

District Attorney

Table of Contents

Department Services.....	1
How the Department Delivers Its Services	2
Organization Chart	3
Budget Issues and Highlights	4
Budget for FY 2004.....	6
Office Administration.....	7
Administrative Services.....	8
Management	8
Information Technology Services	8
Medical Examiner	9
Felony Court Division	10
Division of Family and Community Justice.....	11
Juvenile Court Trial Unit.....	13
Domestic Violence Unit	13
Victims' Assistance Program	13
Child Abuse Team.....	13
Child Support Enforcement.....	14
Misdemeanor Trial Unit	14
Community DA Programs.....	14

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District Attorney

Department Services

- *Prosecution of criminal cases*
- *Crime reduction strategies*
- *Protection of children*
- *Enforcement of child support*
- *Victims' assistance*

The District Attorney's Office is required by Oregon State Statute to prosecute crimes that occur within Multnomah County. There are numerous laws and local ordinances that define what constitutes a crime and what the sentences attached to those crimes are. In 2002, the Office reviewed 10,608 felony cases and 19,295 misdemeanor cases, including 3,367 DUII cases.

The District Attorney's Office reviews and prosecutes criminal cases presented by seven police agencies within the County; represents the State in cases of dependency and delinquency; enforces child support orders; and provides services to victims. In addition, we work in partnership with many other organizations to prevent and intervene in domestic violence and child abuse and to eliminate chronic sources of crime.

Meeting Local Needs

Services to maintain effective and community-oriented public safety practices include:

- The Domestic Violence Program
- The Child Abuse Multidisciplinary Team
- Neighborhood Prosecution and Community Courts
- The White Collar Crime Team
- Auto Theft Task Force
- The Youth Gun Anti-Violence Task Force
- The Regional Organized Crime and Narcotics Task Force

Specialized Services

Trial units that focus on specific crimes and support services for victims increase the Office's ability to respond effectively to community safety issues and victims of crime. These include (with statistical information for 2002):

- The Victim's Advocate Program – \$1,670,494.74 awarded in restitution
- The Domestic Violence Unit – 4,307 cases reviewed
- The Property Crime Unit – 2,485 cases reviewed
- The Drug Crime Unit – 3,488 cases reviewed
- Child Support Enforcement – 8,618 cases reviewed and over 29 million dollars collected
- Juvenile Delinquency – 1,709 cases reviewed
- Juvenile Dependency – 905 children requiring the protection of the State
- Termination of Parental Rights – 131 children were freed for adoption
- The Person Crimes Unit – 762 cases reviewed
- The Multidisciplinary Child Abuse Team – 3,861 cases reviewed
- DUII Enforcement – 3,272 cases opened

District Attorney

How the Department Delivers Its Services

Misdemeanor cases are reviewed and, if issued, forwarded for prosecution either to Community Court or to the Misdemeanor Trial Unit (depending on the type of crime or violation). Felony cases are reviewed by the Grand Jury, divided among specialized units, and assigned to attorneys with expertise pertinent to the crime. Homicide cases are assigned to attorneys in several different felony trial units. Juvenile dependency and delinquency cases are reviewed at the juvenile court and handled by attorneys experienced in juvenile matters.

Victim advocates provide victims' services at the main courthouse and the juvenile court. In sexual assault cases, advocates are available around the clock through a cadre of 68 trained volunteers.

The District Attorney's Office provides child support enforcement services for county residents not receiving welfare (the State provides enforcement for families who do receive welfare). Statistical information related to services provided is highlighted in the Department Services section of this document.

Neighborhood prosecutors are strategically located in Gresham, Northeast, Southeast, and downtown Portland. They review and issue misdemeanor cases and also help police, community members, and businesses to identify public safety and quality of life problems and then to develop and implement strategies to mitigate these problems. The Neighborhood DA Unit has been cited by the US Department of Justice as a national model, and its staff members collaborate with the DOJ and other national organizations on training and technical assistance to jurisdictions engaged in similar activities.

