

District Attorney

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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 various laws and local ordinances that define what constitutes a crime and what the sentences attached to those crimes are. In 2001, the Office reviewed 11,799 felony cases and 18,991 misdemeanor cases, including 3,469 DUII cases.

The District Attorney's Office reviews and prosecutes criminal cases presented by seven police agencies within Multnomah 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
- The Youth Gun Anti-Violence Task Force
- The Auto Theft 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 2001):

- The Victim Advocate Program – \$1,638,524 awarded in restitution
- The Domestic Violence Unit – 4,474 cases reviewed
- The Property Crime Units – 2,613 cases reviewed
- The Drug Crime Unit – 4,118 cases reviewed
- Child Support Enforcement – 8,472 cases reviewed and over 29 million dollars collected
- Juvenile Delinquency – 1,837 cases reviewed
- Juvenile Dependency – 828 children requiring the protection of the State
- Termination of Parental Rights – 163 children were freed for adoption
- The Person Crimes Unit – 726 cases reviewed
- The Multidisciplinary Child Abuse Team – 365 cases reviewed
- DUII Enforcement – 3,469 cases reviewed

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.

Victims' services are provided at the main courthouse and the juvenile court by victim advocates. In sexual assault cases, advocates are available around the clock through a cadre of trained volunteers.

The District Attorney's Office provides child support enforcement services for non-welfare county residents. The State provides enforcement for families who receive public welfare. Statistical information related to services provided is highlighted in the Department Services section of this document.

Neighborhood prosecutors are located throughout the county to assist police, community members, and businesses in identifying public safety and quality of life problems and then developing and implementing strategies to mitigate these problems and reduce crimes. This Neighborhood DA Unit has been cited by the US Department of Justice as a national model, and the Multnomah County District Attorney's Office has been named as a National Leadership site two years in a row in recognition of its pioneering work in the field of Community Prosecution.

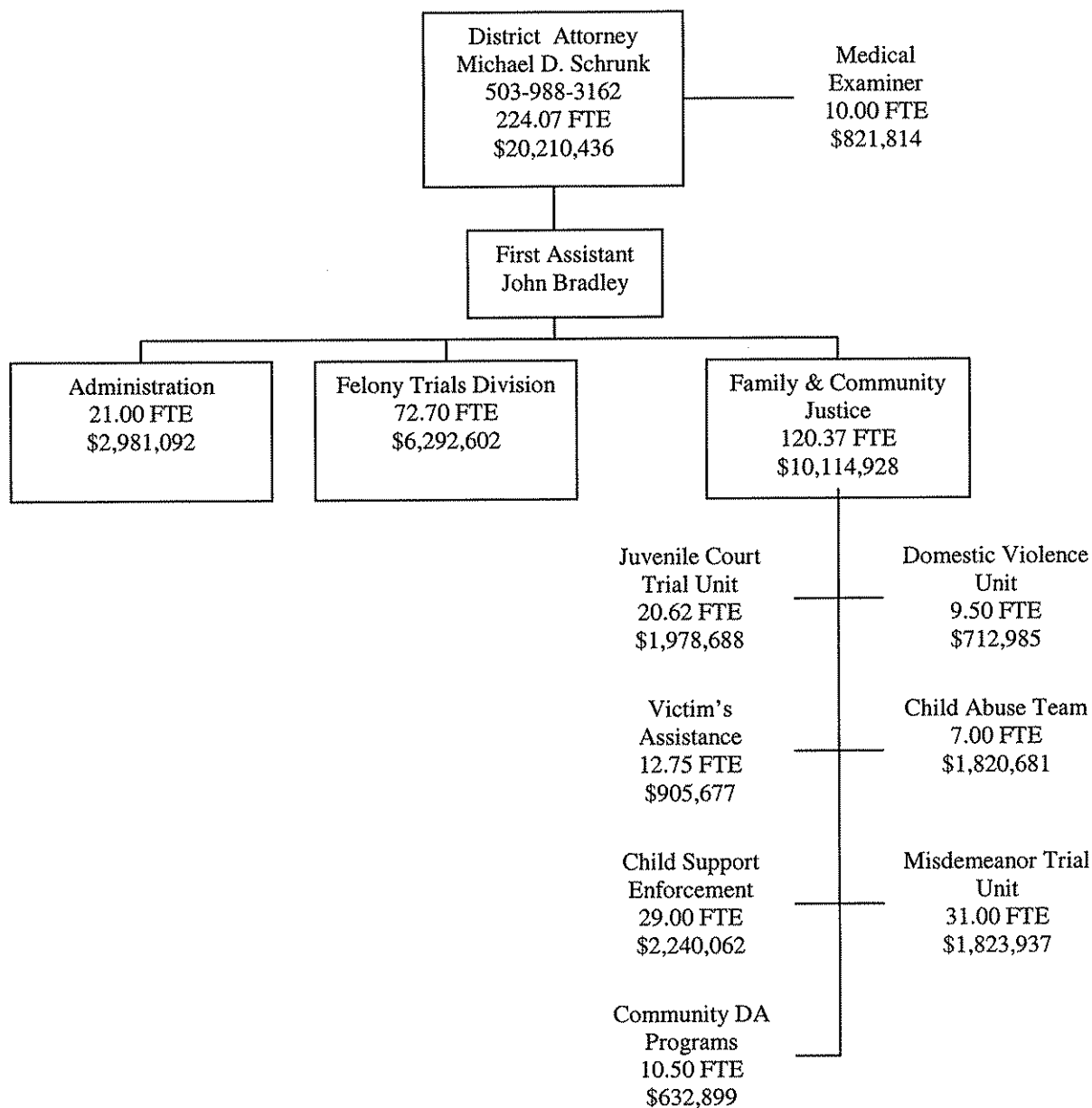
In addition, staff members collaborate with other county departments, law enforcement agencies (local, state and federal), Multnomah County Courts, local organizations, community groups, and businesses in several areas, including the Regional Organized Crime/Narcotics Task Force, the Child Abuse Multidisciplinary Team, the Family Violence Steering Committee, the Auto Theft Task Force, and the Community Court. In addition, the Center for Court Innovation and departments within the United States Department of Justice have provided technical assistance and have worked with the DA's Office on various Community Justice Initiatives.

