

District Attorneys and Their Deputies

2019-21 Budget Presentation

March 7, 2019

Oregon District Attorneys 2019-21 Budget

The Mission of the Oregon District Attorney is to uphold the United States Constitution and the Constitution and laws of the State of Oregon, to preserve the safety of the public, to protect the rights of crime victims, and to pursue justice for all citizens with skill, honor and integrity.

Oregon District Attorneys 2019-21 Budget

CONSTITUTIONAL AUTHORITY

Article VII, Section 17:

There shall be elected by districts...a sufficient number of prosecuting attorneys, who shall be the law officers of the State, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of Law, and general police as the Legislative Assembly may direct.

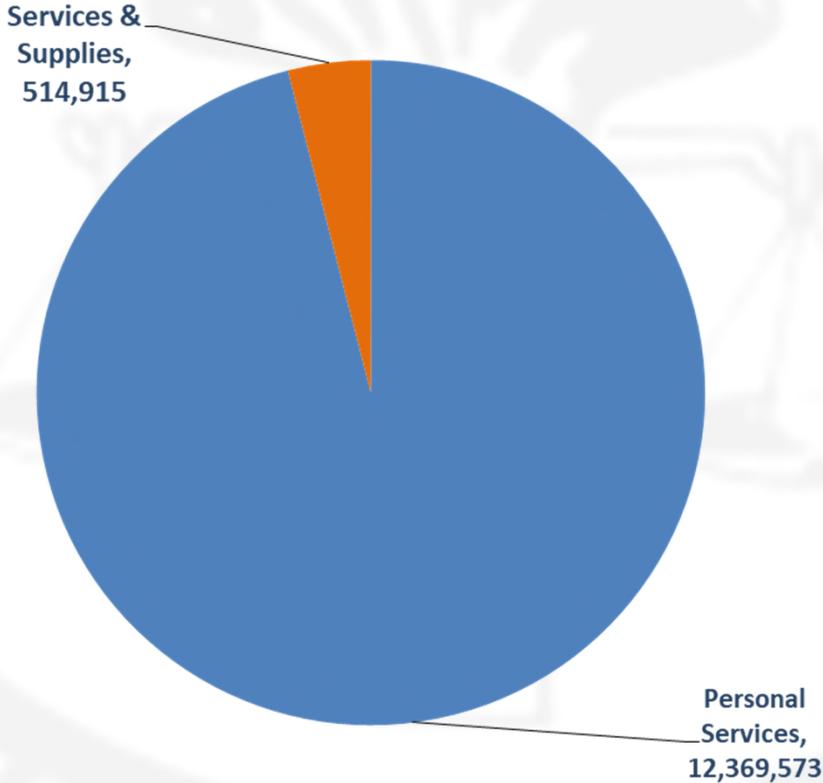
Oregon District Attorneys 2019-21 Budget

District Attorneys *and Their Deputies* budget

1. Elected District Attorney salaries.
2. Elected District Attorneys benefits.
3. Risk assessment and other DAS charges.

Oregon District Attorneys 2019-21 Budget

District Attorneys *and Their Deputies* budget Governor's Recommended Budget



Oregon District Attorneys 2019-21 Budget

District Attorneys *and Their Deputies* budget

- Many district attorneys receive county-paid salary supplements.
- No state support for deputy district attorneys.
- No state support for centralized support
 - Oregon District Attorneys Association
 - Data and IT services
 - Training

Oregon District Attorneys 2019-21 Budget

Primary duties

- Prosecution all felony cases;
- Prosecution of most misdemeanors;
- Juvenile dependency and delinquency;
- Child support enforcement in non-public assistance cases;
- Crime victims assistance;
- Public records review.

Other duties

- Multi-disciplinary teams;
- County counsel;
- Local public safety coordinating councils (LPSCCs);
- County management teams;
- A & D councils;
- Medical examiner;
- Civil commitment hearings
- State and legislative committees and task forces.

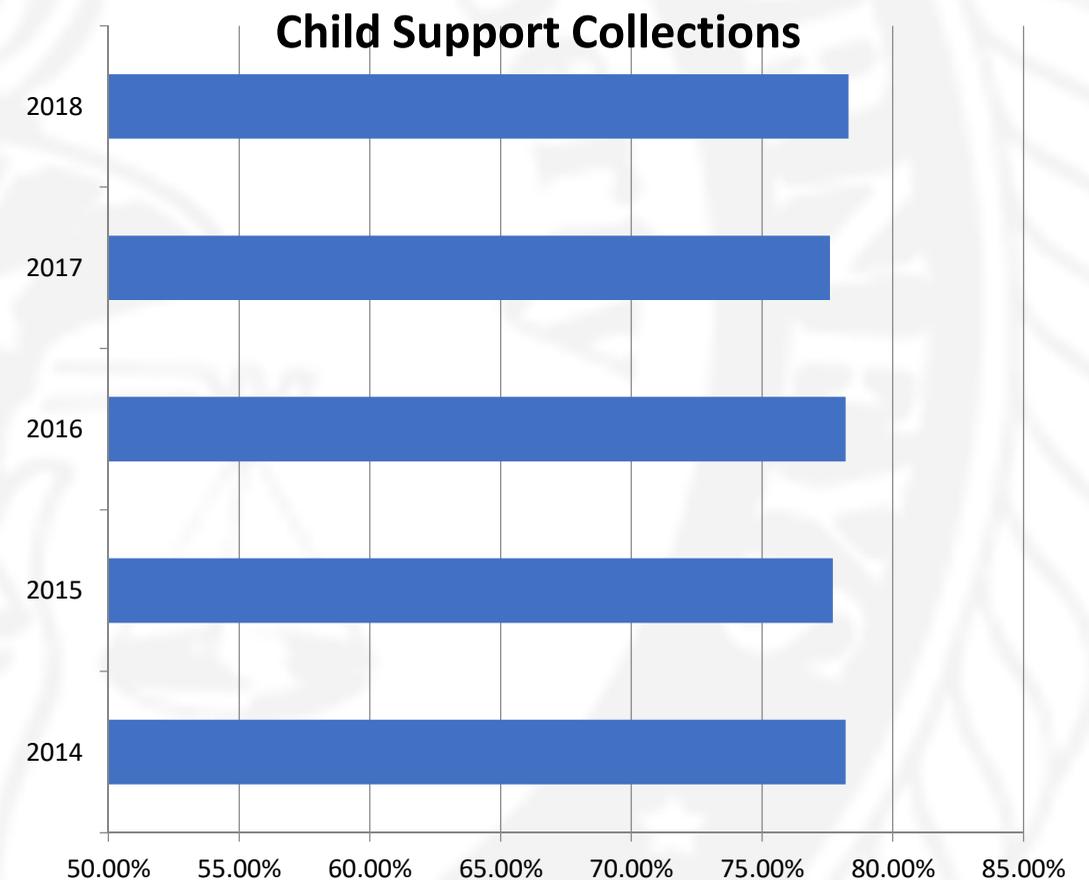
Oregon District Attorneys 2019-21 Budget