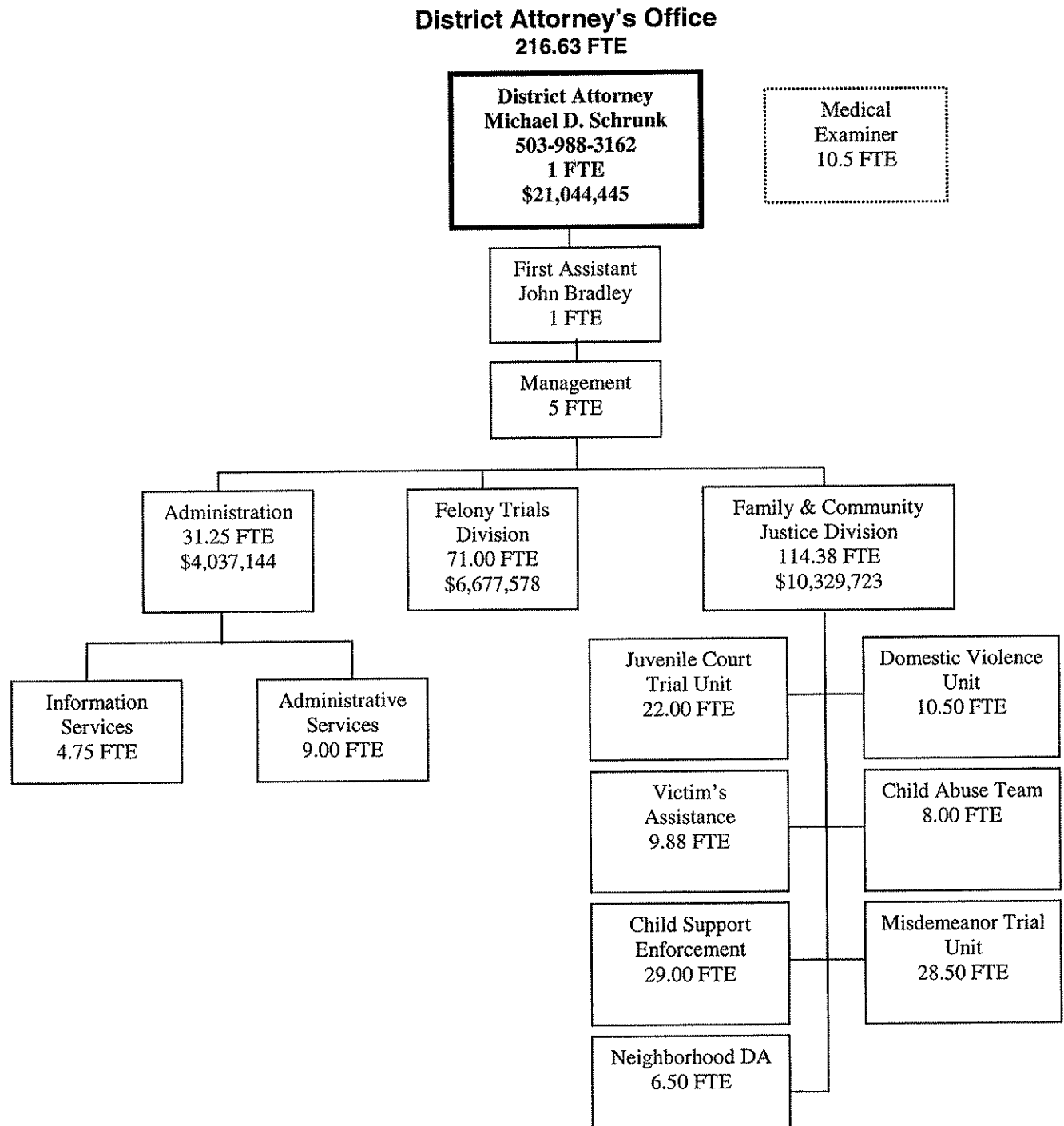
In addition, staff members collaborate with other County departments, law enforcement agencies (local, state, and federal), Courts, local organizations, community groups, and businesses in several areas, including the Regional Organized Crime/Narcotics Task Force, the Child Abuse Multidisciplinary Team, the Family Violence Steering Committee, and the Community Court. They also are called upon by the National Advocacy Center and the National District Attorney's Association to provide training to prosecutors in other jurisdictions.