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. In addition, the Medical Examiner's Office is in the District Attorney's Office.



Budget Issues and Highlights

Budget Cuts

The District Attorney's Office investigates and prosecutes a wide variety of crimes and violations. Employees, who account for 75% of the overall budget, focus on case review, preparation and disposition. Previous budget reductions for FY '02 and midyear have required elimination of positions and resources for technical support. Further budget reductions will necessitate the elimination of a substantial number of positions.

Historically, the District Attorney's Office has had to respond to an ever-increasing demand, especially in the areas of support staff and administrative services, without a corresponding increase in funding. Last fiscal year, the Office experienced significant cuts, and tried to achieve management economies by collapsing three trial divisions into two. In addition, administrative and attorney positions were eliminated.

Current budget reductions mean eliminating both attorney and non-attorney positions, which will have a significant impact on services. Areas likely to be particularly affected are: drug enforcement, misdemeanor issuance, neighborhood prosecution programs, and prevention of auto theft, white collar crime, and juvenile delinquency and dependency. The administrative structure is being examined for further efficiencies, but it is unlikely that many more can be found.

The District Attorney'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 itself. The proposed reductions will have a pronounced and highly visible impact on the Office's ability to review and prosecute a range of crimes, from misdemeanors to felonies.

To meet the Department's 5.4% constraint reduction, the budget request included the elimination of 10.00 attorney and 2.00 non-attorney General Fund positions as well as 2.00 other attorney and 2.50 non-attorney grant-funded positions. The Chair's Office has restored \$763,941. This amount, together with salary savings, allows the DA's Office to restore 13.25 FTE, including 8.75 FTE attorneys. In addition, an application will be filed for the continuation of one of the grant-funded positions through the Violence Against Women Act (VAWA), for an attorney in the domestic violence unit. A grant solicitation has just been issued for that purpose.

District Attorney

Grants

The Multnomah County District Attorney's Office actively pursues grants and agency partnerships to carry out innovative new programs. In the past, this has enabled the Office 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 in the foreseeable future. Three grants that fund the Community Court project are expiring, and other VAWA grants are also ending. Renewal may be an option for one of the VAWA grants, but this remains uncertain. At the current time, 5.50 positions are scheduled to end by June 30, 2002, due to grant expirations. The District Attorney's Office is dedicated to bringing in outside funding sources whenever possible, and will continue to cultivate resources and partnerships that support innovative programs and work toward the institutionalization of innovative strategies that have proven effective.

The Chair's Office has restored 3.50 FTE for Community Courts, which continues current operations.

District Attorney

Budget for FY 2003

The District Attorney's Office budget for FY '03 is \$20.2 million and includes 224 FTE. The portion of the budget supported by the General Fund is \$14.8 million while grants and other dedicated revenues account for slightly more than \$5.4 million. The budget has increased by 8.2%. 8.74 positions have been added to the budget.