Key performance measures

- **Child support collections;**
- **Services to victims;**
- **Early resolution and specialty courts.**

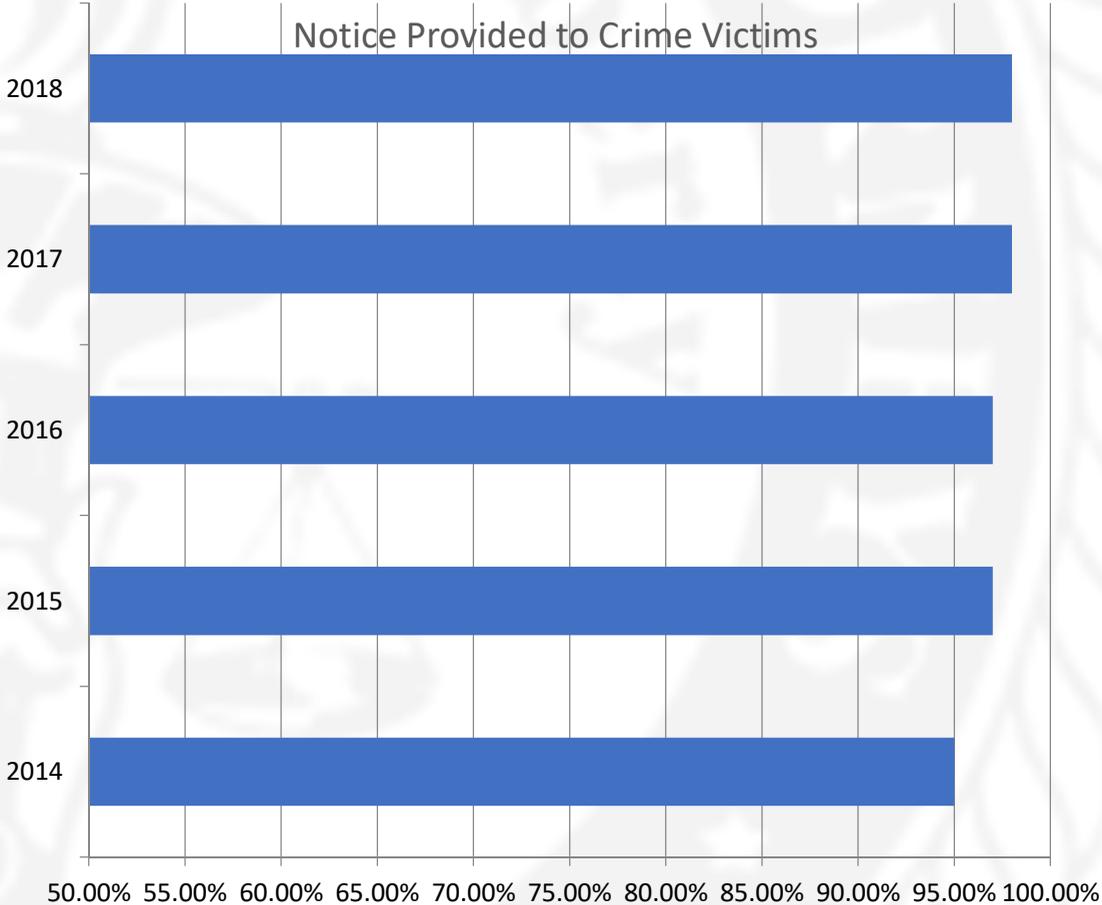
Oregon District Attorneys 2019-21 Budget

- Oregon district attorneys facilitate the collection of over 60% of Oregon's child support payments.
- Virtually all victims receive notice of available services within five (5) days.
- Oregon DAs operate over 70 specialty courts and resolve over 90% of cases pre-trial.