Community members are a resource for the District Attorney. The Office has a Citizen Budget Advisory Committee, and its dedicated membership has provided valuable ideas over the years. There are also three Community Court Advisory Boards that monitor each of the three Community Courts and advise on policy and operations.

District Attorney

Organization Chart

The District Attorney's Office is divided into three divisions: Administration, Felony Court, and Family & Community Justice. The Medical Examiner's Office is also in the District Attorney's Office.



District Attorney

Budget Issues and Highlights

The DA's Office investigates and prosecutes a wide variety of crimes and violations. Employees (80% of the overall budget) focus on case review, preparation, and disposition.

The Office has had to respond to ever-increasing demand, especially in the areas of support staff and administrative services, without a corresponding increase in funding. In FY 02, it also experienced significant cuts, and tried to achieve management economies by collapsing three trial divisions into two. In addition, administrative and attorney positions were eliminated.

Public Safety

Budget reductions for FY 03 and midyear required the elimination of positions and resources for technical support. However, these impacts have been minimized due to the Chair's commitment to maintaining an intact and reliable public safety system. Based on this commitment, \$6.5 million dollars was reallocated to public safety. Of this \$6.5 million, the District Attorney's Office was appropriated approximately \$595,000 securing 5 FTE.

Personal Income Tax (Measure 26-48)

In May of 2003, Multnomah County voters approved a Temporary County Personal Income Tax to benefit the Public Schools, Public Safety, and Human Services. This income tax levy will raise an estimated \$16 million dollars annually to support public safety. The District Attorney's office will receive an approximately \$2.1 million dollars, to fund prosecution of the most serious and violent person crimes. In addition, the District Attorney's office will be able to continue the following types of programs:

- Juvenile Justice;
- The Auto Theft Task Force;
- The White Collar Crime Unit;
- Misdemeanor Trial Units;
- Community Court; and
- The Medical Examiners Office.

The DA's Office serves as the gatekeeper for the County's criminal justice system. Any changes in policy will affect the other components of the system—the victims of crime and the community.

District Attorney

Grants

The DA's Office actively pursues grants and agency partnerships for innovative new programs. This has enabled it to meet diverse community needs and to find efficiencies in case and court processing without tapping into the General Fund. Due to the current focus on anti-terrorism activities, however, federal funds have been redirected, and the usual resources available through the Office of Justice Programs and the Bureau of Justice Assistance will not be available for the foreseeable future. We expect that some grants (VAWA, JAIBG, LLEBG, Byrne Elder Abuse Prevention Project) will continue but have as yet no official verification. Some funds from Operation Weed and Seed may be available to support one legal assistant position. However, 2.87 positions are scheduled to end by June 30, 2003, due to grant expirations; another 6.5 positions supported by other funding sources are also set to expire. The Office is dedicated to bringing in outside funding sources whenever possible, and will continue to cultivate resources and partnerships for innovative strategies that have proven effective.

District Attorney

Budget for FY 2004

The budget for FY 04 is approximately \$21.0 million and includes 216.63 FTE. The portion of the budget supported by the General Fund is \$16.1 million including \$2.1 in Temporary Personal Income Tax funding. Grants and other dedicated revenues account for slightly more than \$4.8 million. The budget has increased by 9% and the number of positions has decreased from 224.07 to 216.63 FTE, a 3% reduction.

<u>Budget Trends</u>	2001-02	2002-03	2002-03	2003-04	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Staffing FTE	211.17	213.07	224.07	216.63	(7.44)
Personal Services	\$15,153,906	\$15,271,776	\$15,610,382	\$16,958,178	\$1,347,796
Contractual Services	1,064,219	1,455,472	1,616,467	2,180,533	564,066
Materials & Supplies	2,715,183	3,004,575	2,974,023	1,885,734	(1,088,289)
Capital Outlay	<u>2,995</u>	<u>5,000</u>	<u>9,550</u>	<u>20,000</u>	<u>10,450</u>
Total Costs	\$18,936,303	\$19,736,823	\$20,210,423	\$21,044,445	\$834,023