<u>Budget Trends</u>					
	2000-01	2001-02	2001-02	2002-03	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Staffing FTE	228.85	225.55	215.33	224.07	8.74
Personal Services	\$14,946,037	\$14,290,245	\$14,202,438	\$15,610,384	\$1,407,946
Contractual Services	819,915	1,163,269	1,586,952	1,616,467	29,515
Materials & Supplies	3,040,451	3,026,986	2,863,602	2,974,035	110,433
Capital Outlay	<u>27,720</u>	<u>28,000</u>	<u>30,601</u>	<u>9,550</u>	<u>(21,051)</u>
Total Costs	\$18,834,123	\$18,508,500	\$18,683,593	\$20,210,436	\$1,526,843

<u>Costs by Division</u>					
	2000-01	2001-02	2001-02	2002-03	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Administration	\$3,341,002	\$4,050,749	\$3,488,501	\$3,802,906	\$314,405
Felony Court	6,050,095	5,323,820	5,791,083	6,292,602	501,519
Family Justice	<u>9,443,026</u>	<u>9,133,931</u>	<u>9,404,009</u>	<u>10,114,928</u>	<u>710,919</u>
Total Costs	\$18,834,123	\$18,508,500	\$18,683,593	\$20,210,436	\$1,526,843

<u>Staffing by Division</u>					
	2000-01	2001-02	2001-02	2002-03	
	<u>Actual</u>	<u>Current Estimate</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Administration	23.15	26.65	26.50	31.00	4.50
Felony Court	82.16	80.50	73.43	72.70	(0.73)
Family Justice	<u>123.54</u>	<u>118.40</u>	<u>115.40</u>	<u>120.37</u>	<u>4.97</u>
Total Staffing FTE's	228.85	225.55	215.33	224.07	8.74

<u>Resources by Division</u>					
	Fees, Permits			Other/	
	<u>General Fund</u>	<u>& Charges</u>	<u>Federal</u>	<u>State & Local</u>	<u>Miscellaneous</u>
Administration	\$2,880,080	\$30,000	\$0	\$0	\$126,685
Felony Court	\$5,823,100	\$285,475	\$307,370	\$0	\$205,000
Family Justice	<u>\$6,082,175</u>	<u>\$1,829</u>	<u>\$1,891,813</u>	<u>\$2,576,906</u>	<u>\$0</u>
Total Resources	\$14,785,355	\$317,304	\$2,199,183	\$2,576,906	\$331,685

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 the remodelling of the Records area in an efficient and fiscally prudent manner, with minimal impact to staff and services.
- Complete and manage the migration from the mainframe and the replacement of the adult case tracking system (DACTS).
- Address funding issues concerning the expiration of grants.
- Re-evaluate internal telecommunication needs and make changes as appropriate.
- Continue to seek outside funding opportunities.

Significant Budget Changes:

- District Attorney Cast Tracking System (DACTS) replacement project: 4.00 FTE, 0.50 FTE due to other staffing changes.
- Labor assessed to other areas: (\$284,000)
- Supplies increase: \$55,000
- Service Reimbursement to Data Processing increase: \$80,000
- Facilities Cost increase: \$60,000
- Budget assessed to other programs as overhead, but not reflected in the narrative budget: (\$766,000)

Dept Administration					
<u>Budget Trends</u>					
	2000-01	2001-02	2001-02	2002-03	
	<u>Actual</u>	<u>Current</u>	<u>Adopted</u>	<u>Adopted</u>	<u>Difference</u>
Staffing FTE	23.15	26.65	26.50	31.00	4.50
Personal Services	\$1,752,046	\$2,327,959	\$1,673,401	\$1,831,667	\$158,266
Contractual Services	75,320	92,837	277,029	275,185	(1,844)
Materials & Supplies	1,491,470	1,601,953	1,512,070	1,690,504	178,434
Capital Outlay	<u>22,166</u>	<u>28,000</u>	<u>26,001</u>	<u>5,550</u>	<u>(20,451)</u>
Total Costs	\$3,341,002	\$4,050,749	\$3,488,501	\$3,802,906	\$314,405

Administrative Services

District Attorney Administrative Services provide office management functions to the entire office as well as finance, information services, and human resource management. It is responsible for ensuring that managerial functions are efficiently and correctly performed within the parameters of office policy, County Administrative Rules, and state and federal requirements. Specifically, those functions involve the following activities:

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

FY 2002: 17.00 FTE

FY 2003: 21.00 FTE

Medical Examiner

The mission of the Medical Examiner's Office is to determine the cause of death of county residents who die under special circumstances; including accidents, violence, drug involvement, employment and other specified situations. The Office is responsible for establishing the cause and manner of death, notifying the next-of-kin and protecting the property of the deceased person until a personal representative can take charge.

