The background features a large, faint watermark of the seal of the Oregon District Attorneys Association. The seal is circular with a rope-like border. Inside the border, the words "OREGON" and "ASSOCIATION" are written in a circular path, separated by two stars. In the center of the seal is a figure holding a scale of justice, with the word "order" written above it and "property" written below it. The word "DISTRICT" is written across the top of the inner circle, and "ATTORNEYS" is written across the bottom.

District Attorneys

2023-25 Budget Presentation

February 7, 2023

Mission of the Oregon District Attorney

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.

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.”

- District Attorneys were included as state officers in the original 1857 Constitution.
- 1857 Constitution was based on 1851 Indiana Constitution which made District Attorneys state officers empowered to enforce state law.
- Both Indiana and Oregon Constitutions reflected the trend away from Governor appointed District Attorneys because of the potential for the misuse of the appointment for patronage or political retribution tainting an office that enforces state law.

District Attorneys Overview

- District Attorneys is composed solely of the 36 independently elected District Attorneys (DAs) for each of Oregon's Counties. The 430 Deputy DAs are county employees and funded by county budgets.
- Traditional State Agency functions, such as budget preparation and fiscal impact statements, falls to the Oregon District Attorneys Association (ODAA), a non-profit association comprised of the 36 elected DAs.

District Attorneys and the Oregon Department of Justice

- District Attorneys (DAs) receive ancillary support from the Oregon Department of Justice (DOJ). DOJ provides payroll and budget services and support for training and conference planning.
- DOJ also supports DAs through their Criminal Justice Division, Appellate Division, Crime Victim and Survivor Services Division, and Elected DAs, like all State Office holders, are represented in civil actions by the Trial Division.

DA Traditional Duties

- Prosecution of all Felonies. Includes everything from aggravated murder to car theft.
- Prosecution of most misdemeanors. Misdemeanors include DUI, violating a stalking order and many domestic violence crimes.
- Juvenile Delinquency. DAs work in partnership with county Juvenile departments in providing accountability and reformation opportunities to juveniles.
- Participation in pardon, commutation and expungement requests.
- Crime Victim Assistance.
 - DA victim advocates provide direct support both in and out of the courtroom to crime victims.
 - Safety planning.
 - Restitution and crime victims' compensation claims.
 - Obtaining restraining and protective orders.
 - Connecting crime victims with other community support programs and services.

DAs Duties Extend Beyond Criminal Justice

- Public records appeals.
- Medical Examiner.
- Civil commitment hearings.
- Child Support
 - DAs work in partnership with DOJ Division of Child Support and the Child Support Liaison to collect child support.
 - 19 of 36 DAs Offices provide child support services.

District Attorneys

1. Ensuring District Attorney Compensation is fair and equitable. POP 101, 102, 103.
2. Investments in DA services to Crime Victims and digital evidence. POP 104 and 105.
3. County costs related to indigent defendants and Grand Jury Recordation. POP 106 and 107.

District Attorneys 2023-25 Governor's Recommended Budget

District Attorneys **Appeals/Gov's Adj.Working** **Agency Number: 19600**
BDV200 - Analyst/Appeal Report **Version W-01 Appeals/Gov's Adj.Working**
2023-25 Biennium **Cross Reference: 19600-000-00-00-00000**
District Attorneys and their Deputies

