



District Attorney FY 2024 Proposed Budget

Presented to the
Board of County Commissioners

Multnomah County
May 16th, 2023

Located at: www.multco.us/budget

Agenda

- Introduction
- Community Budget Advisory Committee
- Department Budget Overview - Approach & Equity
- Budget Overview by Division
- General Fund Reductions
- New, One-Time-Only, & Backfill General Fund
- Reallocations
- Questions



Community Budget Advisory Committee (CBAC)

Tim Cunningham – Attorney, Davis Wright Tremaine LLP

Wayne Graham – Consultant/Investor, Graham Group

Lily Sobolik – Policy Analyst, OHSU

Babak Zolfaghari-Azar – CHI Family Care Manager, Portland OIC

+ Rosemary Anderson High School



CBAC Budget Feedback

- Third-party staffing adequacy study performed in 2018 and again in 2023, identified under staffing of 35.9% and 24.7%, respectively. As discussed in our letter, we believe the understaffing is more significant than stated in the report.
- MCDA dashboards confirm this: Open cases per prosecutor for felonies has grown from 38 to 101. Open cases per prosecutor for misdemeanors has grown from 525 to 766.
- Crime statistics imply that 1 in 10 residents are a victim of a crime.
- We appreciate that funding has increased, but is still short of what is needed, in our opinion.



CBAC Recommended Program Offers

- We support the MCDA's 2024 budget submission that addresses a historic crime wave.
- We support the recent funding of auto theft and organized retail theft task forces in partnership with the City of Portland enthusiastically - Thank You!
- We do not support any budgetary reductions to the misdemeanor trial and property/drugs/human trafficking units. We support the restoration requests by MCDA.
- We support the Board's desire to see data driven results from the recently enacted pilot Multnomah Attorney Access Program (MAAP).
- We did not spend time on the body worn camera issue, and appreciate the caution in how this is funded.
- We thank the DA and his staff for their data-driven approach, full transparency and are encouraged by the DA's outreach with the communities most impacted by crime.



Budget Approach

- Equity
- Restoring community trust
- Responding to gun violence
- Adequate capacity to respond to caseloads
- Budgeting based on data-driven evidence and measurable outcomes

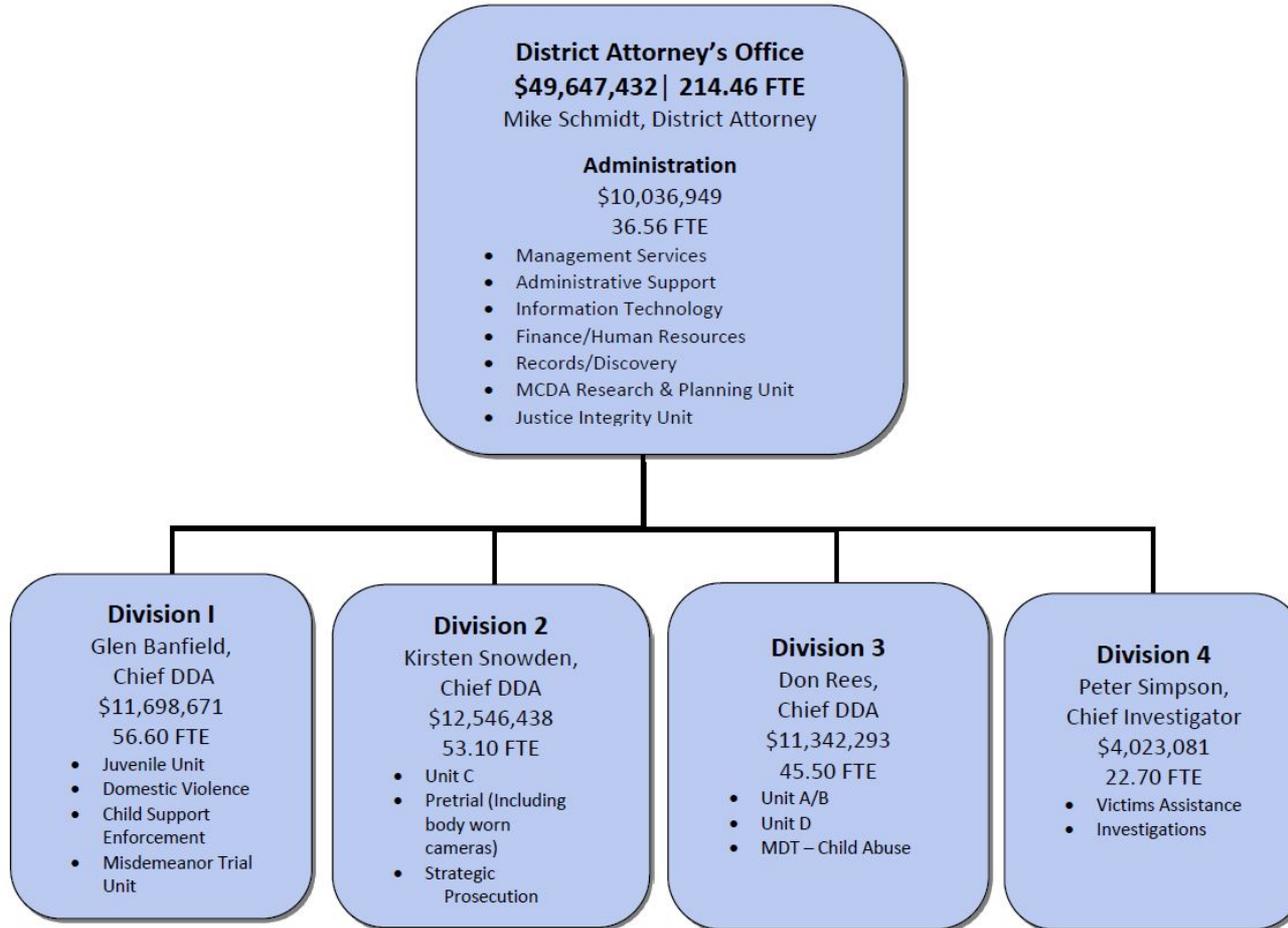


Applying an Equity Lens/Equity Investments

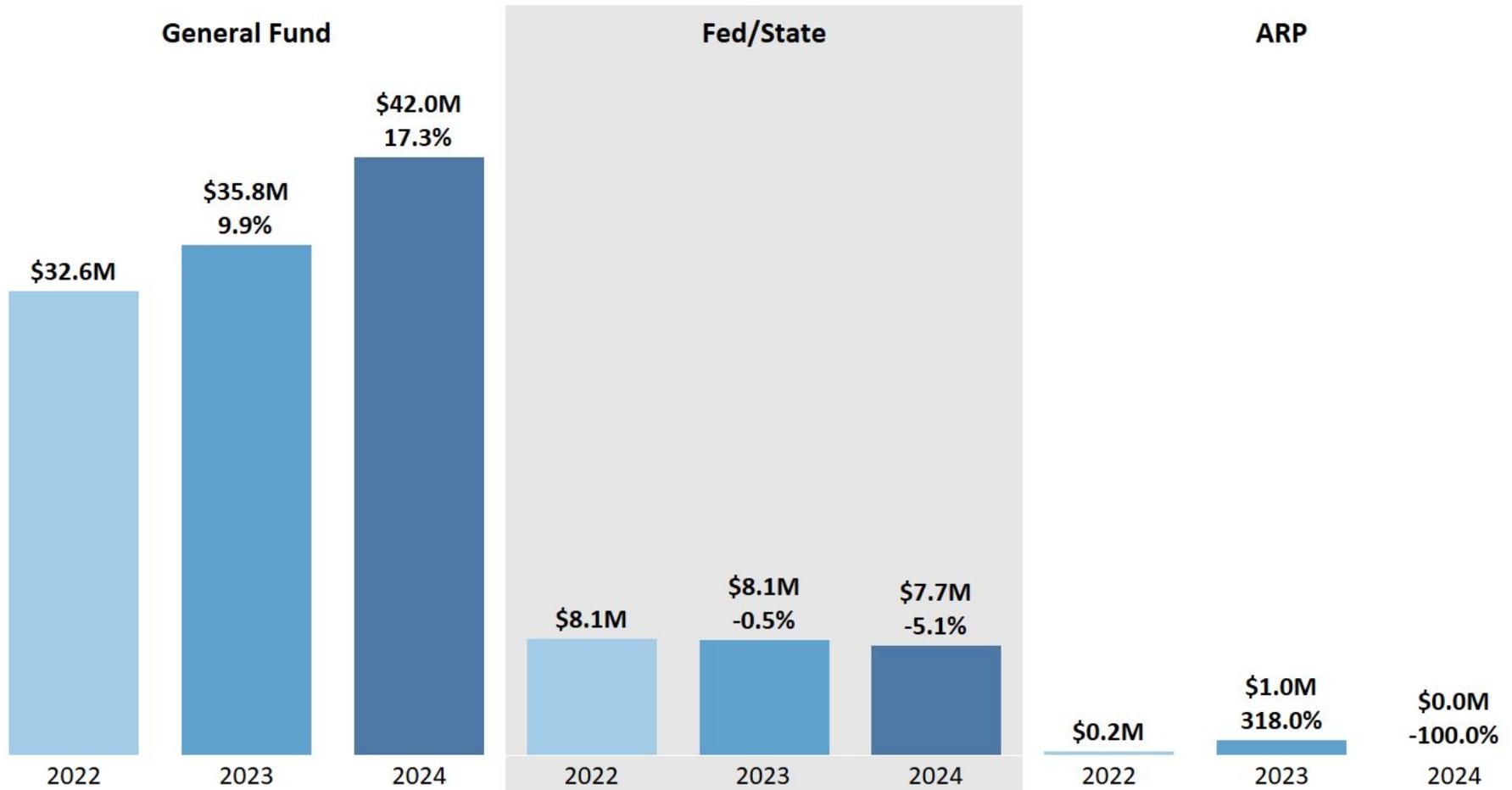
- Equity Manager position added in FY2023. FY24: \$209,154.
 - Facilitated equity trainings for the Executive Team.
 - Launched Coaching Circles for all supervisors.
 - Created DEI Workgroup.
 - Added a racial equity lens to new program offers.
 - Administered an employee equity & wellness survey.
 - Developed a Restorative Practice Protocol.
- Justice Integrity Unit. FY24: \$887,401.
- MCDA Access Attorney Program (MAAP). FY24: \$999,286.
- MAAP - Gresham PD/PPB-Funded FTE. FY24: \$274,000.



