of court for violations of a restraining order. The DV Unit also prosecutes cases involving victims under the age of 12. The DV Unit has a total FTE count of 10.00.

Core Unit Activities	Hours per week
Pre-Issuing	0.0
Arraignments	0.0
Case Issuing/Referral Review	15.0
Hearings	12.0
Negotiations	4.5
Follow-up	1.0
Victim Contacts	10.0
Trial Prep	2.5
Trial	2.5
Post-conviction	2.0
Closing	0.0
Other Unit Activities	Hours per week
CLE	0.4
Supervisory/administrative/community duties	0.0
Training and Consulting	1.0
Civil Commitments	0.8
Unit Staffing Levels	
Average Hours/DDA/Week	51.7
Actual FTE Count	9.00
DDA FTE Required	11.63
Over/(Under) Staffed	(2.63)
Percent Understaffed	(23%)

Based on reporting an average of 51.7 hours worked per week, the Domestic Violence unit requires 11.63 FTE to be adequately staffed, representing a staffing shortage of 2.63 FTE. In 2018, the unit had 7.0 FTE and required 10.78 FTE, representing a staffing shortage of 3.78 FTE. This represents the unit going from being 35% below adequate staffing levels in 2018 to 23% below adequate staffing levels in 2018.

Time Period	Monthly Average Open Cases Unit-Wide	Deputy Count	Monthly Average Open Cases Per Deputy	Average Open Cases Per Deputy Relative to 2018
Last 3 Month Period (2022)	458.3	9	50.9	101.3%
Base 3 Month Period (2018)	352	7	50.3	

When comparing the total number of open cases, open case counts per DDA increased from an average of 50.3 during the base period for 2018 to 50.9 in Q3 of 2022. This represents an estimated 1.3% increase in workload as indicated by case counts. DDAs in focus groups highlighted that case counts increased while more people were staying at home during the pandemic, causing an increase in incidence of domestic violence and ultimately a backlog of cases. It has also been more difficult to predict timelines for cases, as many referred cases have recently been dismissed instead of issued due to the defense attorney crisis. The DV DDAs also highlighted that there has been high turnover in their department in the last year. There are 2 VRO interns that assist with the unit's work.

Multi-Disciplinary Child Abuse Team (MDT)

MDT is responsible for reviewing and coordinating all child abuse and neglect cases in Multnomah County involving physical or sexual abuse and a family or family-like relationship, also handling Juvenile dependency cases. The unit currently has 5.0 FTE.

Core Unit Activities DDA Hours/week	Hours per week
Casework	60.0
Other Unit Activities	Hours per week
CLE	0.4
Unit Staffing Levels	
Average Hours/DDA/Week	60.0
Actual FTE Count	5.00
DDA FTE Required	7.55
Over/(Under) Staffed	(2.55)
Percentage Over/(Under) Staffed	(34%)

MDT DDAs did not provide their estimated time spend on each prosecution stage per week but instead reported a weekly figure for total hours worked individually across all their activities and responsibilities, reporting working 60.4 hours per week on average. This means that in order to be fully staffed, the unit would require 7.55 FTE; this indicates that the unit is 2.55 FTE below what is required for adequate staffing. In 2018, the unit had 4.0 FTE and was found to require 9.27 FTE for adequate staffing; this indicates that MDT went from being 57% below adequate staffing levels in 2018 to 34% below adequate staffing levels in 2022. However, this still indicates that MDT is currently the most understaffed unit.

Time Period	Monthly Average Criminal Caseloads Unit-Wide					Deputy Count	Monthly Average Criminal Caseloads Per Deputy				
	Total Criminal Cases	Homicides	J-Law and BM73	BM11	Non-BM11		Total Criminal Cases	Homicides	J-Law and BM73	BM11	Non-BM11
Last 3 Month Period (2022)	71.7	13.7	15.3	20	18.7	5	14.3	2.7	3.1	4.0	3.7
Base 3 Month Period (2018)	109.7	3	0	34.3	72.3	4	27.4	0.8	0.0	8.6	18.1

The table above shows changes in the average counts of each case type per deputy. In the base period for 2018, MDT DDAs handled an average of 27.4 open cases, which is higher than the 14.3 average for Q3 of 2022. However, murders—which are much more time-intensive to prosecute—have increased more than threefold on a per DDA basis between these two periods. As In Units C and D, there has also been an increase in time-consuming preventative detention hearings for MDT DDAs. The number of direct-present cases pending review across the unit averages 78, compared to 50 during the base period for 2018. The training burden for tenured MDT DDAs is especially high given recent additions to the team and the highly complex nature of their work, especially surrounding dependency cases.