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2021-23 Leg Adopted Budget	14,783,245	-	-	-	-	-	14,783,245	36	36.00
2021-23 Emergency Boards	371,864	-	-	-	-	-	371,864	-	-
2021-23 Leg Approved Budget	15,155,109	-	-	-	-	-	15,155,109	36	36.00
2021-23 Leg Approved Budget (Base)	15,155,109	-	-	-	-	-	15,155,109	36	36.00
Summary of Base Adjustments	459,736	-	-	-	-	-	459,736	-	-
2023-25 Base Budget	15,614,845	-	-	-	-	-	15,614,845	36	36.00
010: Non-PICS Pers Svc/Vacancy Factor	70,092	-	-	-	-	-	70,092	-	-
020: Phase In / Out Pgm & One-time Cost	(540,471)	-	-	-	-	-	(540,471)	-	-
030: Inflation & Price List Adjustments	420,821	-	-	-	-	-	420,821	-	-
2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Modified 2023-25 Current Service Level	15,565,287	-	-	-	-	-	15,565,287	36	36.00
Total Appeals/Gov's Adj.Working Policy Packages	446,746	-	-	-	-	-	446,746	-	-
2023-25 Appeals / Gov's Adj Working	16,012,033	-	-	-	-	-	16,012,033	36	36.00
Net change from 2021-23 Leg Approved Budget	856,924	-	-	-	-	-	856,924	-	-
Percent change from 2021-23 Leg Approved Budget	5.65%	0.00%	0.00%	0.00%	0.00%	0.00%	5.65%	0.00%	0.00%
Net change from 2023-25 Current Service Level	446,746	-	-	-	-	-	446,746	-	-
Percent change from 2023-25 Current Service Level	2.87%	0.00%	0.00%	0.00%	0.00%	0.00%	2.87%	0.00%	0.00%

DA Compensation

- Like State Court Judges, the parameters for Elected DA compensation are set by statute. “The district attorneys of the various counties shall be paid monthly salaries as adopted in the salary plan provided for in ORS 240.240(2), to include salary adjustments awarded management service employees.” (ORS 8.852)
- The Elected DAs fall under a single step compensation plan and incorporate any salary adjustments that are awarded to management service employees.
- While the plan is a single step there are two tiers of compensation. The ten Elected DAs who hold office in counties with a population over 100,000 receive more compensation.

POP 101-Pay Equity for DAs

- Request – Eliminate the arbitrary two-tiers
- Not in statute
- Arbitrary cut off:
 - Population of 100,000+ contributes to a pay gap of more than \$21,000 a year between DAs with similar, qualifications, responsibilities and working conditions.

POP 101 addresses this by eliminating the second tier of DA salaries and pay all elected DAs a consistent state salary.

Ask: \$1,493,206 General Fund

County	Tier Salary 20-21	Population - 2020	Min Wage Region
Multnomah County	\$ 145,107.00	829560	Metro
Washington County	\$ 145,107.00	620080	Metro
Clackamas County	\$ 145,107.00	426515	Metro
Lane County	\$ 145,107.00	381365	Standard
Marion County	\$ 145,107.00	349120	Standard
Jackson County	\$ 145,107.00	223240	Standard
Deschutes County	\$ 145,107.00	197015	Standard
Linn County	\$ 145,107.00	127320	Standard
Douglas County	\$ 145,107.00	112530	Nonurban
Yamhill County	\$ 145,107.00	108605	Standard
Benton County	\$ 123,285.00	94665	Standard
Josephine County	\$ 123,285.00	86560	Standard
Polk County	\$ 123,285.00	83805	Standard
Umatilla County	\$ 123,285.00	81495	Nonurban
Klamath County	\$ 123,285.00	68075	Nonurban
Coos County	\$ 123,285.00	63315	Nonurban
Columbia County	\$ 123,285.00	53280	Standard
Lincoln County	\$ 123,285.00	48305	Standard
Clatsop County	\$ 123,285.00	39455	Standard
Malheur County	\$ 123,285.00	32105	Nonurban
Wasco County	\$ 123,285.00	27295	Standard
Union County	\$ 123,285.00	26840	Nonurban
Tillamook County	\$ 123,285.00	26530	Standard
Hood River County	\$ 123,285.00	25640	Standard
Jefferson County	\$ 123,285.00	24105	Nonurban
Crook County	\$ 123,285.00	23440	Nonurban
Curry County	\$ 123,285.00	23005	Nonurban
Baker County	\$ 123,285.00	16910	Nonurban
Morrow County	\$ 123,285.00	12825	Nonurban
Lake County	\$ 123,285.00	8075	Nonurban
Grant County	\$ 123,285.00	7315	Nonurban
Harney County	\$ 123,285.00	7280	Nonurban
Wallowa County	\$ 123,285.00	7160	Nonurban
Gilliam County	\$ 123,285.00	1990	Nonurban
Sherman County	\$ 123,285.00	1795	Nonurban
Wheeler County	\$ 123,285.00	1440	Nonurban