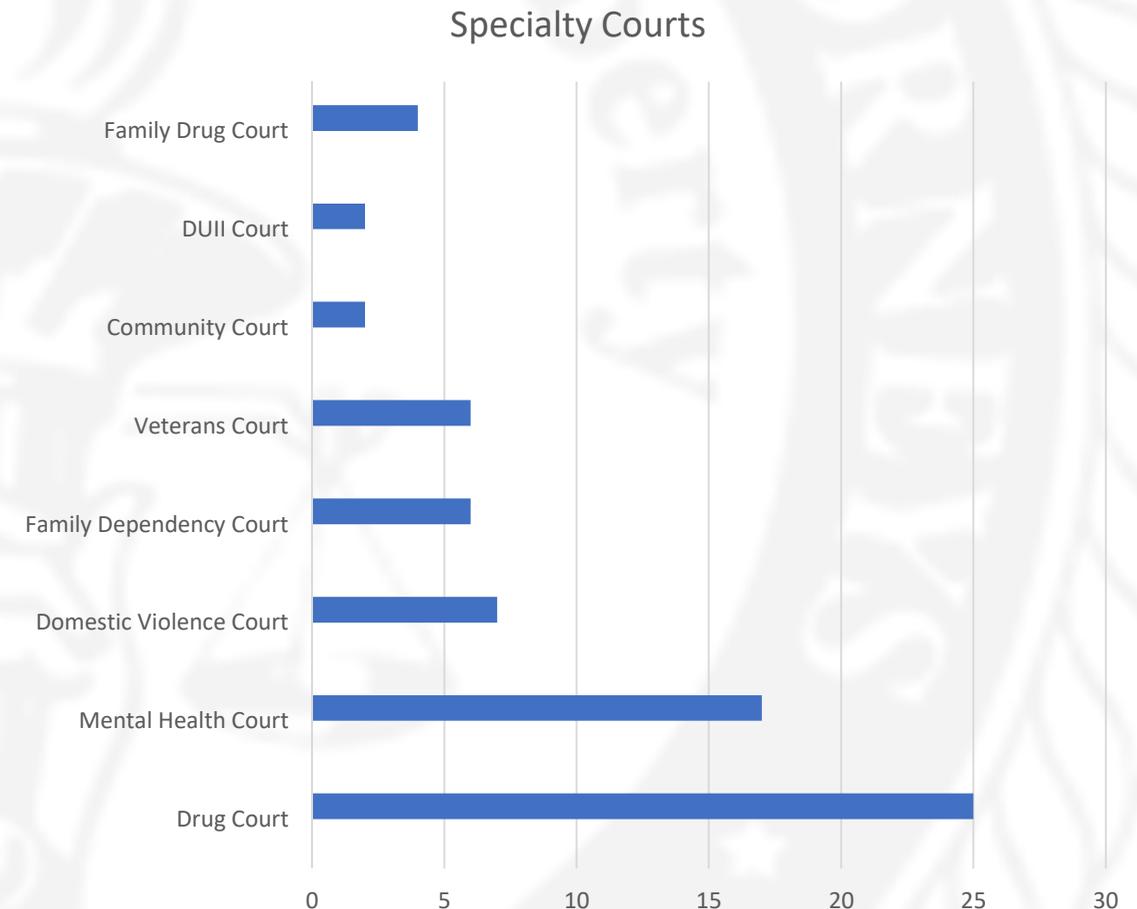
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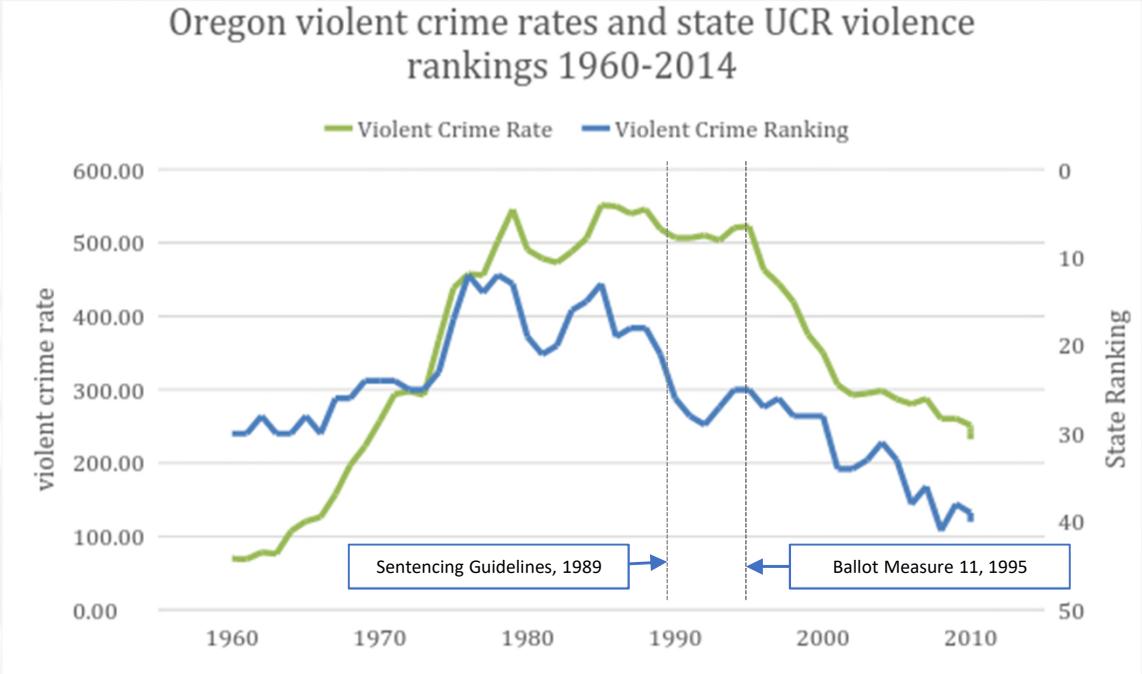
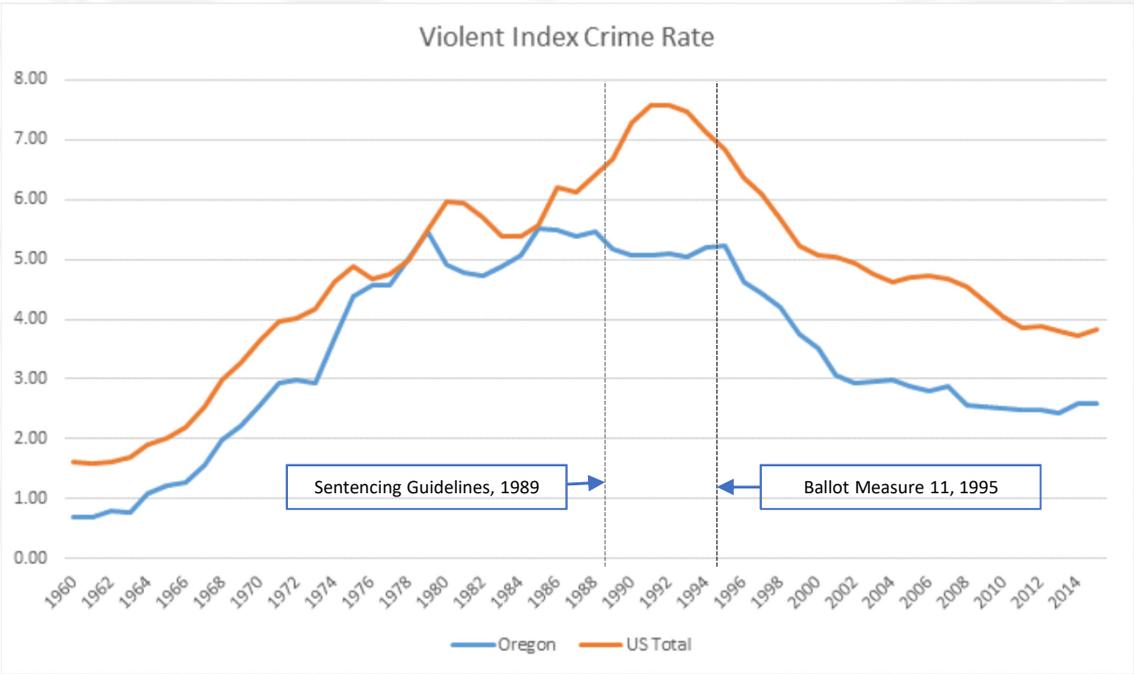