Misdemeanor Trial Unit (MTU)

The Misdemeanor Trial Unit is responsible for negotiating cases and appearing in court on misdemeanor offenses, traffic crimes, and city ordinance violations. The unit consists of a total of 7.00 FTE attorneys.

Case-Related Unit Activities	Hours per week
Hearings	3.0
Negotiations	2.5
Follow-up and Discovery	25.0
Victim Contacts	1.3
Trial Prep	8.0
Trial	9.0
Post-Conviction	2.0
Other Unit Activities	Hours per week
Mentorship	1.0
CLE	0.4
Other Training	1.3
Civil Commitments	1.3
Unit Staffing Levels	
Average Hours/DDA/Week	54.7
Actual FTE Count	7.00
DDA FTE Required	9.57
Over/(Under) Staffed	(2.57)
Percent Below Required Staffing	(27%)

Based on the unit's DDAs reporting an average of 54.69 hours of work per week, the MTU requires a total of 9.57 FTE to be fully staffed, meaning that this unit is currently 2.57 FTE understaffed. In 2018, this unit was farther below adequate staffing levels; it also had 7.00 FTE assigned but required 22.62 FTE, resulting in being 15.62 FTE understaffed. This represents the unit going from being 69% below adequate staffing levels in 2018 to 27% below adequate staffing levels in 2022.

Year	Cases Received	Months with Data Available	Yearly Cases Received Relative to 2018 (Adjusted for Months of Available Data)
2018	9106	12	100%
2019	8659	12	95%
2020	5748	12	63%
2021	3304	12	36%
2022	2214	8	36%

There has been a large decline in cases prosecuted by the Misdemeanor Trial Unit since 2020. The dramatic drop in required FTE from 2018 to 2022 is largely attributable to the corresponding decrease in the numbers of misdemeanor cases being referred and prosecuted, which is shown in the table above. In 2021 and 2022, misdemeanor cases were being referred to the DA’s office at only 36% of the volume they were in 2018 when the prior weighted case analysis was conducted.

Time Period	Monthly Average Open Cases Unit-Wide	Deputy Count	Monthly Average Open Cases per Deputy	Per Attorney Case Count Relative to 2018
Last 3 Month Period (2022)	292	7	41.7	76%
Base 3 Month Period (2018)	382.7	7	54.7	

Based on data from unit memos, the three-month weighted average of open cases per attorney decreased from 54.7 in 2018 to 41.7 in Q3 of 2022, representing a decline to 76% of the 2018 per-attorney caseload. DDAs in the unit highlighted that there are pain points around spending large amounts of time on discovery and administrative work, including sorting papers, that should be completed by administrative staff or interns (although the unit already has 6-7 interns at any given time). These tasks consume a large portion of MTU DDAs’ time.

Strategic Prosecution and Services Unit (SPSU)

The Strategic Prosecution and Services Unit focuses on crime prevention through prosecution of repeat offenders who continuously commit crimes as well as alternative methods designed to reduce criminal activity in the community. This unit includes a total of 9.00 FTE, 4 of which focus on these high-volume system users. 2 DDAs work within the Multnomah County Justice Reinvestment Program (MCJRP), 2 DDAs work within the Multnomah County District Attorney’s Office Access Attorney Program (MAAPs), and 1 DDA works in the Strategic Treatment and Engagement Program, or STEP court.