Organizational Chart

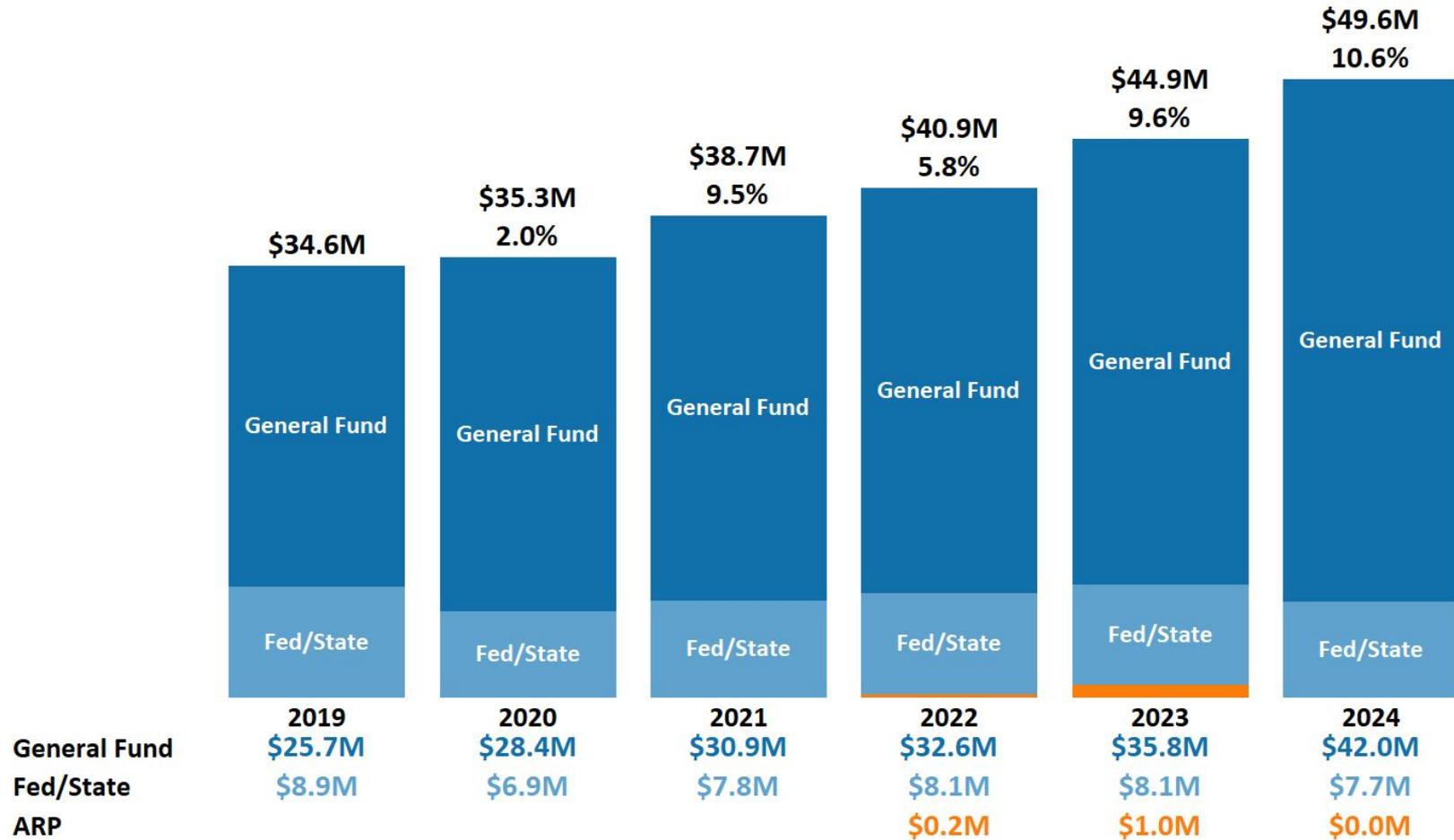


Budget by Fund - FY23 Adopted vs FY24 Proposed



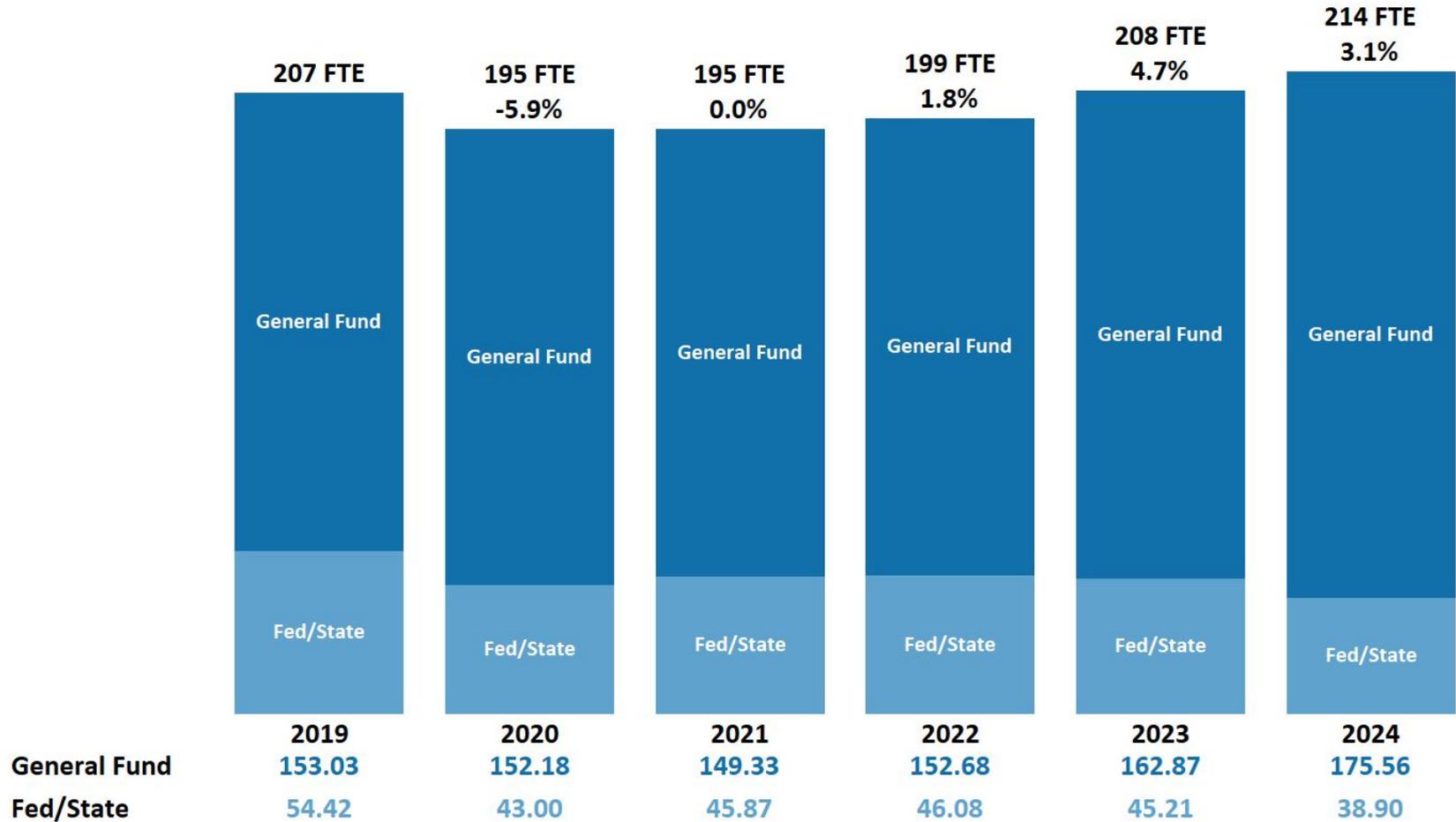
(Excludes \$2,000 in Justice Services Special Ops Fund)