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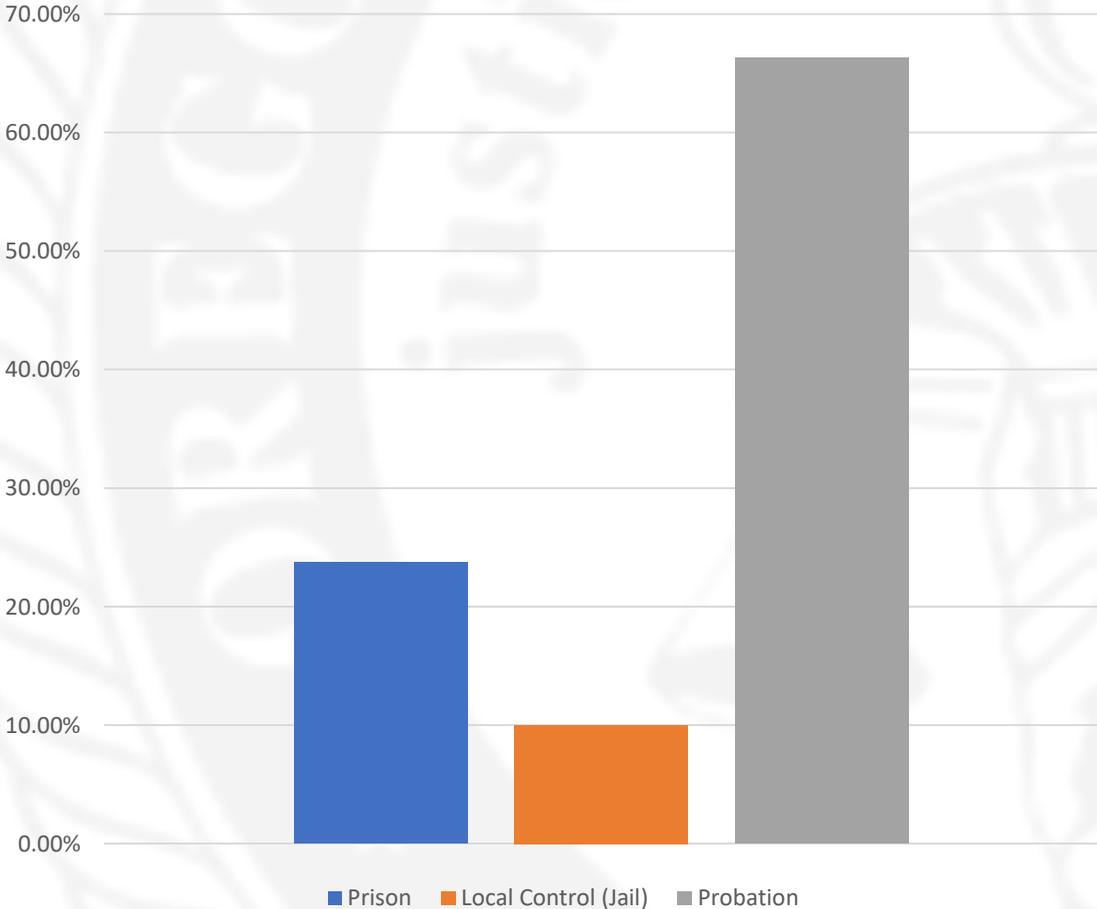
Oregon District Attorneys 2017-19 Budget