POP 102-Salary Increase for DAs

- There is a need for investment to attract and retain qualified candidates and compensation for DAs should be commensurate with their roles.
- Solution: Tie elected prosecutor state salary to be 100% of what a state Circuit Court Judge earns.
- \$3,481,128 General Fund.

POP 103- Include DAs and DDAs in Police/Fire PERS

- More than 400 DAs and deputy DAs in Oregon are not currently included in the police and fire tier of PERS.
- \$490,753 General Fund for DAs.

POP 104-Digital DA Investment

- District Attorney offices face rising demands to process, review and provide copies of increasing amounts of digital evidence, especially with growing use of body cameras.
- Fund “digital District Attorney” and support services positions.
- \$14.4M General Fund.

POP-105-Strengthen DA Services to Crime Victims

- Many DA crime victim advocate positions rely on funding from federal Victims of Crimes Act (VOCA) grants, but these funds have declined annually since 2018.
- Solution: Fund District Attorney offices for at least one advocate for each DA office that has only one prosecutor and one advocate for every four DDAs in an office with more than one prosecutor.
- \$25.4M General Fund.

POP-106 County costs related to indigent defense

- Public Defense Services Commission (PDSC) has historically been allocated money from the legislature to reimburse the counties for the costs of providing discovery free of charge to indigent defendants.
- DAs wish to ensure PDSC continues to exercise this administrative and oversight function.
- \$6,000,000 General Fund.

POP-107 Grand Jury Recordation Costs

- This package provides ongoing permanent funding for the normalized operating costs related to grand jury recordation, including ongoing training, equipment maintenance, secure long-term cloud storage, and transcription costs.
- \$384,000 General Fund.

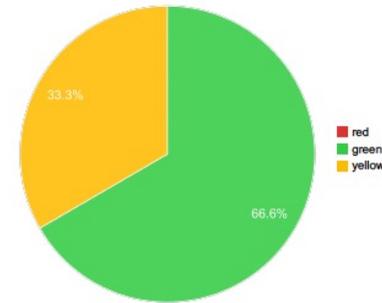
Reduction Options/Adjustments

1. 5% reduction. \$778,264 GF. Taken out of salaries and benefits of the DAs. Represents approximately 28 working days.
2. 10% reduction. \$1,556,528 GF. Taken out of salaries and benefits of the DAs. Represents approximately 56 working days.
3. 15% reduction. \$2,334,793 GF. Taken out of salaries and benefits of the DAs. Represents approximately 84 working days.
4. DAs and their Deputies budget contains Personal Services costs for DAs, and State Government Service Charges. The salaries of the elected DAs are mandated by statute.
5. Each long session the DAs budget requires a reconciliation adjustment to reconcile the Other Payroll Expenses of each district attorney.

Key Performance Measures (KPM)

- Child Support Collections.
- Services to Victims.
- Early and Special Resolution Programs.

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 Stats:	66.67%	33.33%	0%

Ongoing Evaluation of KPMs

- ODAA has undertaken a comprehensive review of our KPMs.
- There are significant barriers to collecting more sophisticated or complex data.
 - District Attorneys is a state agency with no staff, resources or budget for data collection or analysis.
 - The trade association for the District Attorneys, ODAA, has one full time contract Executive Director responding to these requests.
 - While many DAs office use the same case management system 2 of the largest counties (Marion and Multnomah) do not.
- Continue to evaluate KPMs for improvement especially if there is more capacity/uniformity in DA data collection.

District Attorneys 2023-25 Budget

Thank you for your time.

Questions?