<u>Costs by Division</u>	2001-02	2002-03	2002-03	2003-04	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Administration	\$3,224,497	\$3,713,712	\$3,804,732	\$4,037,144	\$232,413
Felony Court	6,060,317	6,166,743	6,292,596	6,677,578	384,982
Family Justice	<u>9,651,489</u>	<u>9,856,368</u>	<u>10,113,095</u>	<u>10,329,723</u>	<u>216,628</u>
Total Costs	\$18,936,303	\$19,736,823	\$20,210,423	\$21,044,445	\$834,023

<u>Staffing by Division</u>	2001-02	2002-03	2002-03	2003-04	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Administration	26.25	30.00	31.00	31.25	0.25
Felony Court	69.91	65.70	72.70	71.00	(1.70)
Family Justice	<u>115.01</u>	<u>117.37</u>	<u>120.37</u>	<u>114.38</u>	<u>(5.99)</u>
Total Staffing FTE's	211.17	213.07	224.07	216.63	(7.44)

<u>Resources by Division</u>	<u>Fees, Permits</u>			<u>Other/</u>	
	<u>General Fund</u>	<u>& Charges</u>	<u>Federal</u>	<u>State & Local</u>	<u>Miscellaneous</u>
Administration	\$3,794,350	\$31,000	\$68,045	\$0	\$143,750
Felony Court	5,993,367	355,467	328,741	0	0
Family Justice	<u>6,380,472</u>	<u>0</u>	<u>1,963,954</u>	<u>1,985,299</u>	<u>0</u>
Total Resources	\$16,168,189	\$386,467	\$2,360,740	\$1,985,299	\$143,750

Office Administration

The Office of the District Attorney sets policy and provides leadership, coordination, resource allocation, and direction for all of the office's divisions, other law enforcement agencies, and private organizations. The division includes Administrative Services, Human Resources, Information Technology, Finance, and the Medical Examiner's Office.

Action Plans:

- Complete migration from the mainframe and replacement of the adult case tracking system (DACTS) by October 2003.
- Complete remodeling of the Records area in an efficient and fiscally prudent manner, with minimal impact to staff and services by December 2003.
- Serve as fiscal agent for the new federal program, Safe Neighborhood Initiative from July 2003 to June 2004.
- Maintain Information Technology resources in order to support continued program development.
- Continue to seek outside funding opportunities by pursuing available federal, state, and local funding sources.

Significant Budget Changes:

- District Attorney Case Tracking System (DACTS) replacement project: 4.00 FTE reduced to 1 FTE. 1.5 FTE transferred to Information Technology Unit for a net reduction 1.5 FTE.
- Supplies budget reduced (\$5,000)
- Data Processing costs reduced (\$308,348) due to mainframe migration.
- Fed/State revenue increase of \$68,044, supporting a Finance Specialist 2 (position to be moved from the General Fund).
- Telephone costs reduced (\$30,000)
- Increase Beginning Working Capital \$138,750 to complete Records area remodel.

Personal Income Tax-Related Significant Budget Changes:

- Medical Examiner 1 FTE for \$84,422
- Witness Fees \$64,000
- Deputy District Attorney Salary Support \$174,000

Dept Administration					
Budget Trends					
	2001-02	2002-03	2002-03	2003-04	
	<u>Actual</u>	<u>Current</u>	<u>Adopted</u>	<u>Adopted</u>	<u>Difference</u>
Staffing FTE	26.25	30.00	31.00	31.25	0.25
Personal Services	\$1,781,304	\$1,807,742	\$1,831,666	\$2,247,659	\$415,993
Contractual Services	114,600	147,000	275,185	1,047,083	771,898
Materials & Supplies	1,328,593	1,753,970	1,692,331	722,402	(969,929)
Capital Outlay	0	5,000	5,550	20,000	14,450
Total Costs	\$3,224,497	\$3,713,712	\$3,804,732	\$4,037,144	\$232,413

Administrative Services

Administrative Services provides office management, as well as finance, information services, and human resource management. It ensures that the following functions are efficiently performed within the parameters of office policy, County Administrative Rules, and state and federal requirements:

- Witness travel billings and arrangements;
- Main office reception services;
- Information systems (LAN and case tracking system);
- Labor contract administration, personnel administration;
- Secretarial services to management;
- Accounts payable, purchasing, etc.;
- Budget preparation and financial administration; and
- Grants administration.