6-Year Trend of Significant Funds



(Excludes \$2,000 in Justice Services Special Ops Fund)

FTE – 6-Year Trend



Budget by Category - \$49,647,432

FY 2024 Proposed Expenditures & Percent of Total



	FY 2019 Adopted	FY 2020 Adopted	FY 2021 Adopted	FY 2022 Adopted	FY 2023 Adopted	FY 2024 Proposed
Personnel	\$28.41M	\$29.06M	\$31.32M	\$33.59M	\$36.99M	\$39.76M
Internal Services	\$3.71M	\$4.10M	\$5.04M	\$5.04M	\$5.51M	\$6.02M
Materials & Supplies	\$0.97M	\$1.00M	\$1.07M	\$1.12M	\$1.22M	\$2.67M
Contractual Services	\$1.52M	\$1.13M	\$1.20M	\$1.15M	\$1.11M	\$1.16M
Capital Outlay	\$0.04M	\$0.05M	\$0.05M	\$0.05M	\$0.05M	\$0.05M
Grand Total	\$34.65M	\$35.34M	\$38.68M	\$40.94M	\$44.88M	\$49.65M





FY 2024 Proposed Budget by Division

Administration

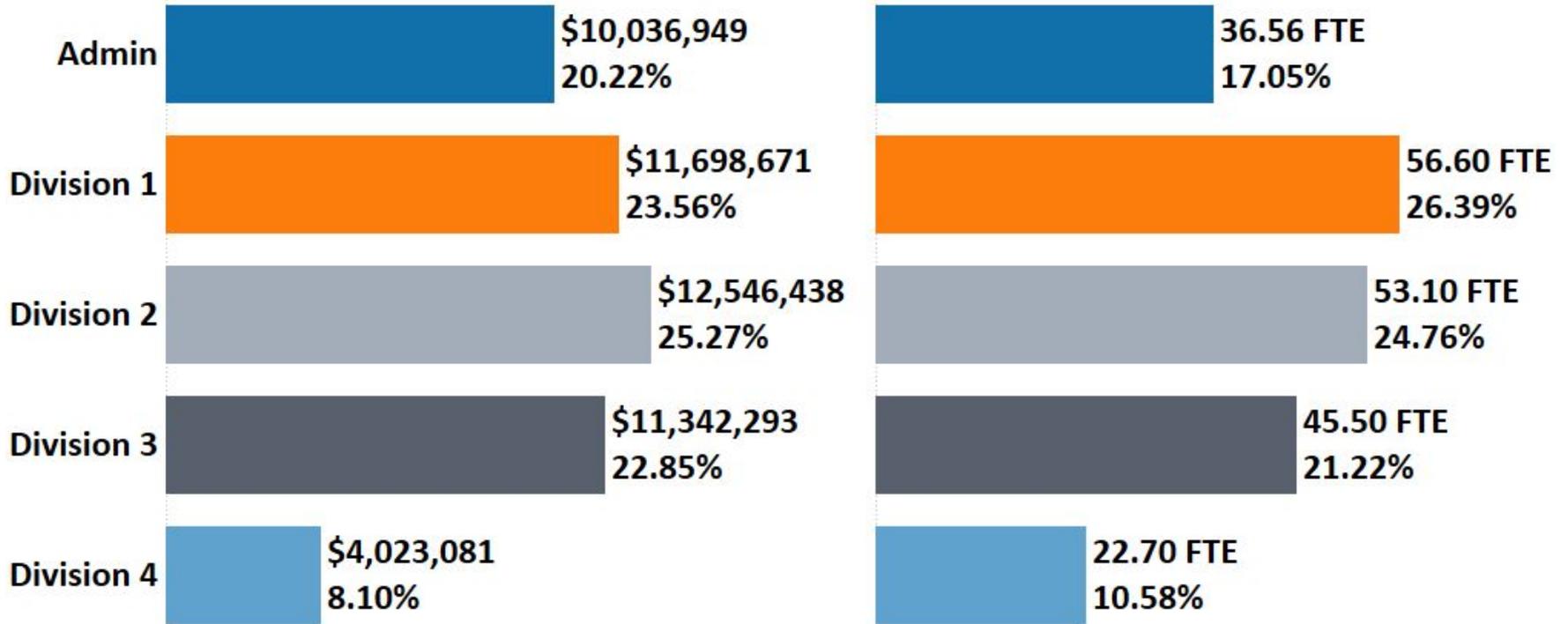
Division 1

Division 2

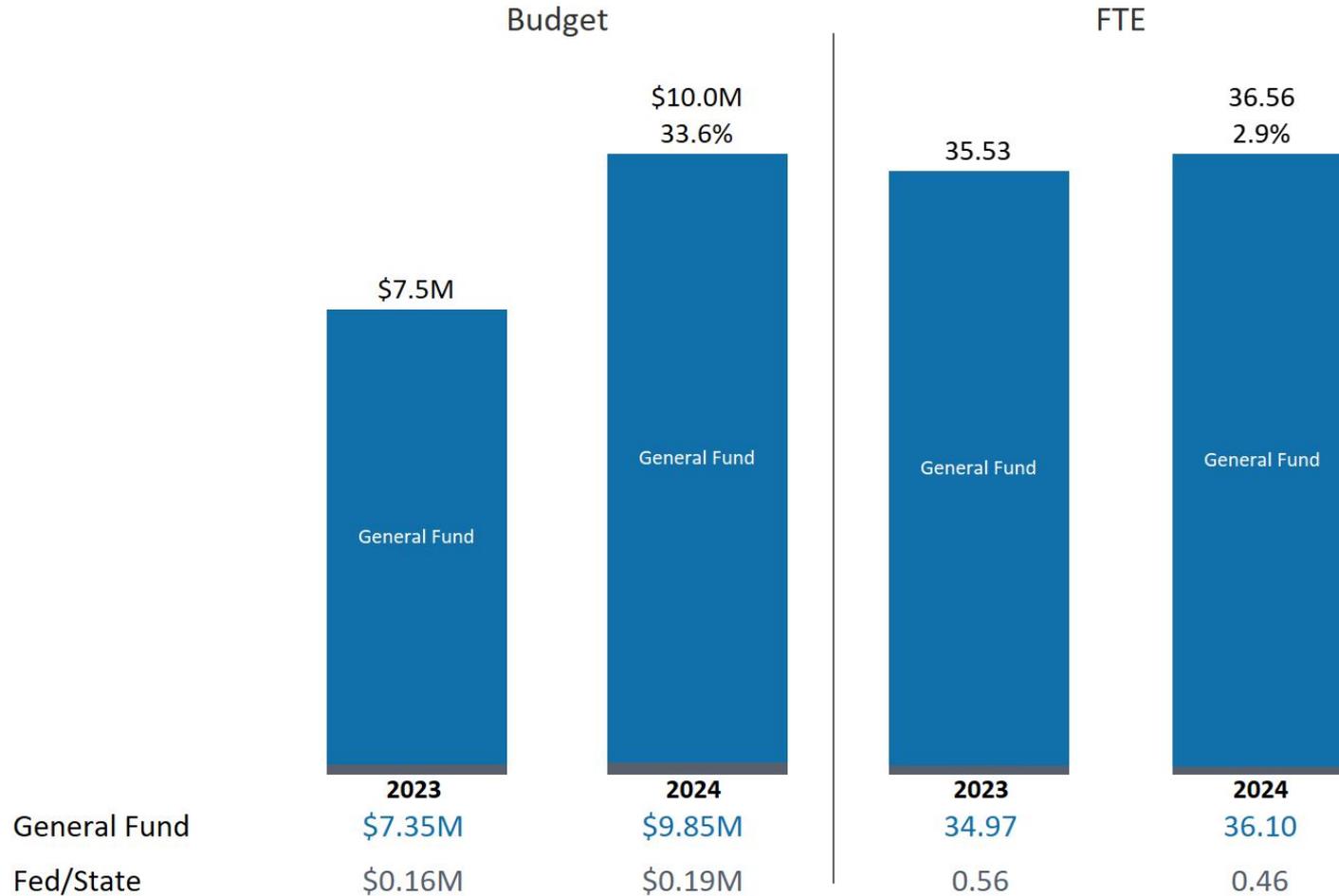
Division 3

Division 4

Budget by Division (\$49,647,432 and 214.46 FTE)



Admin Division



Administration Division: Significant Program Changes

- Staff turnover has caused a larger workload for the Human Resources function and also requires management attention to strategies to attract and retain attorneys and administrative staff. Key executive team positions such as Finance Manager and Communications Director have turned over this fiscal year.