Core Unit Activities	Hours per week
Pre-Issuing	8.0
Referral Review	4.7
Discovery (tracking reports, communicating with defense)	1.0
Grand Jury	0.2
Hearings	10.0
Negotiations & Follow-up	0.9
Trial Prep	3.0
Trial	2.8
Closing	2.3
Post-Conviction	0.4
Victim Contacts	1.9
Administrative	1.0
Other Unit Activities	Hours per week
CLE	0.4
Program Development	4.0
Internal Meetings	2.0
Community Meetings (2 in MAAPs)	5.0
Supervisory/Community/Administrative Duties (including program management)	6.1
Training and Research	2.0
Unit Staffing Levels	
Average Hours/DDA/Week	55.7
Actual FTE Count	9.00
DDA FTE Required	12.53
Over/(Under) Staffed	(3.53)
Percentage Over/(Under) Staffed	(28%)

DDAs in the Strategic Prosecution and Services Unit reported working an average of 55.7 hours per week, meaning that the unit requires 12.53 FTE to be adequately staffed and that there is a staffing shortage of 3.53 and that the unit is currently 28% below adequate staffing levels. Direct comparison of staffing levels to 2018 is difficult given that the unit has changed substantially over time, but in 2018 the NDA/MCJRP unit had 6.0 FTE and required 8.53 FTE for adequate staffing, representing a slightly higher staffing shortage of 30%.

Time Period	Monthly Average Total Open Cases Unit-Wide)	Deputy Count (with a Caseload)	Monthly Average Total Cases per Deputy	Caseload per Attorney Relative to 2019
Last 3 Month Period (2022)	349.7	7	52.5	180%
Base 3 Month Period (2018)	145.7	5	29.1	

Among DDAs in SPSU who carry a caseload, case counts per DDA have increased substantially over time. The three-month per-DDA average of open caseloads was 29.1 in 2018; this figure increased to 52.4 in Q3 of 2022. This indicates that in 2022 each caseload-carrying DDA in SPSU had 180% of the caseload they carried in 2018. Since SPSU primarily takes cases from other units once defendants are identified as high-volume system users, they do not have a backlog of cases pending review; however, unlike other units, they are required to spend a significant amount of time re-reviewing cases that were recently rejected for further investigation. SPSU DDAs also highlighted that they will benefit from another deputy in MAAPs. As SPSU's scope of responsibilities continues to grow, DDAs report needing more time to spend on talking with witnesses and victims, more time to prepare effective presentations for hearings, more time to file motions in response to the defense team, and the time to develop a consolidated list of resources to handle the cases of mentally ill individuals who cannot be prosecuted criminally.

Non-Criminal Trial Units

Juvenile Unit

The Juvenile Unit is responsible for representing the state in cases arising in Juvenile Court, which at varying points in the past also has included dependency and termination of parental rights cases in addition to juvenile delinquency cases. It consists of a total of 5.0 FTE deputies.

Core Unit Activities	Hours per week
Pre-Issuing (speaking with police etc.)	0.8
Referral Review	8.3
Hearings	14.3
Negotiations	5.0
Follow-up	2.7
Victim Contacts	1.3
Trial Prep	8.3
Trial	0.7
Closing (tracking, closing files)	0.8
Post-Conviction	3.2
Other Unit Activities	Hours per week
Mentorship	1.0
CLE	0.4
Other Trainings	1.0
Civil Commitments	0.0
System and Committee work (system partner meetings such as law enforcement meetings, PSV committees)	0.33
Unit Staffing Levels	
Average Hours/DDA/Week	48.2
Actual FTE Count	5.00
DDA FTE Required	6.02
Over/(Under) Staffed	(1.02)
Percent Understaffed	(17%)

Based on the unit's DDAs reporting an average of 48.2 hours spent per week, the unit would need to have 6.02 FTE in order to be fully staffed. This means that the unit is 1.02 FTE understaffed. In 2018, the unit had 11.0 FTE, required 12.86 FTE, and was 1.86 FTE understaffed; this represents the unit going from being 14% understaffed in 2018 to 17% understaffed in 2022.

