

DAs Written Reference Materials  
2023-25 Joint Ways and Means Committee

Office of the District Attorney:

District Attorneys (DAs) are State Officers created by Article VII, section 17 of the Oregon Constitution. There are 36 DAs, one for each county, who are independently elected to four-year terms. A DA is the county chief law enforcement officer. DAs and their deputies prosecute state criminal offenses committed by juveniles and adults.

District Attorneys are primarily tasked with enforcing state criminal law. District attorney legal duties may also include enforcement of child support obligations in non-welfare cases, prosecuting civil forfeitures, presenting evidence at mental health hearings, ruling on public records requests, representing interests in child dependency cases, assisting juvenile courts, and advising and representing county officers as county counsel in civil matters. DAs and their deputies are also active in local public safety coordinating councils, child abuse prevention teams, and community outreach activities.

There are approximately 430 Deputy District Attorneys (DDA) serving in DA offices in Oregon. A wide range of office sizes and complexity are managed by DAs. Some larger DA offices may include close to a hundred DDAs, while some may only have the elected DA as the sole attorney in the office.

Key Performance Measure Report (KPM):

Exhibit one of these materials is our KPM report.

5%, 10% and 15% Budget Reduction Options:

Exhibit two of these materials are our budget reduction options.

Exhibit List:

1. Key Performance Measure Report.
2. Budget Reduction Options.
3. 2023-25 District Attorneys Program Prioritization.
4. Hyperlink to Governor's Recommended Budget:  
[https://www.oregonda.org/\\_files/ugd/d558c6\\_7a7be85453184f87ba1bc4d4b36356f0.pdf](https://www.oregonda.org/_files/ugd/d558c6_7a7be85453184f87ba1bc4d4b36356f0.pdf)
5. DA Long Term Vacancy List.

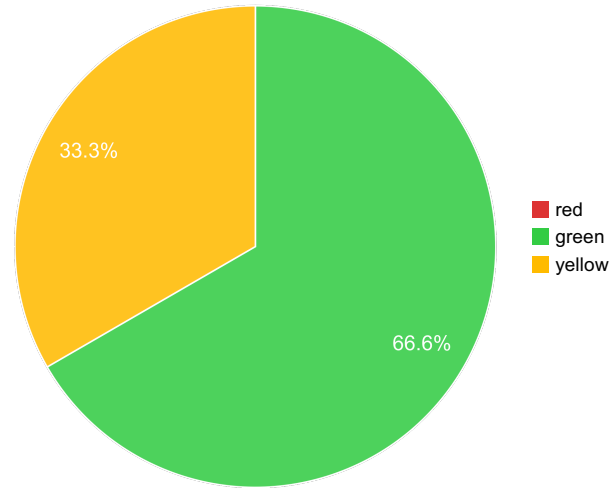
# District Attorneys and Their Deputies

Annual Performance Progress Report

Reporting Year 2022

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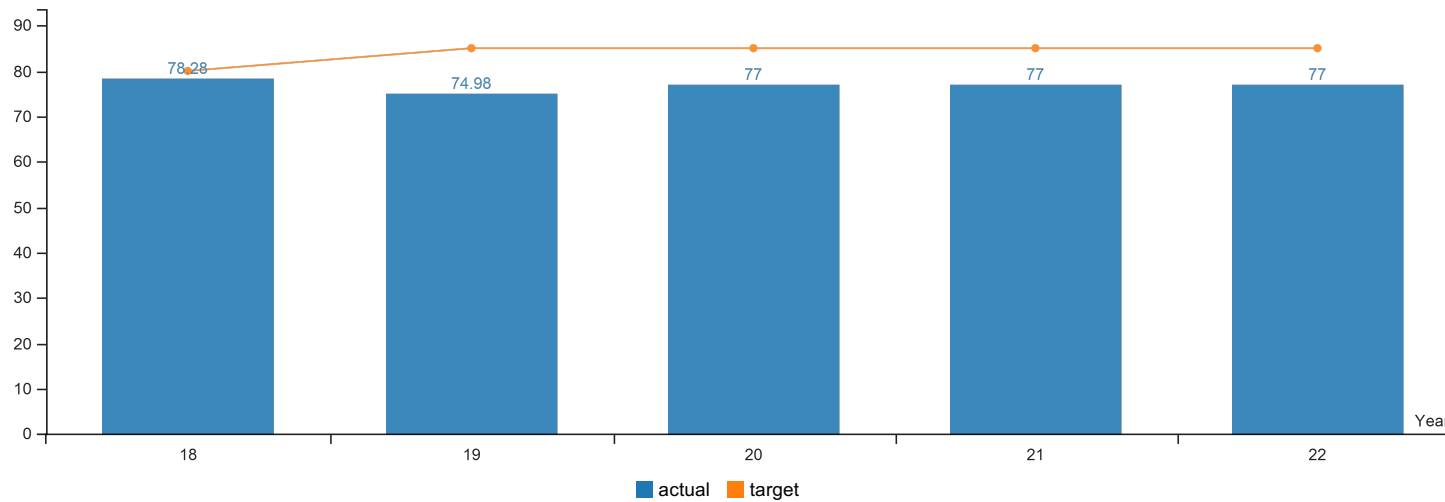
KPM #	Approved Key Performance Measures (KPMs)
1	Child Support Collections - Percentage of current child support collected relative to total child support owed.
2	Services to Victims - Percentage of adult criminal cases where the named victim(s) are provided "prompt notice" of their rights as crime victims.
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 Stats:	66.67%	33.33%	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	2018	2019	2020	2021	2022
<b>Percentage of current child support collected relative to total child support owed</b>					
Actual	78.28%	74.98%	77%	77%	77%
Target	80%	85%	85%	85%	85%