Since 1994, violent crime dropped over 40%

Oregon went from one of the worst to one of the best



Oregon District Attorneys 2019-21 Budget

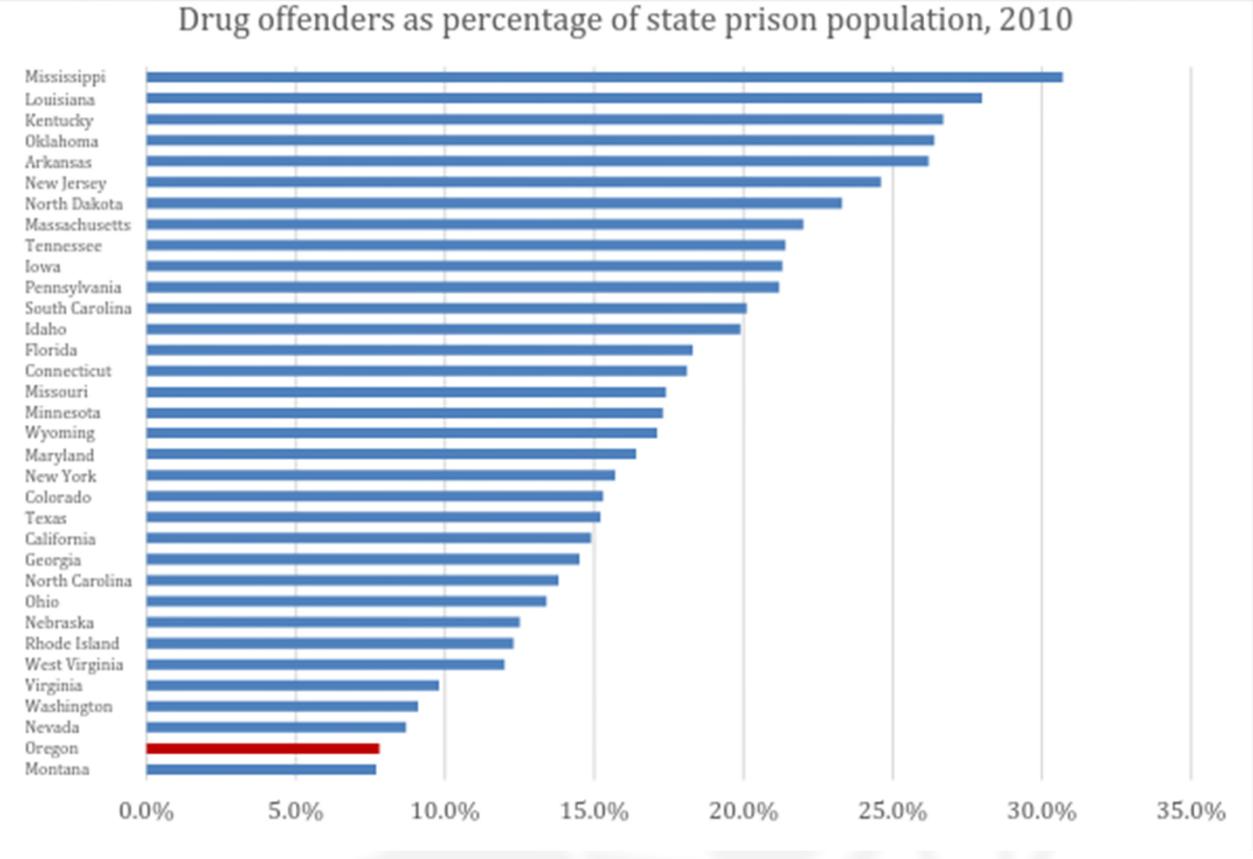
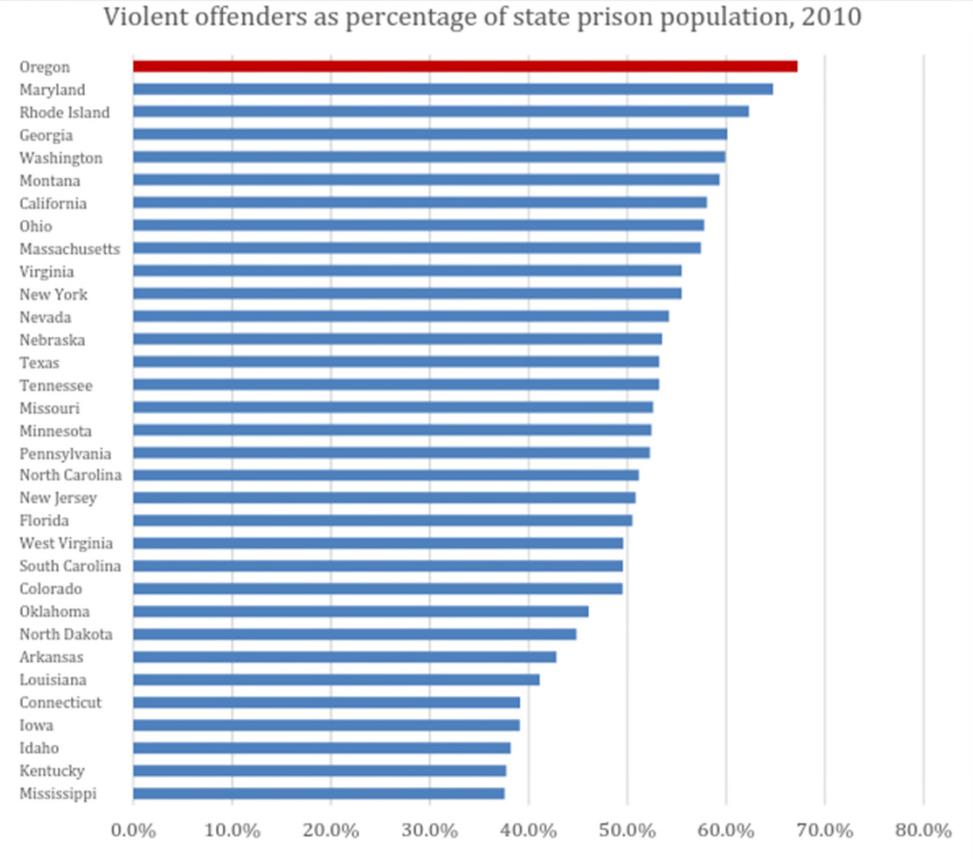


- Approximately 24% of felony convictions in Oregon result in prison sentences.
- The vast majority of felons, over 65%, do not receive either prison or jail time as part of their sentence.

Oregon District Attorneys 2019-21 Budget

Oregon leads the nation in using prisons to incarcerate violent offenders...