Month	Felony	Misdemeanor	Attorney Count (non-dependency, non-TPR cases)	Felony: Misdemeanor Time Spend Ratio	Total Caseload (Weighted to Felonies)	Total Caseload (Weighted to Felonies) per Attorney	Last 3 Month Period Caseload	Per Attorney Workload Relative to 2018
Last 3 Month Period								85%
Sep-22	121	25	5	4:1	127.25	25.45	24.3	
Aug-22	116	12	5		119	23.8		
July-22	113	22	5		118.5	23.7		
Base 3 Month Period								
Mar-18	144	71	5	4:1	161.75	32.35	28.6	
Feb-18	117	82	5		137.5	27.5		
Jan-18	108	87	5		129.75	25.95		

Time Period	Monthly Average Open Felonies Unit-Wide	Monthly Average Open Misdemeanors Unit-Wide	Felony: Misdemeanor Time Spend Ratio	Monthly Average Total Caseload (Weighted to Felonies)	Attorney Count with Caseloads	Monthly Average Total Caseload (Weighted to Felonies) per Attorney	Per Attorney Workload Relative to 2018
Last 3 Month Period (2022)	116.7	19.7	4:1	121.6	5	24.3	85%
Base 3 Month Period (2018)	123	80		143	5	28.6	

Juvenile DDAs reported that a given felony occupies roughly 4 times as much time as a misdemeanor in any given month, so when weighting DDAs' total case counts in terms of the number of felony-equivalent cases, each DDA went from handling an average of 28.6 felony-equivalent cases in the base period for 2018 to 24.3 in Q3 of 2022, representing a 15% decrease in their total workload. The case counts shown here represent only delinquency cases and exclude dependency and termination of parental rights (TPR) cases since these cases have been added and taken away from Juvenile's responsibilities at various points over the last few years. The three-month monthly average of direct presents unit-wide was 20 in both Q3 of 2022 and the base period in 2018.

While SDDAs in many units spoke to high turnover within their units having an impact on their workload, the Juvenile unit in particular has experienced over 100% turnover in the last year, so the more tenured

DDAs spend significant amounts of time mentoring those newer to the unit. There is currently a backlog of referrals at the moment, which could end up being issued in the future, that may lead to a perception that the unit is more adequately staffed than it is to handle the long-term levels of case counts. Level 3 DDAs in this unit have also been impacted by the increase in homicides and homicide callouts, with some needing to take on a homicide caseload. Since the 2018 weighted case analysis, a legislative statutory change has resulted in all serious BM 11 cases involving juvenile offenders, including murders, being handled by the Juvenile unit when they were previously handled in adult court by other units. This caused a dramatic shift the nature of the work handled by Juvenile DDAs.

Support Enforcement Division (SED)

The Support Enforcement Division is responsible for representing the State in establishing, modifying and enforcing child and spousal support matters, in conjunction with a larger group of clerical support staff. It consists of a total of 2.6 FTE at full capacity (the basis for the time study analysis of adequate staffing levels). At the time of this study, the work was being performed by 2.0 FTE for Q3 of 2022 due to a .80 FTE DDA on family leave and the remaining .80 FTE temporarily increasing to a 1.0 FTE (the basis of the case count analysis comparing 2018 and 2022). The hours per week column, however, reflect hours per week at full 2.6 DDA-FTE staffing levels.

Core Unit Activities	Hours per week
Pre-Issuing /Referral Review	8.0
Discovery	1.0
Hearings	3.0
Negotiations	2.0
Trial Prep	1.0
Trial	1.0
Appeal Docket	2.0
Victim Contacts/party contacts	2.0
Non-trial case work	2.0
CLE/Staff Meetings/All SED Staff	2.0
Other Unit Activities	
External Communications	6.0
Staffing	2.0
Unit Staffing Levels/ No Additional Request	
Average Hours/DDA/Week (Level 2)	32
Average Hours/DDA/Week (Level 4)*	40
Average Hour/DDA/Week	34.6
Actual FTE Count	2.60
DDA FTE Count Required	2.60
Percent Over/(Under) Staffed	(0%)

DDAs in SED report working an average of 34.6 hours per week, which means that there are 2.60 FTE needed for the unit to be fully staffed which is equivalent to current staffing levels. In 2018, with the same number of FTE, the unit was determined to need 4.29 FTE, meaning that the unit has gone from being 30% understaffed to fully staffed.

