

**Program #15200 - Division II Administration**

4/21/2021

Department: District Attorney**Program Contact:** Kirsten Snowden**Program Offer Type:** Administration**Program Offer Stage:** As Proposed**Related Programs:****Program Characteristics:****Executive Summary**

This program funds a chief deputy district attorney (CDDA) who provides leadership, policy direction, long and short-range planning, and daily operational oversight for Division II. This division includes Unit C, the Pretrial Unit, and the Misdemeanor Trial Unit. Collectively these units handle a wide range of crimes including aggravated murder, armed robbery, vehicular homicide, DUII, resisting arrest, and criminal trespass. This division also handles a variety of non-trial matters. Although racial minorities are over-represented as crime victims and criminal defendants, Division II DDAs and DA victim advocates engage with the victims they serve to reduce the impacts of these disparities and increase direct access to services. Further, the Division II CDDA monitors plea bargaining practices to ensure consistency and improve equity of outcomes.

Program Summary

The CDDA of Division II is a member of senior-level management with specific division level responsibilities to provide leadership, policy direction, long and short-range planning, and daily operational oversight. The CDDA has direct and daily oversight responsibility for 1) Unit C: a major felony trial unit consisting of 9 attorneys and 3 staff members; 2) the Pretrial Unit: a non-trial unit consisting of 7 attorneys and 15 staff members; and 3) the Misdemeanor Trial Unit: a trial unit consisting of 7 attorneys, 9 interns, and 5 staff members. The Division II CDDA also has primary responsibility for a select caseload of complex aggravated murder and murder cases.

The Division II CDDA meets regularly with deputy district attorneys to discuss case strategy, potential legal barriers, and appropriate case resolution. Racial minorities are persistently over-represented both as crime victims and as criminal defendants. However, Division II DDAs and DA victim advocates engage with the victims they serve to reduce the impacts of these disparities by improving victims' understanding of the criminal justice system and increasing their direct access to services. The CDDA also presides over weekly case staffing meetings to determine appropriate and consistent pretrial plea bargain offers for defendants facing mandatory minimum sentencing on their indicted charges. These decisions also incorporate input from crime victims and align with MCDA and County values around equity and inclusion.

Lastly, the Division II CDDA performs a critical, criminal justice liaison role with outside partners focused on gang and group violence prevention. To that end, the Division II CDDA is the co-chair of the Local Public Safety Coordinating Council (LPSCC) Youth and Gang Violence Subcommittee and is a member of numerous collaborative working groups such as the Portland Area Gun Initiative, the PPB weekly Shooting Review, and the Community Peace Collaborative.

Performance Measures

Measure Type	Primary Measure	FY20 Actual	FY21 Budgeted	FY21 Estimate	FY22 Offer
Output	Number of Division II criminal cases reviewed for prosecution	11,877	12,995	7,400	10,500
Outcome	Number of Division II non-criminal fugitive cases, public record requests, extraditions, and expungements	2,287	2,600	1,796	3,150

Performance Measures Descriptions

For additional background and historical information, please see last year's FY 2021 Informational Budget Packet: <https://www.mcda.us/index.php/documents/multnomah-county-district-attorneys-informational-budget-packet-fy-2021.pdf>

Legal / Contractual Obligation

ORS 8.760 Deputies may be authorized and paid by county. The county court or board of county commissioners may empower the district attorney to appoint one or more deputy district attorneys whose compensation shall be fixed by the county court or board of county commissioners and paid out of the county funds in the same manner as county officers are paid. [Amended by 1961 c.586 §4]

Revenue/Expense Detail

	Adopted General Fund	Adopted Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2021	2021	2022	2022
Personnel	\$332,492	\$0	\$334,272	\$0
Contractual Services	\$1,000	\$0	\$0	\$0
Materials & Supplies	\$8,300	\$0	\$7,500	\$0
Internal Services	\$382,889	\$0	\$20,669	\$0
Total GF/non-GF	\$724,681	\$0	\$362,441	\$0
Program Total:	\$724,681		\$362,441	
Program FTE	1.00	0.00	1.00	0.00

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

Explanation of Revenues

Significant Program Changes

Last Year this program was: FY 2021: 15200 Division II Administration

Law enforcement is referring far fewer misdemeanor cases for prosecution in FY 2021 due to the COVID-19 pandemic and staffing shortages. MCDA is predicting an increase in referred cases for prosecution in FY 2022 and well as a continued increase in public records requests following current trends. Pending legislation may also result in a dramatically higher number of expungements in FY 2022. Simultaneously, MCDA is also experiencing a dramatic increase in felony prosecutions of firearms-related assaults and other crimes stemming from protest-related activities.

Internal service charges previously consolidated in this program are now allocated to individual units in Division II

Due to the pandemic, MCDA has rotated attorneys and staff into the office as required for critical duties and shifted many in-office responsibilities to telework where feasible. Attorneys are still required to appear in court on a variety of matters that do not allow for remote appearances.