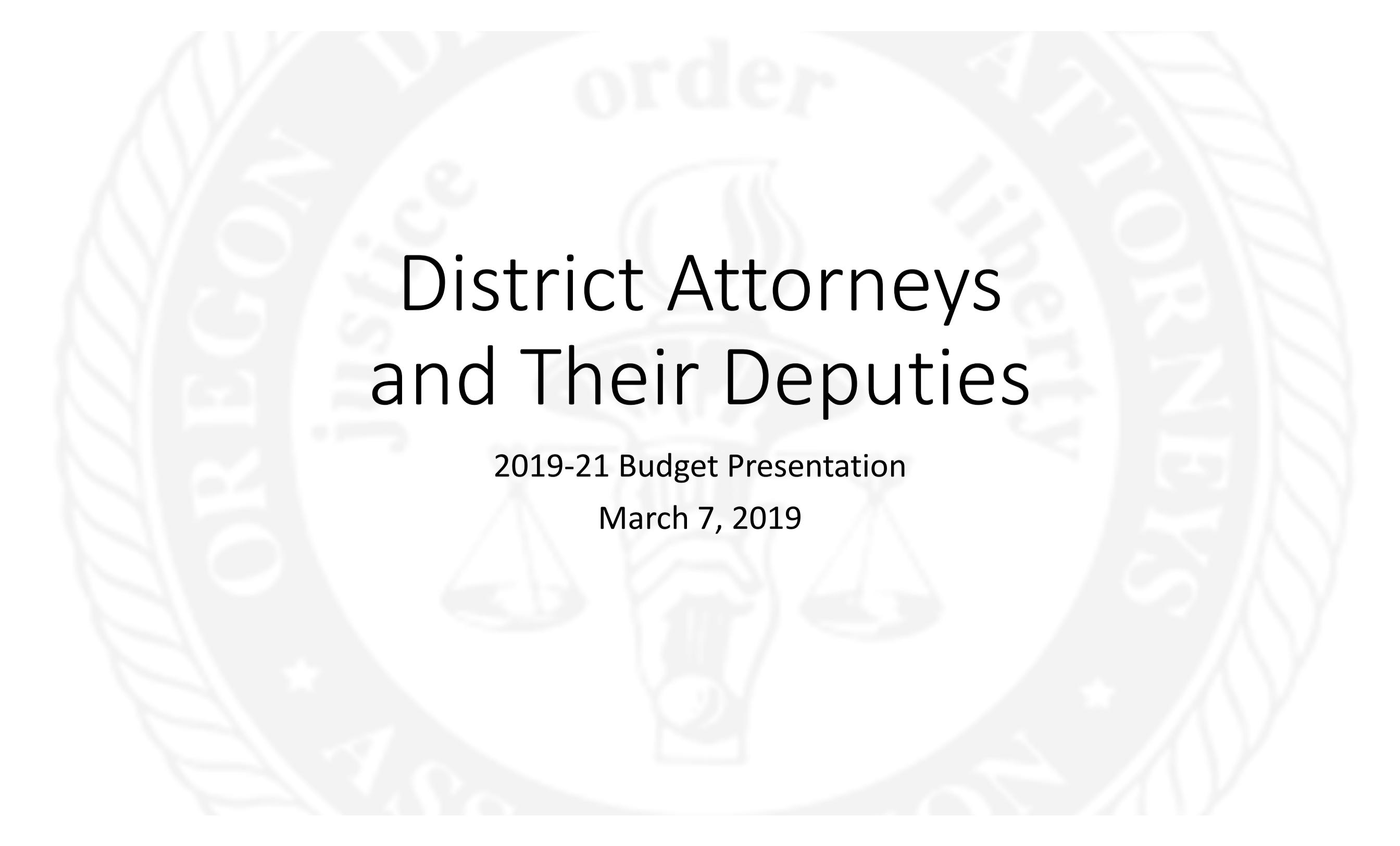
While incarcerating very few drug offenders.



Oregon District Attorneys 2019-21 Budget

Program priorities

- **Fair compensation for elected district attorneys**
- **State government service charges**
- **Adequate state funding for implementation of SB 505**



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2019-21 Ways and Means - Appendix

District Attorneys and Their Deputies

- Results of Audits conducted by the Secretary of State – Not Applicable
- Major Budget Changes – Not Applicable
- Supervisory Span of Control Report – Not Applicable
- Proposed Technology and Capital Construction Projects – Not Applicable
- Other Funds Ending Balance Form – Not Applicable
- 10% Reductions
- Key Performance Measures

Reduction Options

Required Reductions ORS 291.216 (House Bill 3182, 1999)

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	FUND & AMOUNT	RANK & JUSTIFICATION
<p>District Attorneys and Their Deputies</p>	<p>The District Attorneys and their Deputies budget contains Personal Services costs for District Attorneys, State Government Service Charges (SGSC), and a small amount of Other S&S for DAS rate-based charges. The salaries of the elected District Attorneys are mandated by statute. We are unaware of any way to reduce the salaries without violating the statutorily established salary amount. Likewise, the SGSC payment is required by statute. Given the above,</p> <p>Effect of a 5% reduction</p> <p>This reduction would have to be taken out the salaries and benefits of the District Attorneys which represents approximately 27 working days.</p> <p>Effect of a 2nd 5% reduction</p> <p>This reduction would have to be taken out the salaries and benefits of the District Attorneys which represents approximately 27 working days.</p>	<p>5.0% \$647,283 GF</p> <p>5.0% \$647,282 GF</p>	