FY 2003: 11.00 FTE FY 2004: 9.00 FTE

Management

For FY 04 management was separated from administrative services in order to highlight its functions. Management provides leadership, policy direction and development, operations oversight, long-range planning, and internal labor relations. In addition, managers work with other departments and state and federal agencies on committees and initiatives relating to the criminal justice system and other governmental endeavors. The FTE count includes the DA and First Assistant.

FY 2003: 7.00 FTE FY 2004: 7.00 FTE

Information Technology Services

The IT unit purchases, installs, and maintains all hardware and software for the District Attorney's Office. It supports all servers and desktop and laptop personal computers. It also maintains a help line for all DA users and is responsible for the collection and preparation of statistical data reports. In the past IT has been combined with administrative services.

FY 2003: 3.00 FTE FY 2004: 4.75 FTE

Medical Examiner

The ME's Office determines cause of death for residents who die in special circumstances, such as accidents, violence, drug involvement, and employment. Approximately 3,800 of the County's 7,000 yearly deaths fall into this category. The office is responsible for establishing cause and manner of death, notifying the next-of-kin, and protecting the property of the deceased until a personal representative takes charge. Local discretion is limited by the mandates and State Medical Examiner supervision authority arising from ORS 146. The DA's Office provides assistance when necessary.

FY 2003: 10.00 FTE FY 2004: 10.50 FTE

<u>Costs by Program</u>	<u>2001-02 Actual</u>	<u>2002-03 Adopted Budget</u>	<u>2003-04 Adopted Budget</u>	<u>Difference</u>
Administrative Services	\$1,452,188	\$1,144,161	\$1,560,208	\$416,047
Management	30,128	751,086	631,408	(119,678)
Information Technology	959,150	1,087,669	927,159	(160,510)
Medical Examiner	<u>783,031</u>	<u>821,814</u>	<u>918,369</u>	<u>96,555</u>
Total Costs	\$3,224,497	\$3,804,732	\$4,037,144	\$232,413

Felony Court Division

The Felony Court Division prosecutes felonies in County Courts. This entails reviewing, investigating, and trying felony cases brought to the District Attorney by local law enforcement agencies and the public.

The Felony Court Division includes Felony Trial Units and Investigations.

Felony Trial Units: Felony trial units review, issue, and prosecute felony charges involving property offenses, drug and vice cases, burglary and robbery cases, negligent homicides, rape and sexual assault cases, homicides, crimes involving gang members, and cases involving the death penalty. A separate division, the Family Justice Division, handles felonies that deal with domestic violence and child abuse cases.

Investigations: In partnership with the County Sheriff's Office and the Portland Police, the DA's Office pursues investigations of felony, juvenile, and family crimes.

Action Plans:

- Monitor revenue and prosecution of criminal forfeiture cases monthly.
- Adjust to and implement policy changes based on future, as yet defined, state reductions.
- Adjust to potential reduction of state court operations.

Significant Budget Changes:

- Fines and Forfeitures revenue from Criminal Forfeiture: \$150,000
- Fines and Forfeitures Beginning Working Capital revenue decrease: (\$205,000)
- Forfeitures staffing changes, loss of 2.5 FTE, (\$178,500) in the Federal/State fund.

Personal Income Tax-Related Significant Budget Changes:

- Auto Theft Task Force Unit 1 Deputy District Attorney 2, \$101,900
- Drug Unit B 5 Deputy District Attorney 2's and 1 Office Assistant, \$484,560
- White Collar Crime Unit 1 Deputy District Attorney 3, \$129,102
- Felony Unit D 1 Deputy District Attorney 3, \$129,102
- Pretrial Unit 0.5 Deputy District Attorney 3, \$64,550

Felony Court Budget Trends					
	2001-02 Actual	2002-03 Current Estimate	2002-03 Adopted Budget	2003-04 Adopted Budget	Difference
Staffing FTE	69.91	65.70	72.70	71.00	(1.70)
Personal Services	\$5,705,909	\$5,838,055	\$5,957,199	\$6,362,307	\$405,108
Contractual Services	142,791	141,477	144,364	147,973	3,609
Materials & Supplies	211,617	187,211	191,032	167,298	(23,734)
Capital Outlay	0	0	0	0	0
Total Costs	\$6,060,317	\$6,166,743	\$6,292,596	\$6,677,578	\$384,982

Division of Family and Community Justice

The Family and Community Justice Division combines the former Misdemeanor Court and Family Justice Divisions to provide misdemeanor prosecution, community-based prosecution, and strengthened services for domestic violence, child abuse, and child support enforcement.