- The addition of an Equity Manager, funded for the first time in FY 2023, is helping MCDA identify where inclusive practices need to be developed.
- MCDA leadership developed a mission and values for the agency and are engaged in strategies to communicate this work throughout the organization.
- **Information Technology - Case Tracking System - OTO (15002B/C) \$1.6M**
The implementation of a new case management system planned for FY 2024.
- **Justice Integrity Unit (15021)**
The expungement workflow has moved from the Pretrial Unit (15204A) to this program.
- **Information Technology (15002A)**
Reallocated 1.0 FTE Systems Administrator from Child Support Enforcement (15104) to this program.

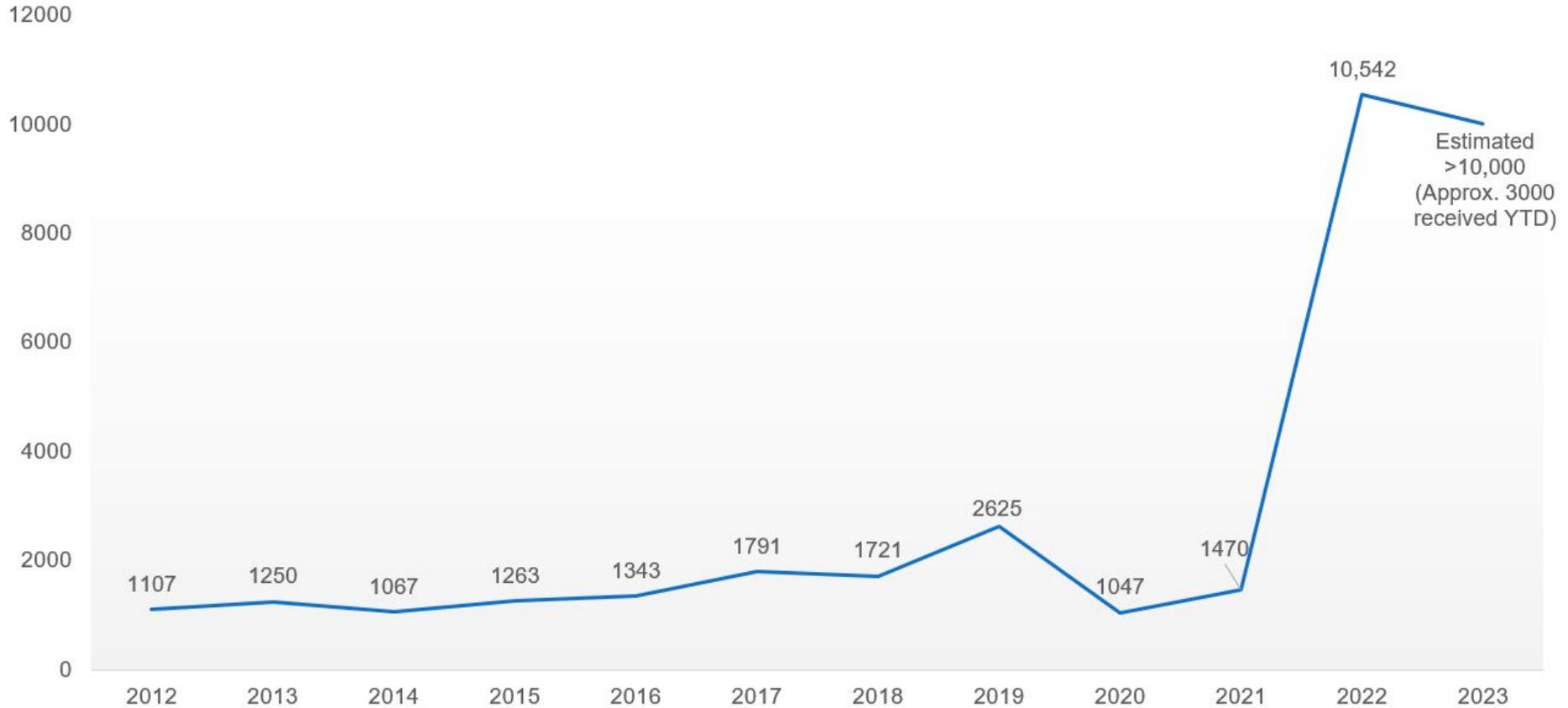


Justice Integrity Unit: Restoring
community trust and advancing justice



Expungements (Motions to Set Aside)

Expungement Motions Received (by calendar year)



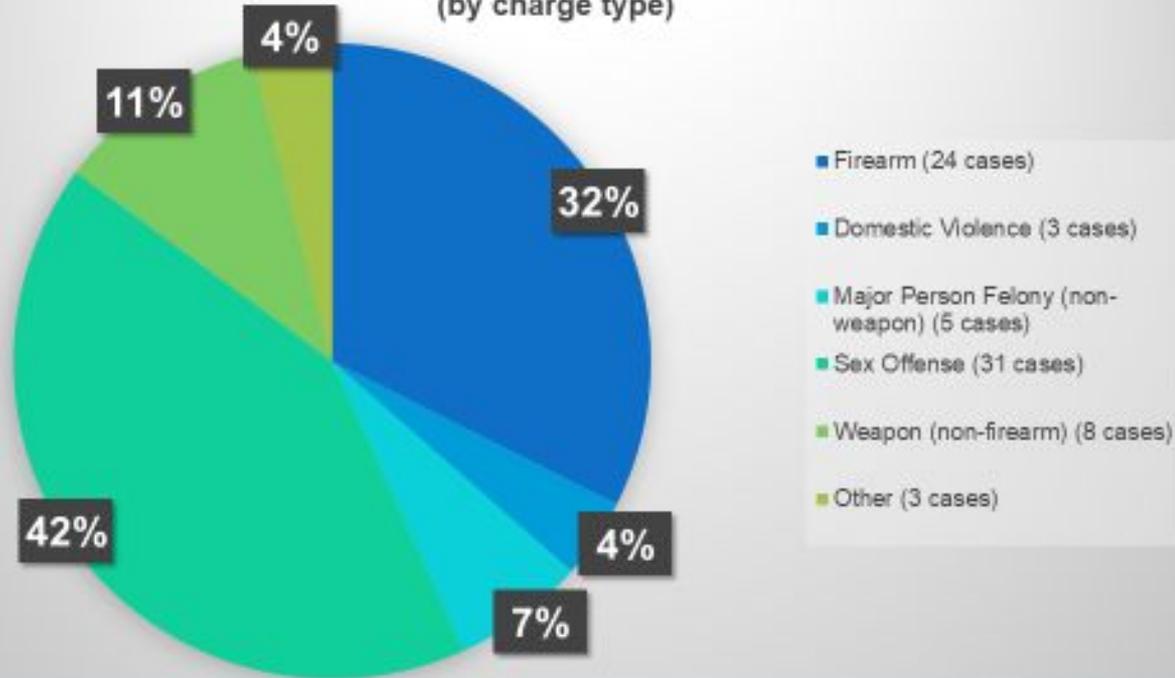
Clemencies

	Applications Reviewed	Unique Cases Reviewed	MCDA Supported	MCDA Opposed
Pardons:	77	130	102	28
Commutations:	59	66	30	36
Remission	1	1	1	0
Total:	137	197	133	64