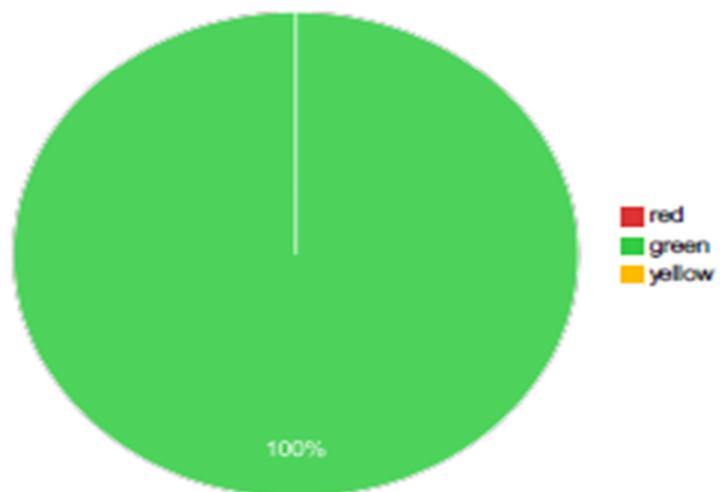
District Attorneys and Their Deputies

Annual Performance Progress Report

Reporting Year 2018

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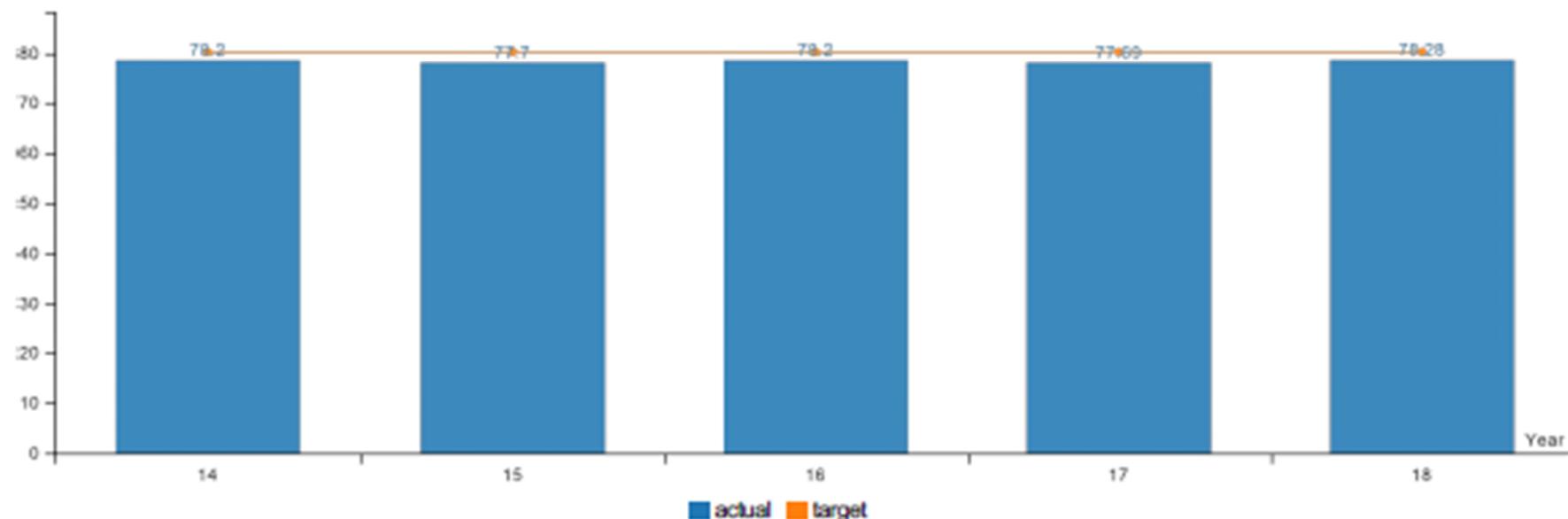
KPM #	Approved Key Performance Measures (KPMs)
1	Child Support Collections - Percentage of current child support collected relative to total child support owed.
2	Services to Victims - Percentage of adult criminal cases where the named victim(s) are provided "prompt notice" of their rights as crime victims.
3	Early and Special Resolution Programs - Percentage of District Attorney offices resolving cases through early and special resolution, number of cases resolved.



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary State:	100%	0%	0%

KPM #1	Child Support Collections - Percentage of current child support collected relative to total child support owed.
	Data Collection Period: Oct 01 - Sep 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Percentage of current child support collected relative to total child support owed					
Actual	78.20%	77.70%	78.20%	77.69%	78.28%
Target	80%	80%	80%	80%	80%

How Are We Doing

The results for the federal fiscal year ending September 30, 2018 are now available. For federal fiscal years 2016 through 2018, the percentage of current child support collected relative to the total current child support owed averaged 78.1%. The results achieved by the 26 District Attorneys' offices in the most recent five years of data have exceeded the levels in federal fiscal years 2012 and 2013.

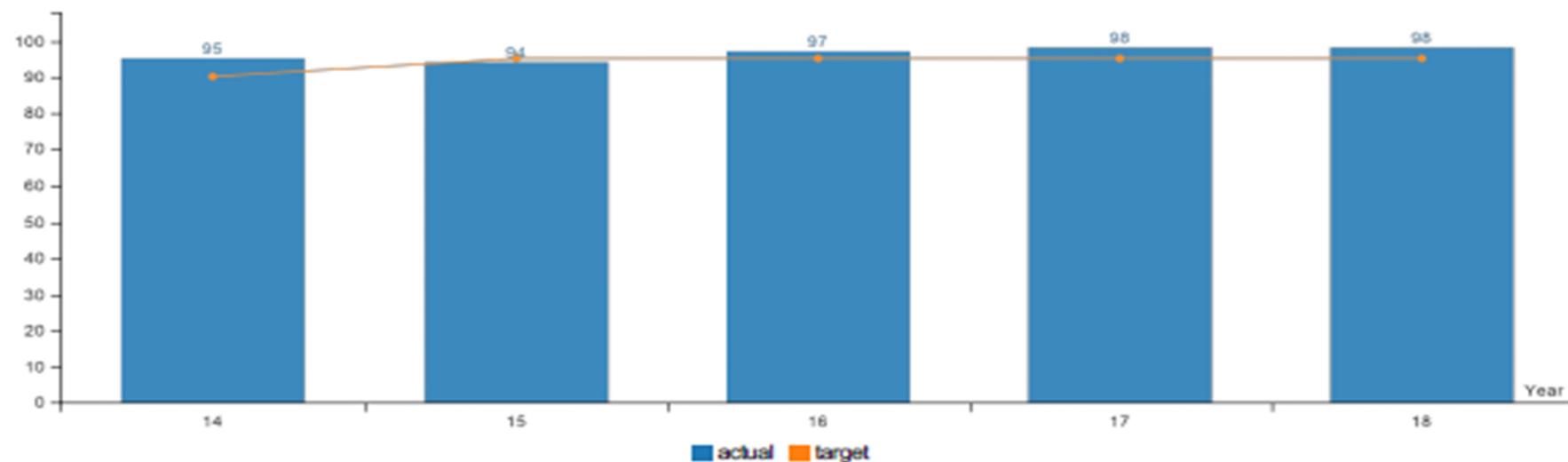
Factors Affecting Results

Child support enforcement efforts are often tied to economic forces. For instance, during times when the economy is struggling, collections may become more difficult. It is at these times, however, that financial pressures on the custodial parent for childcare are also at their highest.