Time Period	Monthly Average Total Cases Assigned Unit-Wide	Deputy Count	Monthly Average Cases Assigned per Deputy	Monthly Average Cases Assigned Per Attorney Relative to 2018
Last 3 Month Period (2022)	5886	2.6	1962	77%
Base 3 Month Period (2018)	7657.3	2.6	2945.1	

When comparing case counts over time on a per-FTE basis, the number of cases assigned per DDA decreased since the 2018 prior weighted case analysis. SED reported an average of 1962 cases per deputy during Q4 of 2022, compared to an average of 2945 in 2018 (for the period of January-April 2019, the earliest months for which data is available), representing 77% of the prior per-DDA caseload or a 23% decrease in caseload. While each DDA assumes overall responsibility for 1/3 of the total unit caseload, it is worth noting that this figure is a proximate measure of workload expended for the Unit’s total caseload, given that the DDAs only work cases which require legal action. This reduction in workload may be attributed to various factors including but not limited to: caseload reduction due to decline in divorce and birth rates, relocation outside Multnomah County as well as statewide and national declines in child support applications. Additionally, increased efficiency and time savings since 2018 have been realized due to the implementation of a statewide case management system, statewide customer service call center, centralized mail and document processing systems, technological advancements which reduce the need for manual processing by Unit staff and the impact of a remote work environment. If caseloads and workload continue to decline, then this may be a subject for future budgetary consideration.

Justice Integrity Unit

The Justice Integrity Unit was formed in 2021 and does not carry caseloads comparable to other units but instead focuses on granting post-conviction relief, evaluating whether justice was served, and other tasks related to criminal justice reform. The unit has a total of 4.00 FTE.

Core Unit Activities	Hours per week
Clemencies	18.2
Excessive Sentencing (SB 819)	9.4
Forensic Evidence and Innocence Claims	0.2
Expungements	7.4
Policy Work	2.3
Legacy Projects	0.2
Motions to Amend, Correct, or Reduce	0.6
Officer-Involved Cases	1.7
Awareness Initiatives	0.3
Post-Conviction Relief	1.3
Other Activities	Hours per week
CLE	0.4
Other	4.8
Unit Staffing Levels	
Average Hours/DDA/Week	46.8
Actual FTE Count	5.00
DDA FTE Required	5.85
Over/(Under) Staffed	(0.85)
Percentage Over/(Under) Staffed	(15%)

DDAs in the Justice Integrity Unit reported working an average of 46.8 hours per week. In order to achieve adequate staffing levels, the unit would need 5.85 FTE, indicating that the unit is 15% below adequate staffing levels.

Pre-Trial Unit (PTU)

The Pretrial Unit handles felony arraignments at the Justice Center and is responsible for a wide variety of other functions, including extraditions, expungements, indictment review, grand jury orientation, and public records requests. At the end of 2018, PTU absorbed the Intake Unit, which reviews non-domestic violence misdemeanor offenses to determine whether to initiate prosecution. PTU is also responsible for reviewing body-worn camera footage. There are a total of 6.60 FTE in this unit. Each DDA in PTU reported different tasks performed each week in a non-standard format, so their self-reported time spend is simply broken down by cumulative self-reported time spend

Core Unit Activities	Hours per week
DDA Averages Across Individual Tasks	44
Other Unit Activities	Hours per week
CLE	0.4
Unit Staffing Levels	
Average Hours/DDA/Week	44.4
Actual FTE Count	6.60
DDA FTE Required	7.33
Over/(Under) Staffed	(0.73)
Percentage Over/(Under) Staffed	10%

Based on reporting an average of 44.4 hours worked per week, PTU needs a total of 7.33 FTE to be adequately staffed. This represents a 0.73 FTE shortage. In 2018, the number of FTE in Pretrial was 3.0 and the required number of FTE was determined to be 3.21, meaning that from 2018 to 2022 the unit went from being 7% below adequate staffing levels to 10% below adequate staffing levels. It is worth noting that because of the absorption of the Intake Unit in 2021 and fluid responsibilities within PTU in the current year, it is difficult to form a direct comparison over time. The Intake Unit specifically in 2018 was more understaffed than the Pretrial Unit today (which includes Intake now) and required 4.47 FTE but had 3.0 FTE and, therefore, a 33% staffing shortage.