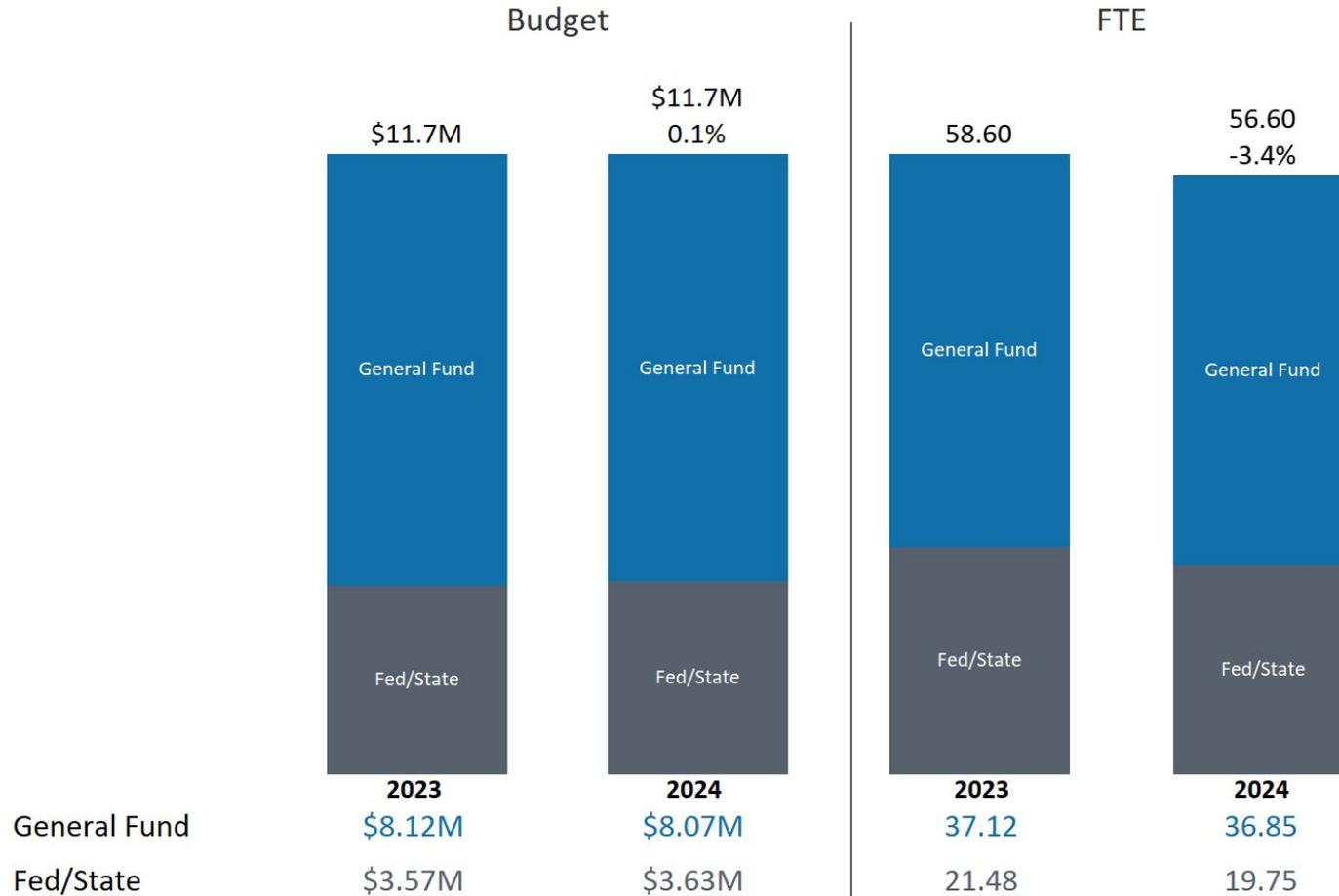


Non-Unanimous Verdict Cases

74 Cases Returned for Retrial Due to Non-Unanimous Jury Verdicts
(by charge type)



Division 1



Division 1: Significant Program Changes

- In 2022, The Multnomah County Support Enforcement Division (SED) Treatment Court began, as the first child support treatment court created in Oregon. A collaboration between the Oregon Judicial Department, the Multnomah County District Attorney's Office, the Department of Community Justice and Multnomah Defenders Inc., the program uses a team approach to meet the needs of participants and focuses on stabilization, accountability, and lasting employment—with the goal of increased and continuous support for their children.
- **Domestic Violence Case Management (15102B) \$195,805 1.00 FTE DDA 2**
Caseloads remain at a historically high level. Previously ARP-funded will be funded with one-time-only General fund
- **Misdemeanor Trial Unit (15105) -\$174,898 -1.00 FTE DDA 1**
Position reduced as part of the General Fund constraint
- **Child Support Enforcement (15104) -\$117,425 -1.00 FTE Support Enforcement Agent**
Federal grant-funding was reduced. This position is vacant and no longer performing programmatic grant work.



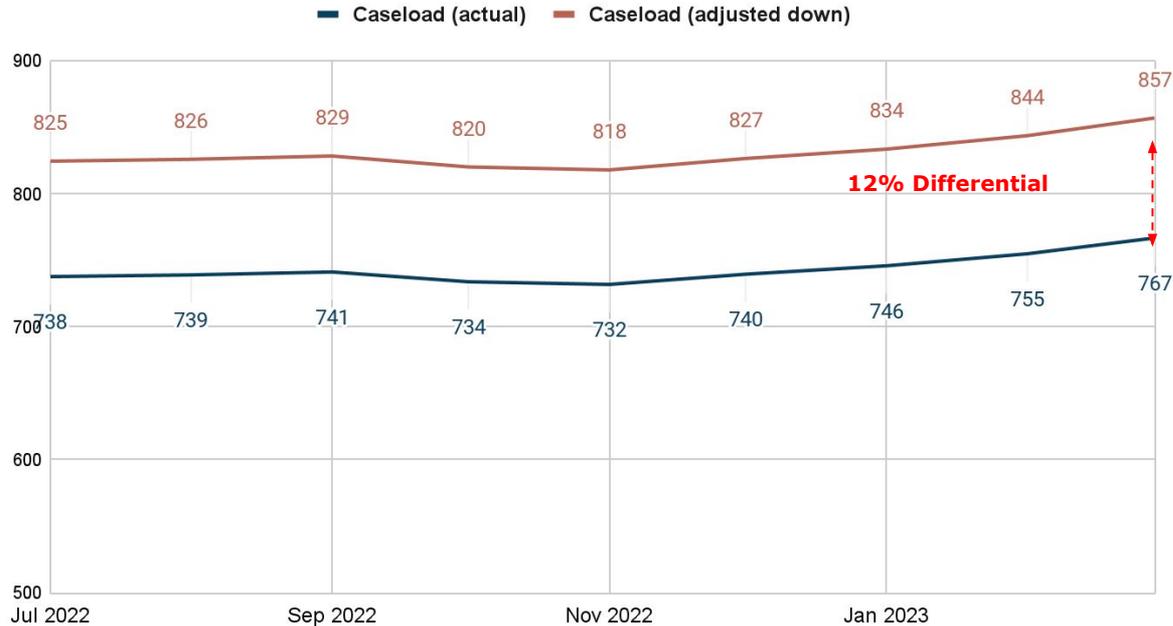
Misdemeanor Caseloads

Number of Open MISD Cases at the End of a Month | FY 2023 to date

MONTH	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	AVERAGE
CASES (#)	7010	7022	7043	6973	6954	7027	7087	7173	7286	7064