The Division of Family and Community Justice includes prosecution of Misdemeanors, Juvenile, Domestic Violence, Child Abuse, Child Support and provides Victim's Assistance.

Misdemeanor Prosecution includes the Community Courts, which prosecute community-related, non-violent, and quality of life crimes; the Misdemeanor Court, which prosecutes misdemeanor crimes, traffic crimes, and city ordinance violations; and the Neighborhood DA. The **Juvenile Section** prosecutes juveniles who have committed crimes ranging from misdemeanors to homicides; intervenes to protect the wellbeing of abused or neglected children; and frees children for adoption. The **Domestic Violence Unit** prosecutes domestic violence cases including misdemeanors, felonies, homicides, and violations of restraining orders. **Victims' Assistance** offers crisis intervention, counseling, and information and referral; helps victims obtain restitution; and keeps victims and families advised of the progress of their cases, assisting victims through case disposition. The **Child Abuse Team** processes criminal cases of child abuse. **Child Support Enforcement** establishes and enforces child support orders for non-welfare recipients.

Action Plans:

- Reassess services in the Neighborhood DA program in light of the proposed budget cuts and proposed levy funding.
- Restructure processing of misdemeanor cases due to state, indigent defense, and county cuts depending on state funding levels.
- Restructure Community Court for consolidation if necessary.
- Reassess structure of Victims Assistance unit as a result of loss of 2 Victim Advocate positions due to reductions in state funding.

Significant Budget Changes:

- Reduction of 2 Victim Advocate positions: (\$117,200)
- Reduction of Violence Against Women Funding (PPB) 1 FTE: (\$20,000)
- Decrease in Victims Assistance funding 25%, approximately (\$95,000)
- Decrease in CAMI revenue 25%: (\$200,000)
- Increase in Weed & Seed funds for Community Court positions \$57,110, 1 FTE.

Personal Income Tax-Related Significant Budget Changes:

- Misdemeanor Trial Unit 5 Deputy District Attorney 2's and 1 Office Assistant, \$435,986
- Juvenile Unit 1 Deputy District Attorney 2 and 1 Office Assistant, \$132,123
- 1 Victim's Advocate, \$73,387
- 1 Support Enforcement Deputy District Attorney 3, \$39,386
- Community Courts \$200,000

Family Justice Budget Trends					
	2001-02 Actual	2002-03 Current Estimate	2002-03 Adopted Budget	2003-04 Adopted Budget	Difference
Staffing FTE	115.01	117.37	120.37	114.38	(5.99)
Personal Services	\$7,666,693	\$7,625,979	\$7,821,517	\$8,348,212	\$526,695
Contractual Services	806,828	1,166,995	1,196,918	985,477	(211,441)
Materials & Supplies	1,174,973	1,063,394	1,090,660	996,034	(94,626)
Capital Outlay	<u>2,995</u>	<u>0</u>	<u>4,000</u>	<u>0</u>	<u>(4,000)</u>
Total Costs	\$9,651,489	\$9,856,368	\$10,113,095	\$10,329,723	\$216,628

**Juvenile Court
Trial Unit**

This unit has three primary functions: the delinquency section prosecutes juveniles who have committed criminal offenses (non-Ballot Measure 11); the dependency functions work closely with the State Office for Services to Children and Families to intervene on a child's behalf in cases of abuse or neglect; and the Termination of Parental Rights staff works to free children for adoption. Services provided to law enforcement and juvenile courts include petitioning for a criminal complaint to be filed, meeting with victims and witnesses, and coordinating with juvenile court counselors.

FY 2003: 20.62 FTE FY 2004: 22.00 FTE

**Domestic
Violence Unit**

This unit screens all domestic violence cases, both misdemeanors and felonies, and aggressively prosecutes those cases. It monitors a six month deferred prosecution program, provides outreach to under-served populations, and provides victims with access to support services. The deferred prosecution program includes close monitoring by probation officers and a specific treatment plan for the identified source of problems. Support includes specialized services; personal contact by a victim advocate; information resources for social services; referral; and support.