Approximately 3,800 of the County's 7,000 deaths each year fall into categories which must be reported and investigated by the Medical Examiner's Office. Local discretion is limited by the mandates and State Medical Examiner supervision authority arising from ORS 146. The District Attorney's Office provides administrative and managerial assistance when necessary.

FY 2002: 9.50 FTE

FY 2003: 10.00 FTE

<u>Costs by Program</u>	2000-01	2001-02	2002-03	<u>Difference</u>
	<u>Actual</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	
Administrative Services	\$2,547,644	\$2,729,050	\$2,981,092	\$252,042
Medical Examiner	793,358	759,451	821,814	62,363
Total Costs	\$3,341,002	\$3,488,501	\$3,802,906	\$314,405

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: 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 other felonies that deal with domestic violence and in family child abuse cases. **Investigations:** In partnership with the County Sheriff's Office and the Portland Police, the DA's Office pursues investigations felony, juvenile, and family crimes.

Action Plans:

- Monitor and implement prosecution of criminal forfeiture cases.
- If proposed budget cuts occur, reassess viability of diversion drug courts.
- If proposed budget cuts occur, reassess the level of service in the areas of complex white collar crime and auto theft offenders.
- Adjust to the cut of eight positions due to the County budget constraint.
- Adjust to the loss of three Portland Police Bureau Investigators.

Significant Budget Changes:

- Fines and Forfeitures revenue from Criminal Forfeiture: \$92,000
- Beginning Working Capital revenue decrease: (\$127,000)
- Staffing changes, other personnel related costs: (0.73) FTE, \$658,963
- Contractual Services decrease: (\$148,000)
- Assessment for overhead from other programs, but not reflected in the narrative budget: \$328,000
- Reduce state funding of DA salary supplement, witness fees: (\$84,000)

Felony Court Budget Trends					
	2000-01 Actual	2001-02 Current Estimate	2001-02 Adopted Budget	2002-03 Adopted Budget	Difference
Staffing FTE	82.16	80.50	73.43	72.70	(0.73)
Personal Services	\$5,628,669	\$4,976,970	\$5,298,238	\$5,957,201	\$658,963
Contractual Services	156,084	116,222	292,812	144,364	(148,448)
Materials & Supplies	265,342	230,628	197,733	191,037	(6,696)
Capital Outlay	0	0	2,300	0	(2,300)
Total Costs	\$6,050,095	\$5,323,820	\$5,791,083	\$6,292,602	\$501,519

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 service for domestic violence, child abuse, and child support enforcement.

The Family and Community Justice Division consists of the following.

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

Action Plans:

- Reassess services in the Neighborhood DA program in light of the expiration of grant funding and the proposed budget cuts.
- Reassess services provided through Juvenile unit if budget cuts occur.
- Improve identification processes for defendants cited in lieu of arrest.
- Reassess services in the Domestic Violence unit in light of the loss of two Violence against Women Act grants.
- Negotiate with the State for a new Child Support incentive formula.

Family Justice Budget Trends					
	2000-01 Actual	2001-02 Current Estimate	2001-02 Adopted Budget	2002-03 Adopted Budget	Difference
Staffing FTE	123.54	118.40	115.40	120.37	4.97
Personal Services	\$7,565,322	\$6,985,316	\$7,230,799	\$7,821,516	\$590,717
Contractual Services	588,511	954,210	1,017,111	1,196,918	179,807
Materials & Supplies	1,283,639	1,194,405	1,153,799	1,092,494	(61,305)
Capital Outlay	5,554	0	2,300	4,000	1,700
Total Costs	\$9,443,026	\$9,133,931	\$9,404,009	\$10,114,928	\$710,919

Significant Budget Changes:

- Add DA2, OA SR. BJA leadership drug-free zone: 2.00 FTE: \$137,692
- Add Victim Advocates, OA Sr., 0.50 FTE Intern, Info Systems Analyst 2 for VOCA prosecution grant: 3.50 FTE: \$243,098
- Other staffing changes: (0.53) FTE net.
- Community Court funding not renewed: (\$166,459)
- Cut Contractual Services costs: (\$180,000)
- VOCA Prosecution Grant: \$294,000
- Reduce Central Indirect costs: (\$101,000)
- Assessment for overhead from other programs, but not reflected in the narrative budget: \$438,000
- Increase CAMI revenue: \$242,878