Misdemeanor Caseload Sizes | FY 2023 to date

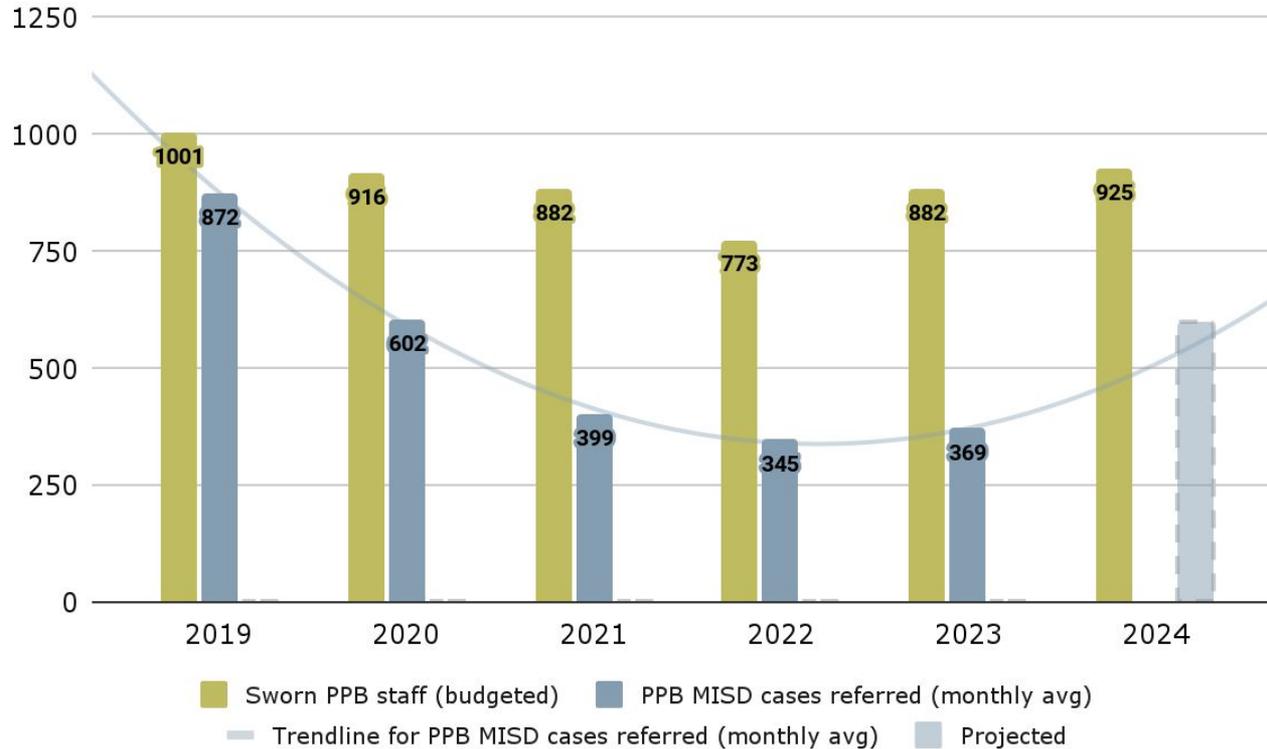
Actual Staff Count vs Reduced Staff Count



Misdemeanor Caseloads

PPB Staffing and Misdemeanor Case Referral Trends

Budgeted Staff Count vs Average Cases Referred to MCDA



Division 2: Significant Program Changes

- **Pretrial Unit (15204) -\$181,346 -1.00 FTE DDA 1**
Position reduced as part of the General Fund constraint
- **Strategic Prosecution Unit (15206A) -\$60,000 -.31 FTE DDA 2**
Federal grant-funding ended in FY 2023
- **Strategic Prosecution Unit (15206A) \$100,000 .56 FTE DDA 1**
Position funded by Federal grant
- **Strategic Prosecution Unit (15206B) \$313,467 1.00 FTE DDA 2**
Position funded by Port of Portland
- **MCDA Access Attorney Program (MAAP) (15207A)**
Reallocated 1.0 FTE DA Investigator position from Investigations Unit (15402) to this program
- **MCDA Access Attorney Program (MAAP) (15207B) \$274,000 1.00 FTE DDA 3**
Position funded by City of Portland and City of Gresham



Gun Violence Prosecution - Annual Trends

All Gun Violence Cases

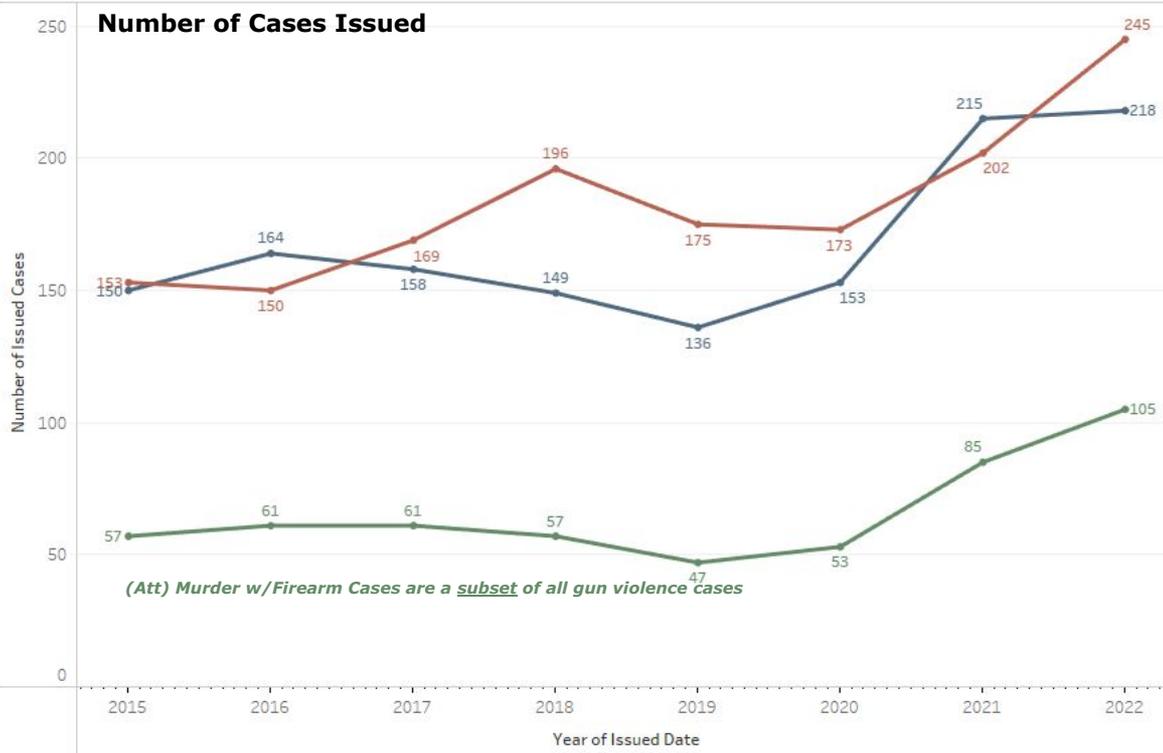
"Gun violence" cases are defined as cases with at least one issued charge (with a firearm-tag) of Assault, Manslaughter, Attempted Murder, Murder, and/or Unlawful Use of a Weapon, and cases with adult defendant(s).