KPM #2 Services to Victims - Percentage of adult criminal cases where the named victim(s) are provided "prompt notice" of their rights as crime victims.

Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
% of cases where victim was provided notice of victims' rights w/in 5 business days of defendant's arraignment					
Actual	95%	94%	97%	98%	98%
Target	90%	95%	95%	95%	95%

How Are We Doing

Our performance for the state fiscal year ending June 30, 2018 was 98%. Since the addition of the victims' rights enforcement provisions in the Oregon Constitution in 2008, the District Attorneys have been changing their practices to ensure a better response rate for this measure. Of all the groups providing services to victims, only District Attorneys are responsible for the Constitutional rights of victims. District Attorneys' offices have varying practices of delivering prompt notice, due to size and county resource capabilities. D.A. offices are experimenting with different ways and times to provide this notice. Many District Attorney offices give victims of felonies the required information on Grand Jury day. Most counties rely on mailing or emailing notices to victims of misdemeanors within five days of arraignment, which aligns with the time period required by Grand Jury. Other smaller counties rely on phoning each victim or notifying the victims in person.

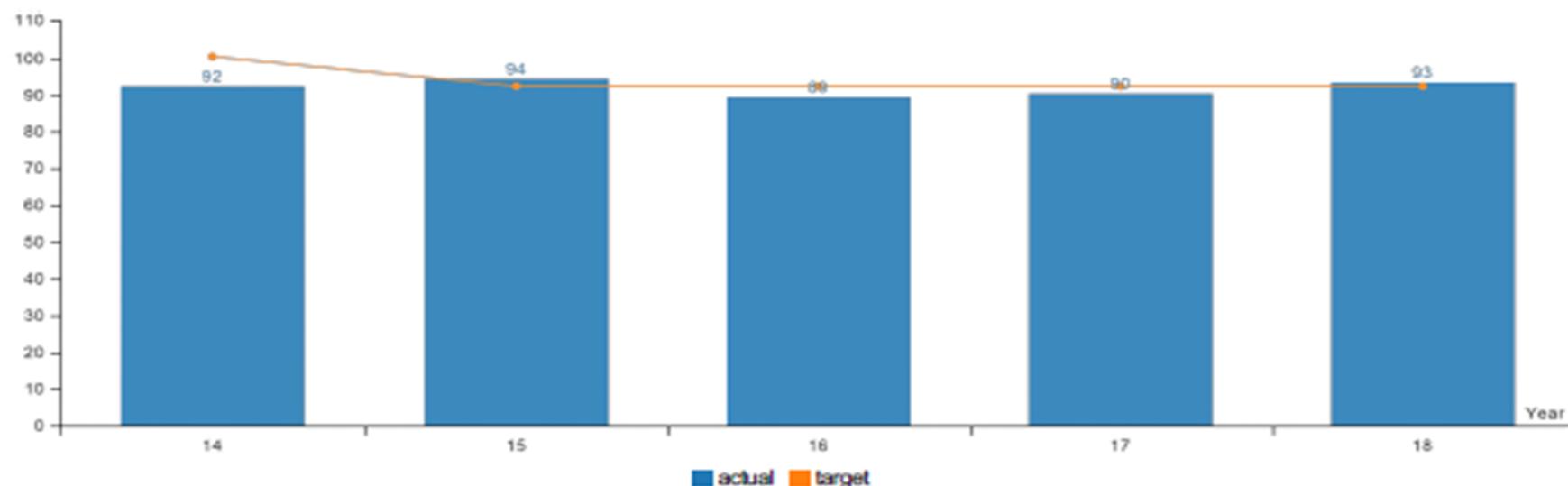
Factors Affecting Results

While the compliance rate for this measure is high, the number of victims notified is affected by factors that are common to all programs that provide services to a diverse population. First, victims may be difficult to locate because: 1. They don't want law enforcement contact because they are aligned with the suspect or are wanted themselves; 2. They are afraid for their safety; 3. There is incomplete contact information for the victims; and 4. Logistic and budgetary restrictions. Multnomah and Marion counties, for example, have automated systems which send rights letters out in the appropriate time period and those systems make tracking this measure much easier. Five other counties across the state have switched to automated, email based systems to increase their ability to track these notifications. Some counties still call or write each victim individually. Depending on the size and available technology of each county office, the ability to track this information can either be simple or onerous. This lack of uniformity impacts the net results.

KPM #3 Early and Special Resolution Programs - Percentage of District Attorney offices resolving cases through early and special resolution, number of cases resolved.

Data Collection Period: Jul 01 - Jun 30

* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
Percentage of District Attorney Offices resolving cases through early resolution and specialty courts					
Actual	92%	94%	89%	90%	93%
Target	100%	92%	92%	92%	92%

How Are We Doing

A review of thirty evaluations involving twenty-four drug courts, conducted by the National Drug Court Institute, found that these facilities keep felony offenders in treatment or other structured services at roughly double the retention rate of community drug programs. Drug courts provide closer supervision than other treatment programs and substantially reduce drug use and criminal behavior among participants. Incarceration of drug-using offenders costs county taxpayers approximately \$21,000 per person per year, according to figures from Douglas County Corrections. In contrast the Drug Court treatment program costs approximately \$2,500 per offender. Recidivism rates are dramatically reduced through the Drug Court treatment program, thus resulting in lowering crime and building safer communities while saving tax dollars. Prior to the 2009-11 biennium, there were 68 early or special resolution programs/courts in 28 counties. In Fiscal Year 2018, of 28 counties surveyed, 26 reported having early or special resolution programs or courts. This means that 93 percent of counties surveyed have these special resolution programs. Specialty courts include the following types: Family, Juvenile, Women's Recovery, Mental Health, DV, DUII, Drug, and Veteran's. Statewide, drug courts are the most prevalent type of specialty court with 26 counties reporting they have a drug court. Juvenile courts are the second most prevalent type of specialty court with 14 counties reporting they have such a court.

Factors Affecting Results

The two main factors that affect a greater result in this performance measure are the lack of participation by one or more of the necessary justice system participants and the lack of financial and/or staff support to expand these courts.