

Department: District Attorney **Program Contact:** Glen Banfield
Program Offer Type: Existing Operating Program **Program Offer Stage:** As Proposed
Related Programs:
Program Characteristics:

Executive Summary

This program makes the community safer and seeks restitution for crime victims while prioritizing reformation of youth rather than punitive measures. Via delinquency, this unit works with Multnomah County's Juvenile Services division and prosecutes youths under 18 years of age who commit crimes against members of the community. With the adoption of SB 1008 in 2019, youth ages 15, 16 and 17 charged with violent felonies such as murder, rape and serious assaults, are prosecuted by the Juvenile unit, including, when appropriate, seeking waiver to adult court. This program seeks to reduce disparities by diverting youth out of the system while still providing for reformation and restitution for victims.

Program Summary

This program makes the community safer, reduces juvenile delinquency and provides fair, impartial and equitable procedures for the initiation, adjudication and disposition of allegations of delinquent conduct. This conduct includes minor misdemeanors to serious felonies—including murder, rape, and serious assaults under SB1008. The unit works closely with the Department of Community Justice (DCJ) Juvenile Division in developing appropriate sanctions aimed at accountability, community protection and reformation of the child or youth. Additionally, one of the goals of this program is to pursue equity and reduce the number of youth exposed to the adult criminal system.

This unit is involved with the Anne E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). This unit provides opportunities for youth to have their matters handled informally, either through the Community Health Initiative Early Intervention Program, or through informal handling by the Juvenile Department. MCDA provides legal sufficiency screening of all referrals, to ensure that youth are held accountable only for acts that are legally sufficient. Legal sufficiency screening by non-lawyers has resulted in youth being charged inappropriately. This unit seeks to provide the principles of accountability and reformation without pulling a youth further into the Juvenile System. Deputy district attorneys coordinate with the Department of Human Services, DCJ and juvenile court counselors to serve families impacted by the system. MCDA has been engaged with system partners on the Center for Juvenile justice Reform Transforming Juvenile Probation. As a result of this project MCDA started a new level of informal handling, taking youth who would otherwise had a formal charge allowing them to proceed with informal handling with a step up in supervision and services.

Performance Measures

Measure Type	Primary Measure	FY21 Actual	FY22 Budgeted	FY22 Estimate	FY23 Offer
Output	Cases reviewed	1,072	1,590	940	1,223
Outcome	Cases diverted from formal system involvement	113	400	74	196

Performance Measures Descriptions

MCDA monitors the flow of work coming into the office with referrals of delinquency, and does everything it can within the boundaries of public safety to divert referred cases out of the formal criminal legal system. COVID pandemic response has hindered referrals of juvenile cases and resolution of cases, including diversion from formal system involvement.

Legal / Contractual Obligation

Juvenile Trial Court: 8.685 Assisting juvenile court; right to appear. (1) The District Attorney shall, upon request of the juvenile court, appear in the juvenile court to assist the court in any matter within its jurisdiction. (2) In counties having a population of more than 150,000, according to the latest federal decennial census, the district attorney shall designate a deputy to assist the juvenile court as provided in subsection (1) of this section.[1959 c.432 §63 (enacted in lieu of 8.750); 1991 c.681 §4.

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2022	2022	2023	2023
Personnel	\$1,691,668	\$0	\$1,770,314	\$0
Contractual Services	\$3,000	\$0	\$3,000	\$0
Materials & Supplies	\$26,000	\$0	\$27,000	\$0
Internal Services	\$186,019	\$0	\$202,484	\$0
Total GF/non-GF	\$1,906,687	\$0	\$2,002,798	\$0
Program Total:	\$1,906,687		\$2,002,798	
Program FTE	9.00	0.00	9.00	0.00

Program Revenues				
Total Revenue	\$0	\$0	\$0	\$0

Explanation of Revenues

Significant Program Changes

Last Year this program was: FY 2022: 15101 Juvenile Unit

New obligations, under SB 1008, to prosecute complex murder, robbery and sexual assault cases continue to increase the workload of this unit. Under COVID, resolution in delinquency cases, however, have slowed because of the need to be in-person in some hearings and trials. This unit has adapted well to remote. Law Enforcement submissions also decreased because of stretched resources due to expanded civil unrest and violence combined with decreased funding. During FY 2022, this unit discontinued litigating dependency cases. Since the passage of SB 222, assistant attorneys general are appointed to appear in dependency cases. In this moment of scarce resources, record caseloads, and a gun violence epidemic, appearing as a party in dependency cases where a Department of Justice attorney is already present is not the most prudent use of MCDA resources.