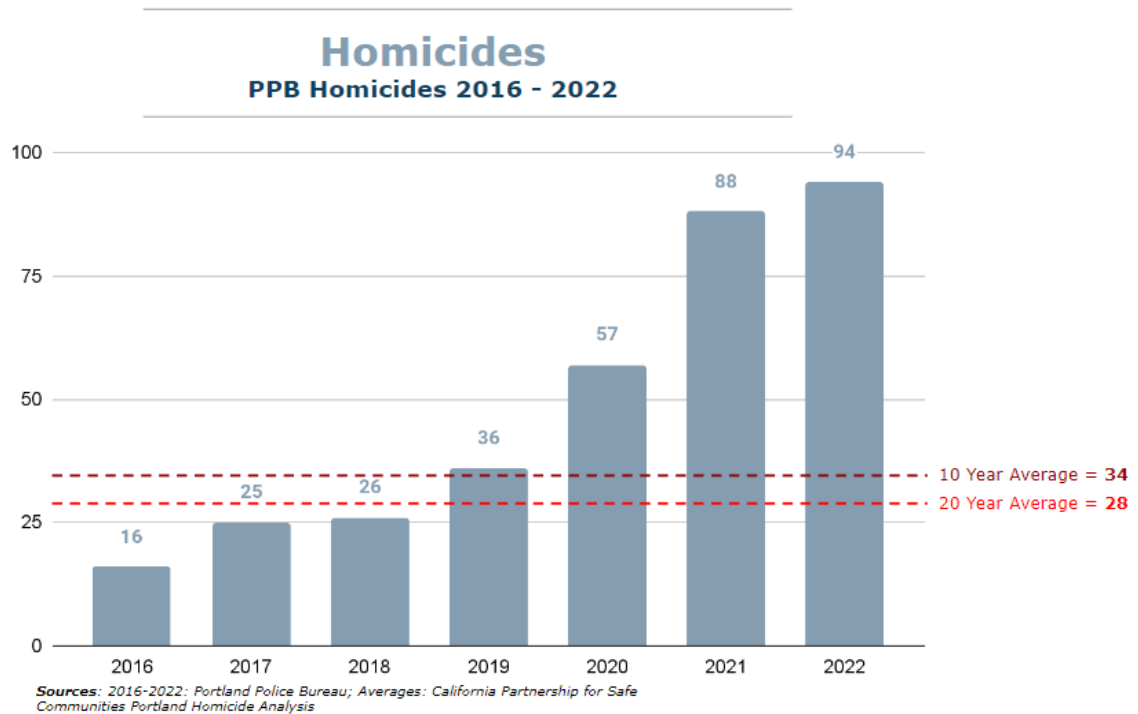
Time Period	Intake Work Done (DPs, Cites, Custodies) Monthly Average Unit-Wide	Deputy Count (Intake Only)	Intake Work Done (DPs, Cites, Custodies) Monthly Average Per Deputy	Intake Workload 2022 vs. 2018
Last 3 Month Period (2022)	337	2	168.5	48%
Base 3 Month Period (2018)	1046.7	3	348.9	

When considering the total number of misdemeanors handled by the Intake unit within the Pretrial Unit, workload has decreased over time. The three-month average of all misdemeanors handled by intake in 2018 was 1046.7 and decreased to an average of 337.0 during Q3 of 2022. It is difficult to directly compare the 2018 and 2022 workload on a per deputy basis since the work assignment is now more fluid. Roughly 2 FTE are assigned to misdemeanor case review, but that is spread among multiple DDAs with additional unit deputies available to assist with surges. However, it is still clear that there has been a significant decrease in the average per DDA caseload over this period. This decrease in workload is largely attributable to the decrease in misdemeanor cases being referred to the unit; as mentioned in the Misdemeanor Trial Unit section above, the volume of misdemeanor cases received by the office is only 36% what it was in 2018, resulting in a significant decrease in workload for PTU. The three-month average of direct-present cases pending review was 86 in 2022; the below chart demonstrates the decrease in non-domestic violence misdemeanors handled by PTU.