Juvenile Court Trial Unit

The Juvenile Court Trial Unit has three primary functions. In the delinquency portion of the Unit, juveniles who have committed criminal (non-Ballot Measure 11) offenses are prosecuted. The dependency functions of the unit include working closely with the State Office for Services to Children and Families to intervene on a child's behalf in cases of abuse or neglect. The Termination of Parental Rights staff work to free children for adoption. Services provided to law enforcement and juvenile court staff include petitioning court for a criminal complaint to be filed, meeting with victims and witnesses, and coordinating efforts with juvenile court counselors..

FY 2002: 24.35 FTE FY 2003: 20.62 FTE

Domestic Violence Unit

The Domestic Violence Unit screens all domestic violence cases, both misdemeanors and felonies, and aggressively prosecutes those cases. The unit prosecutes domestic violence cases, monitors a six month deferred prosecution program, provides outreach to under-served populations and provides victims of domestic violence 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 services include specialized services, personal contact by a victim advocate and an information resource for social services, referral and support.

FY 2002: 8.20 FTE FY 2003: 9.50 FTE

Victim's Assistance Program

The Victim's Assistance Program provides legal information and support for those who have been victimized in a criminal act. The unit is responsible for insuring that victims of crime are provided a notice of their rights and the 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, information and referral services.

FY 2002: 7.50 FTE FY 2003: 12.75 FTE

Child Abuse Team

The Child Abuse Team, also referred to as the Multi-Disciplinary Team (MDT), 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 to it 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 2002: 8.00 FTE FY 2003: 7.00 FTE

Child Support Enforcement

Child Support Enforcement helps families who require 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. Specific activities of the unit include intake, arrearage calculation, wage assignment, determination of delinquency amounts, out-of-state order enforcement, and processing of contempt proceedings.

FY 2002: 29.00 FTE FY 2003: 29.00 FTE

Misdemeanor Trial Unit

The Misdemeanor Trial Unit is responsible for the review of cases and prosecution of offenders who have been arrested by the local law enforcement agencies on misdemeanor charges and city ordinance violations. Cases that are prosecuted through the Misdemeanor Trial Unit involve such charges as:

- Prostitution;
- Misdemeanor thefts;
- Misdemeanor assaults;
- Animal Control cases;
- Driving Under the Influence of Intoxicants;
- Criminal Trespass;
- Hit and Run and other traffic crimes;

The unit provides the following to law enforcement agencies and the public:

- Reviewing police reports to determine appropriateness for issuance.
- Meeting with the victims and witnesses involved in misdemeanor crimes.
- Appearing in court for arraignments, pretrial motions, and trials.

FY 2002: 28.10 FTE FY 2003: 31.00 FTE

Community DA Programs

The purpose of this program is to use 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 2 components, the Neighborhood District Attorney program, and Community Courts.

The Neighborhood DA program is a nationally recognized program that places a prosecutor 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.

- Lloyd District
- North Portland District
- Northeast Portland District
- Central Portland Business District
- Westside Community Court planning
- Gresham
- Tri Met
- East Side - inner and outer SE Portland

The types of activities that have been utilized include elimination of illegal camping, neighborhood clean ups of public areas and sites where illegal activities (drugs and prostitution) 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 problems, 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 District Attorney, Public Defender, Multnomah County Sheriff's Office, State Indigent Defense Services, Citizen Advisory Committees, Adult Community Justice, and Multnomah County Courts.

FY 2002: 10.25 FTE

FY 2003: 10.50 FTE

<u>Costs by Program</u>	2000-01	2001-02	2002-03	
	<u>Actual</u>	<u>Adopted Budget</u>	<u>Adopted Budget</u>	<u>Difference</u>
Juvenile Court Trial Unit	\$1,987,643	\$2,015,210	\$1,978,688	(36,522)
Domestic Violence Unit	795,339	560,613	712,985	152,372
Victim's Assistance Program	670,763	471,907	905,677	433,770
Child Abuse Team	1,178,324	1,640,365	1,820,681	180,316
Child Support Enforcement	2,008,855	2,142,716	2,240,062	97,346
Misdemeanor Trial Unit	1,710,847	1,649,031	1,823,937	174,906
Community DA Programs	<u>1,091,255</u>	<u>924,167</u>	<u>632,899</u>	<u>(291,268)</u>
Total Costs	\$9,443,026	\$9,404,009	\$10,114,928	710,919