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 tag) 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 **60%** from 2019 to 2022

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

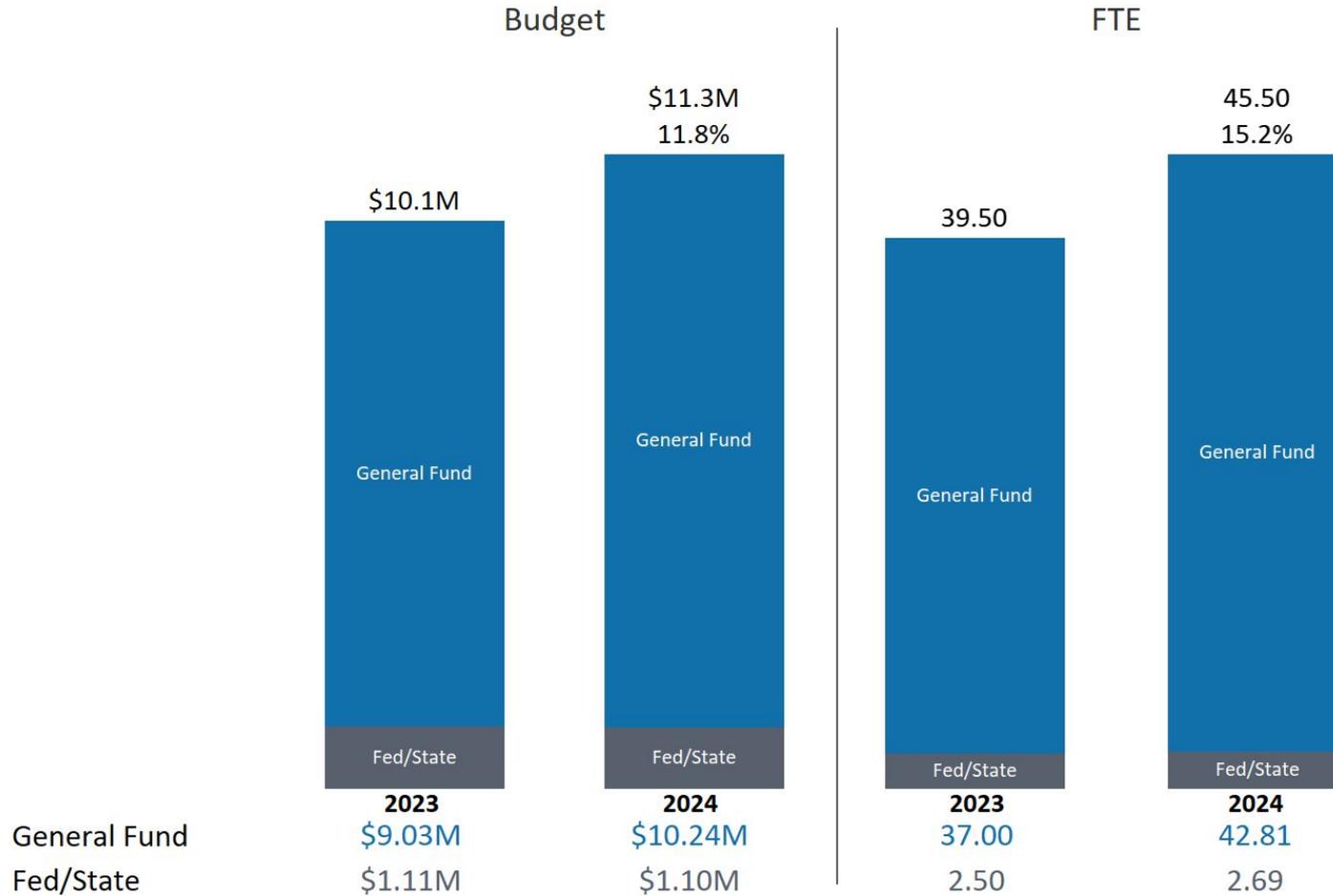
➤ **FPFA** prosecutions increased **40%** from 2019 to 2022

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

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



Division 3



Division 3: Significant Program Changes

- Unit D continues to cope with a large number of homicide cases. There were more homicides in FY 2023 than the prior fiscal year, and these recent years represent a significant increase over historic patterns.
- Detaining defendants pre-trial now frequently requires an evidentiary hearing, adding to the workload necessary to ensure that people who are a danger to the community are held in jail.
- **Gun Violence Case Management (15304B&C) \$746,268 2.00 FTE DDA 3 & 2.00 FTE Investigators**
Previously ARP-funded will be funded with both ongoing and one-time-only General fund
- **Organized Retail Theft Task Force (15301C) \$209,044 1.00 FTE DDA 2**
Position newly funded with General fund
- **Auto Theft Task Force (15301D) \$209,044 1.00 FTE DDA 2**
Position newly funded with General fund



Motor Vehicle Theft

Incidents and Cases Referred, 2019 - 2022

Motor Vehicle Offenses | 2019 - 2022

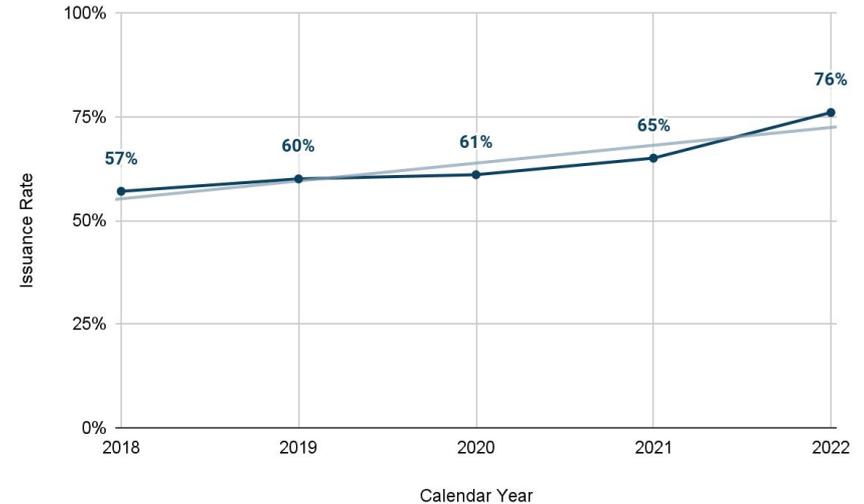
Count of offenses reported to Gresham Police Department, Multnomah County Sheriff's Office, and Portland Police Bureau



Sources: Portland Police Bureau "Monthly Neighborhood Offense Statistics" dashboard; Multnomah County Sheriff's "Office Public Crime" dashboard; City of Gresham

Motor Vehicle Theft Issuance Rate | 2018 - 2022

Possession of Stolen Vehicle & Unauthorized Use of a Vehicle



Source: Multnomah County District Attorney case management system

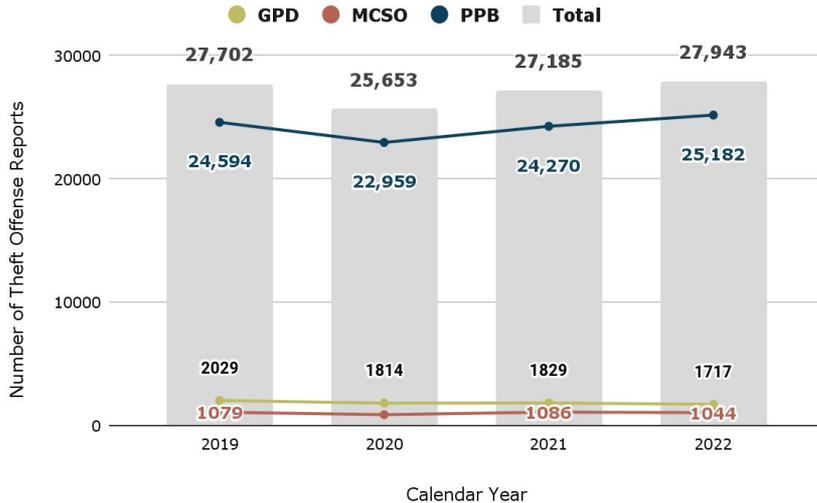


Theft

Incidents and Cases Referred, 2019 - 2022

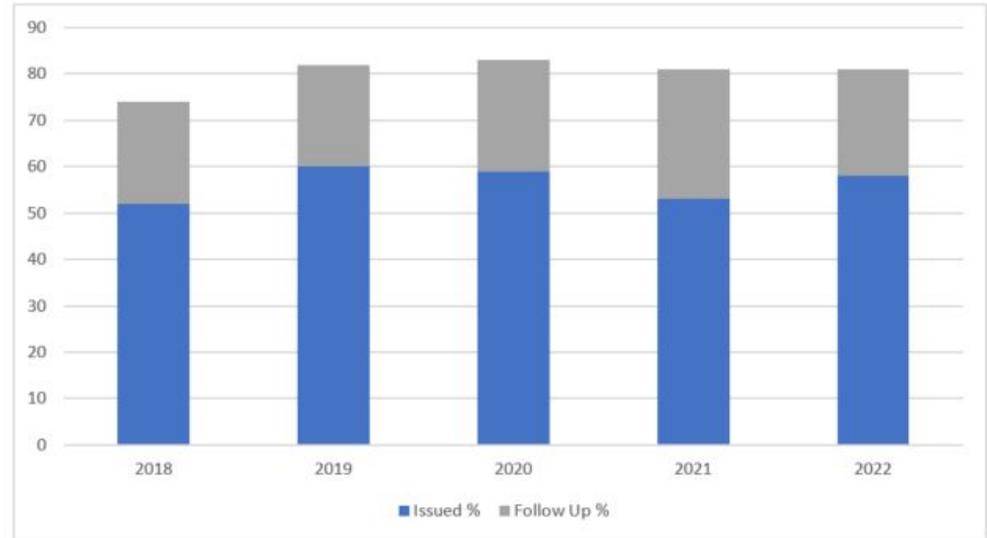
Theft Offenses | 2019 - 2022

Count of offenses reported to Gresham Police Department, Multnomah County Sheriff's Office, and Portland Police Bureau