However, other changes have increased the unit's workload in other areas. For example, there has been an increase in public records requests and petitions, which are time consuming and have increased substantially year-over-year (109 in CY 2022 as compared to 66 in 2021 and 55 in 2020). Handling probation violations within the unit has also become a more time-intensive task. Lastly, PTU is a training unit within the office and significant time is spent developing training materials and coaching new DDAs on how to properly review and charge cases. High attrition within the office has also led to a much larger than normal allocation of time to onboarding new DDAs. This effect is certainly felt across other units but, apart from the MTU, training makes up a larger "normal" unit function in PTU so the impact of the attrition is disproportionately felt.

Homicide/Homicide Callout Increases

One trend affecting many units within the Multnomah County District Attorney’s Office is a sharp increase in homicides over the last several years; in 2018, there were 26 homicides in Portland; this figure increased to 36 in 2019, 57 in 2020, 88 in 2021, and 94 in 2022 (data does not include officer-involved shootings resulting in death).



The number of homicides investigated in PPB in 2022 is **176% higher** than the 10 year average and **235% higher** than the 20 year average.

Not only has this increased the number of time-intensive murder cases that DDAs are in charge of prosecuting—increasing their workload substantially even if their total caseloads have not increased as much—but it also requires them to participate in homicide callouts. This involves them traveling to the scene of a murder shortly after it occurs, sometimes in the middle of the night, and often attending the subsequent autopsy. The prosecution of murder cases is not confined specifically to the units officially assigned to murder cases, and level 3 DDAs within other units are increasingly being called on to take murder cases, including some within Unit A/B, MISDO, JUV, and SPSU in addition to Unit C, Unit D, and MDT, and attend the associated callouts. Furthermore, the number of homicide calls out is higher than the number of PPB reported homicides reported above because DDAs respond to homicides occurring anywhere in the county as well as to officer-involved shootings.⁶

⁶ Unit C DDAs also respond to reckless vehicular homicides as well and these call outs are not reflected in the data above.

Year	Homicide Callouts	Yearly Homicide Callouts Relative to 2018
2018	28	100%
2019	32	114%
2020	60	214%
2021	91	325%
2022	123	439%

The table above demonstrates that homicide callouts for 2022 are at 439% of their 2018 levels, with attorneys partaking in 123 callouts in 2022 compared to 28 in 2018. Callouts increased year-over-year every year since 2018. Level 3 and Level 4 DDAs reported spending an average of 6 to 10 hours on each homicide callout depending on the case and on whether or not they attended the autopsy, indicating that homicide callouts alone substantially add to the workload of those DDAs regardless of whether there is ultimately an arrest or a murder case to prosecute.

6. Improvements to Consider

This final section represents a consolidated list of opportunities for MCDA to consider implementing to continue to improve its operations and address and mitigate attorney staffing shortages. These recommendations are informed by findings from Coraggio’s quantitative data collection and qualitative engagement with every unit in the office. This section highlights the potential benefits of each improvement in helping individual DDAs and the office as a whole operate as effectively and efficiently as possible and continue to strive for justice and equitable outcomes in the pursuit of greater public safety for all.

1. MCDA has made great progress in utilizing the CRIMES system for tracking cases as well as developing the Prosecutorial Performance Indicator (PPI) dashboards available to the public. However, updating MCDA’s case management and document management systems should be a priority.
 - a. The current case management system (CRIMES) uses 20-25 year-old technology and is not integrated with the document management system. Many DDAs expressed frustration that they still use paper files and that the document management system is so slow that it is almost unusable at times. Incorporating modern software will also assist DDAs to understand their units’ caseloads in relation to other units and ultimately help MCDA make data-driven decisions on how to allocate its resources.
 - a. Continuing to enhance the office’s recently-improved data collection initiatives and standardizing the reporting of work done and attorney time spent—both within-unit and across-unit—will help track different kinds of work’s status and help the office forecast workload and staffing levels in the future.
 - b. Project management and time-tracking platforms such as Wrike can be used by individual DDAs to track their time across a complex array of projects, with different capabilities available at a cost of \$10-25 per user per month⁷. Choosing an office-wide platform to track work done and time spent could provide another digitized dataset on how long certain kinds of work take or should take to help forecast workloads and allocate resources into the future.
2. Increasing the resources dedicated to mentorship/onboarding of new attorneys could reduce training’s impact on the rest of the unit’s work and help combat high attrition rates across many units within the office.
 - a. Given high attrition in many units, additional DDAs may be beneficial in covering the cases that SDDAs and other experienced DDAs are unable to take on due to time spent training new DDAs.
 - b. Less-experienced DDAs are also likely to not be as efficient at prosecuting cases; increased dedicated training for new attorneys could expedite their process of reaching proficiency,