FY 2003: 9.50 FTE FY 2004: 10.50 FTE

**Victims'
Assistance
Program**

This program provides legal information and support for those who have been victimized in a criminal act. The unit is responsible for insuring that victims are provided a notice of rights and remedies available to them in terms of compensation and restitution. Victim advocates and support staff provide short-term crisis-management counseling, court orientation, advocacy representation, and information and referral services.

FY 2003: 12.75 FTE FY 2004: 9.88 FTE

**Child Abuse
Team**

Also referred to as the Multi-Disciplinary Team (MDT), this unit reviews and processes criminal cases involving child abuse. Through the use of an integrated team of prosecutors, child specialists, and police investigators, the team jointly reviews and investigates cases referred from mandatory reporters and others, coordinates the investigation among team members and decides how to proceed with the case. Agencies represented on the team take responsibility for appropriate action.

FY 2003: 7.00 FTE FY 2004: 8.00 FTE

**Child Support
Enforcement**

Child Support Enforcement helps families needing legal assistance in order to receive child support from a non-custodial parent. The unit uses both administrative and judicial processes to enforce child support court orders for individuals not receiving Aid to Families with Dependent Children Assistance. Activities include intake, arrearage calculation, wage assignment, determination of delinquency amounts, out-of-state order enforcement, and processing of contempt proceedings.

FY 2003: 29.00 FTE

FY 2004: 29.00 FTE

**Misdemeanor
Trial Unit**

This unit reviews cases and prosecutes offenders who have been arrested by local law enforcement agencies on city ordinance violations and misdemeanor charges such as: prostitution; misdemeanor thefts; misdemeanor assaults; Animal Control cases; driving under the influence of intoxicants; criminal trespass; and hit and run and other traffic crimes. It provides the following to law enforcement agencies and the public:

- Review of police reports to determine appropriateness for issuance.
- Meetings with the victims and witnesses involved in misdemeanor crimes.
- Appearances in court for arraignments, pretrial motions, and trials.

FY 2003: 31.00 FTE

FY 2004: 28.50 FTE

**Community
DA Programs**

This program uses the rule of law to solve local crime problems. Results have shown that by collaborating with justice system and community partners, crime problems can be reduced and/or eliminated. This program has two components:

The **Neighborhood DA program** is a nationally recognized program that places prosecutors in various locations to work with community groups, business associations and local law enforcement officers to combat quality of life crimes at the source. They are located in the following areas: the Lloyd District; North Portland; Northeast Portland; the Central Portland Business District; the Westside (cut proposed); Gresham; Tri Met; and the East Side (inner and outer SE Portland). Methods utilized include elimination of illegal camping, neighborhood clean ups of public areas and sites where illegal activities are occurring, coordination between private security and police to reduce car prowls, agreements to pool resources and identify individual responsibilities to maintain long-term solutions to crime, and closing of drug houses.

The **Community Court Project** is composed of the NE, SE, and Westside Community Courts. This is a joint project of the DA, the Public Defender, the County Sheriff's Office, State Indigent Defense Services, Citizen Advisory Committees, Adult Community Justice, and the Multnomah County Courts.

FY 2003: 10.50 FTE

FY 2004: 6.50 FTE

<u>Costs by Program</u>	2001-02	2002-03	2003-04	
	<u>Actual</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Juvenile Court Trial Unit	\$1,981,961	\$1,978,688	\$2,103,735	\$125,047
Domestic Violence Unit	759,333	712,985	892,846	179,861
Victim's Assistance Program	686,843	903,848	739,865	(163,983)
Child Abuse Team	1,395,016	1,820,681	1,534,110	(286,571)
Child Support Enforcement	2,087,529	2,240,062	2,346,400	106,338
Misdemeanor Trial Unit	1,600,945	1,823,934	1,882,155	58,221
Neighborhood DA Programs	<u>1,139,862</u>	<u>632,898</u>	<u>830,612</u>	<u>197,714</u>
Total Costs	\$9,651,489	\$10,113,095	\$10,329,723	\$216,628