Sources: Portland Police Bureau "Monthly Neighborhood Offense Statistics" dashboard; Multnomah County Sheriff's "Office Public Crime" dashboard; City of Gresham

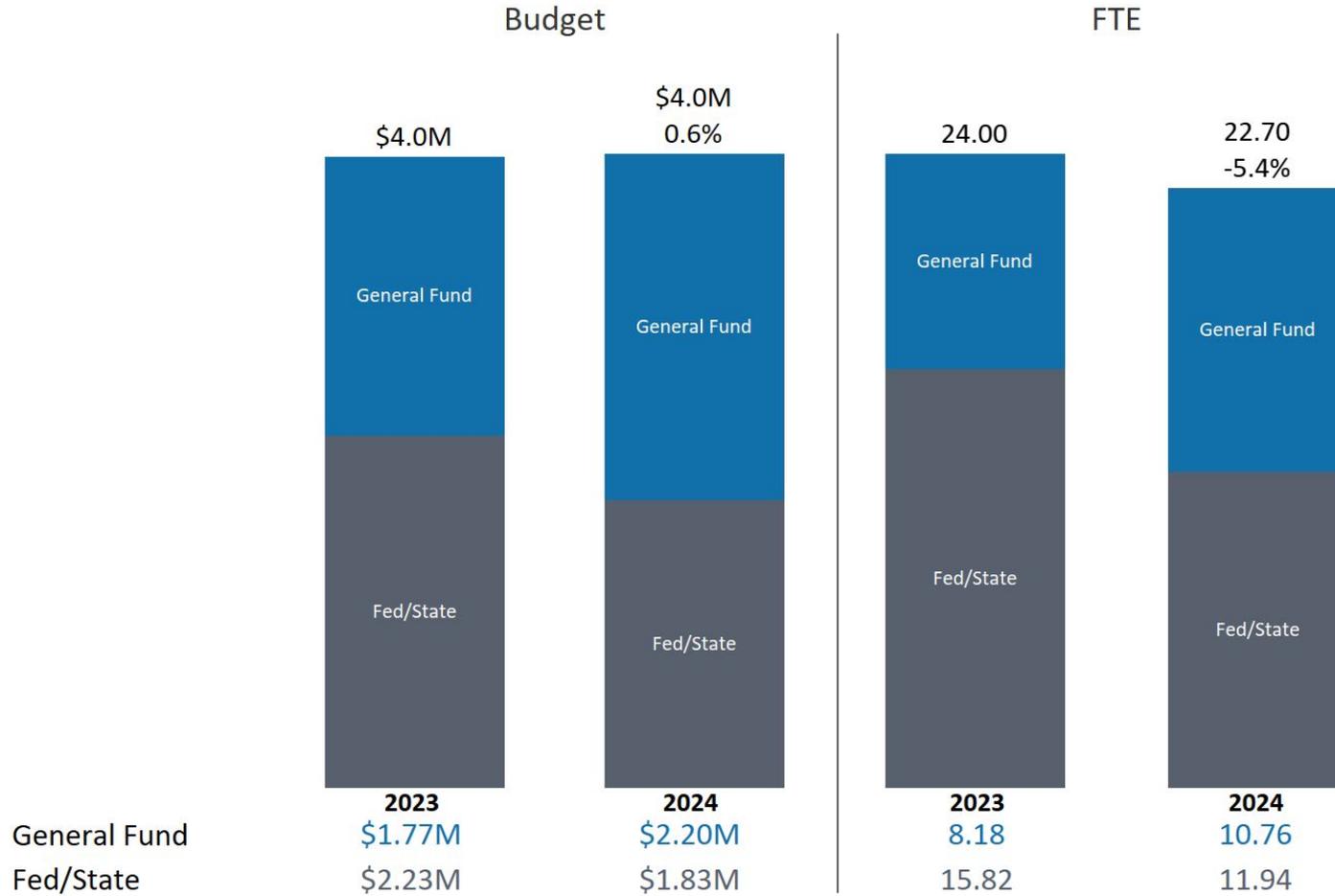
Felony Theft Issuance Rate and Follow-up Potential | 2018 - 2022



Source: Multnomah County District Attorney case management system



Division 4



Division 4: Significant Program Changes

- Both Victims Assistance Program (VAP) and Investigations are impacted by MCDA's historically large caseload. Moreover, as the backlog increases, the amount of time needed to resolve cases, VAP and Investigations must maintain relationships and the whereabouts of key witnesses over a longer period of time. VAP has proposed eliminating assistance to victims of some lower level cases in order preserve quality of service to victims of more serious crimes.



Body Worn Cameras

- Current programs: Gresham PD, Port of Portland PD, & PSU.
- Multnomah County SO, PPB, and OHSU Public Safety all moving to BWC programs.
- Investment from FY23 paid dividends:
 - Two DA Investigators & one Legal Assistant reviewing close to 100% of felony cases issued.
 - Average length of video per case is 2 hours, 47 mins.
 - Additional staffing necessary to maintain current level of review.





FY 2024 Proposed Budget

Summary & Impacts

General Fund Reductions

Program Name/# or Description	FY 2024 General Fund	General Fund FTE
15105B - Misdemeanor Trial Unit - Restoration of DDA 1 Position	(\$174,898)	(1.00)
15204B - Pretrial - Restoration of DDA 1 Position	(\$181,346)	(1.00)
Total	(\$356,244)	(2.00)



New, OTO, Backfill & Restored Offers

Program Number & Name	FY 2024 General Fund	GF Backfill	FY 2024 Other Funds	Total	Restoration	OTO	New
15002B - Info Tech - Case Tracking System - DCA Cash Transfer	\$643,257			\$643,257		X	X
15002C - Info Tech - Case Tracking System - OTO	\$916,251			\$916,251		X	X
15102B - Domestic Violence Case Management - ARP to GF - OTO		\$195,805		\$195,805	X	X	X
15206A - Strategic Prosecution Unit (Hate Crimes Grant)			\$100,828	\$100,828			X
15206B - Strategic Prosecution Unit - Port of Portland Contract Funded FTE	\$313,467*			\$313,467			X
15207B - MCDA Access Attorney Program (MAAP) - Gresham PD & Portland Police Contract Funded FTE	\$274,000*			\$274,000			X

*Expanded service contracts within GF



New, OTO, Backfill & Restored Offers Continued...

Program Number & Name	FY 2024 General Fund	GF Backfill	FY 2024 Other Funds	Total	Restoration	OTO	New
15301B - Unit A/B - Restoration of DDA 2 Position	\$228,586			\$228,586	X		
15301C - Organized Retail Theft Task Force	\$209,044			\$209,044		X	X
15301D - Auto Theft Task Force	\$209,044			\$209,044		X	X
15304B - Gun Violence Case Management - ARP to GF		\$373,134		\$373,134	X		X
15304C - Gun Violence Case Management - ARP to GF - OTO		\$373,134		\$373,134	X	X	X
Total	\$2,793,649	\$942,073	\$100,828	\$3,836,550			



Significant General Fund Reallocations

- Recent staff turnover has resulted in reduced staffing costs as senior staff are replaced by those with less seniority. MCDA is deploying these savings of \$373,413 in two areas:
 - **Agency-wide:** Reallocation of \$200,000 to Internal Services-Records due to a \$232,227 (or 62.2%) increase from the previous year. In FY 2023, MCDA received a one-time reduction, in the amount of \$100,000. In FY 2024, the charge is restored.
 - **PO 15002 - MCDA IT:** Reallocation of \$173,413 to a continue mission-critical IT position, a Systems Administrator, which was previously funded by SED Incentive (Oregon Child Support Program).
- **PO 15402 - Investigations Unit:** To align with County best practices, MCDA is budgeting the revenue and expenses of service contracts, previously from Other Funds, now to the General Fund. In this program offer, Portland Police Bureau contracts for the services of 3.00 MCDA Investigator positions.



Questions