⁷ [https://www.wrike.com/price/?targetID=kwd-37186486298&ga_campaign=\(ROI\)%20Branded%20-%20All&ga_adgroup=6348249287&ga_keyword=wrike%20cost&ga_content=branded&gclid=CjwKCAiAkfucBhBBEiwAFjbkrwNjgizw573ALR9wbd-ea4X3NiiVpbz2CfpYtML_UHHBKznhKLLIcBoCJD0QAvD_BwE&gclsrc=aw.ds](https://www.wrike.com/price/?targetID=kwd-37186486298&ga_campaign=(ROI)%20Branded%20-%20All&ga_adgroup=6348249287&ga_keyword=wrike%20cost&ga_content=branded&gclid=CjwKCAiAkfucBhBBEiwAFjbkrwNjgizw573ALR9wbd-ea4X3NiiVpbz2CfpYtML_UHHBKznhKLLIcBoCJD0QAvD_BwE&gclsrc=aw.ds)

and potentially reduce attrition rates if newer DDAs feel they have the materials and skills needed to succeed in their roles more quickly.

- c. Additional resources for ongoing training on unit-specific case law for each unit's deputies in general—regardless of tenure—could continue to boost their efficiency and performance when preparing cases for trial.
3. Further investigating opportunities to delegate tasks not requiring legal expertise to legal assistants, paralegals, and interns could improve attorney staffing levels and potentially lower the office's costs to taxpayers.
 - a. Some units in MCDA use legal interns for different administrative tasks, such as MTU and DV, and units such as SED have a large support staff.
 - b. Hiring different non-attorney staff—either legal interns, paralegals, or other legal assistant support staff—to handle the various administrative tasks attorneys in many units currently find themselves responsible for could give them more time to focus on their actual casework.
 - c. Hiring more legal assistants may involve a review of collective bargaining agreements, as well as a set of process-mapping sessions, to identify a comprehensive list of tasks in each unit that could be performed by a legal assistant, and if so, what qualifications are needed.
 - d. Delegating non-technical or administrative tasks to legal assistants would allow DDAs to focus their limited time on their actual cases, but it will also reduce the cost of the office's operations to taxpayers given that these staff typically command a much lower salary than lawyers.
 - e. A more comprehensive cost-benefit or time study analysis would be needed to identify where these support staff/legal assistants would add the most value, whether these staff could obviate the need to hire additional attorneys, and the potential downsides of a district attorney's office staffing model that is increasingly reliant on support staff.
 4. If additional resources become available, hiring DDAs into major felony units should be prioritized given surging violent crime levels and the increase in these units' workloads over the last few years.
 - a. Unit C, Unit D, and MDT represented significantly understaffed units, with case counts per attorney rising over time given the increase in violent crime in the Greater Portland Area.
 - b. If additional DDA resources become available, they should be directed to these units, as well as to Unit A/B, given the surging number of minor/non-person felonies as well.
 - c. Many of these units also highlighted not having sufficient time to spend addressing the backlog of direct present cases, which has grown over time for most of these units.

- d. A common theme across units was a desire to spend more time on victim contacts for the most serious cases they handle, a task that could be given higher priority if current caseloads could be distributed across more DDAs.
5. There are opportunities for DDAs themselves to have increased agency in determining different process changes and improvements within their units.
- a. DDAs noted that sometimes they do not have the power to implement process changes they believe would increase their unit's efficiency or effectiveness, and that certain process changes have been implemented in the past without their consultation.
 - b. DDAs understand the day-to-day work and processes within their unit better than anyone else; the office should revisit whether there are opportunities for DDAs to recommend and implement changes in their own unit's processes.