### How Are We Doing

The results for the federal fiscal year ending September 30, 2022 will be available around November 2022. For the federal fiscal year ending September 30, 2021, the District Attorney child support offices' performance is 77%.

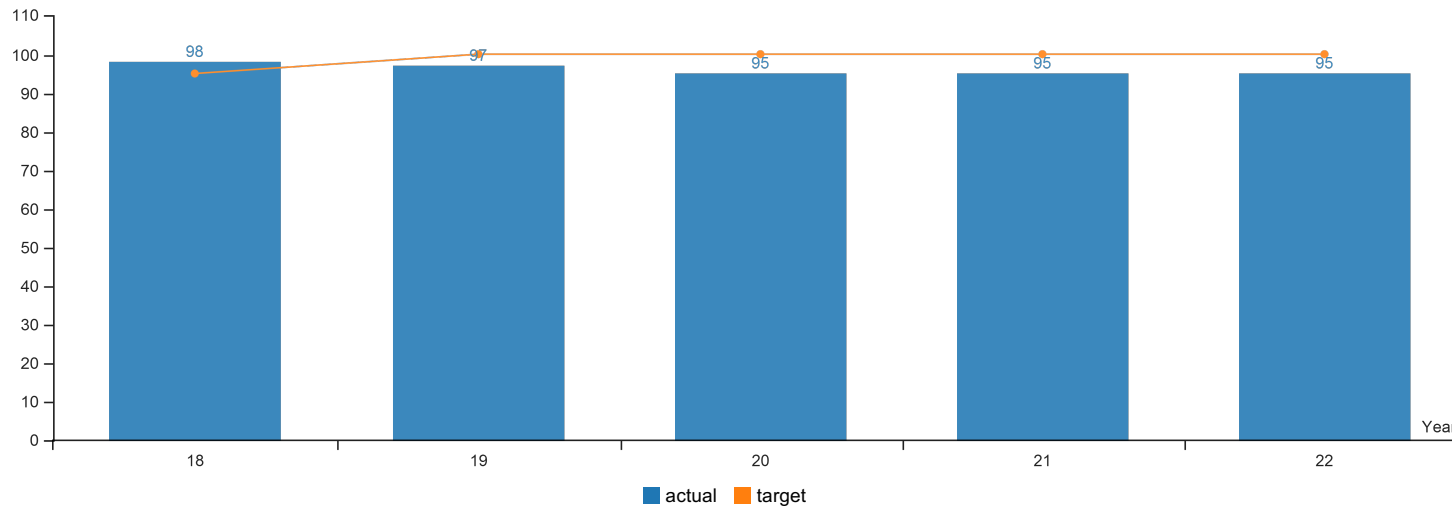
### Factors Affecting Results

The amount collected depends in part on the effectiveness and efficiency of the tools available to the Oregon Child Support Program, which includes District Attorney offices, under state and federal law for parents paying support who are able but unwilling to meet their obligations. This measure also depends on court-ordered amounts being based on ability to pay and set at a level that allows parents to pay the full amount each month. To receive full credit for a collection on current support due, the entire monthly court-ordered amount must be received. The number of parents paying support may increase, but this measure increases only if the amount of money collected increases relative to the total amount of current support due. Because a "right-sized" order has significant impact on this measure, efforts to modify orders when there is a change of circumstances factor into this measure as well.

Economic factors impact this measure because, generally, lower incomes make collections more difficult and higher incomes make collecting easier. The program's effectiveness in collecting funds from parents who have the ability to pay depends to a great extent on the resources invested to carry out collection activities. Timing of payments is also a factor. Payments received even one day into the following month do not count as a current support payment in the month the payment was due. Therefore, individuals on a 26 pay-period cycle (every other week) have months where the final payment on current support comes after the end of the month. The individual may be current on support payments at the end of the year, but the collections on current will not reach 100%.

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	2018	2019	2020	2021	2022
<b>% of cases where victim was provided notice of victims' rights w/in 5 business days of defendant's arraignment</b>					
Actual	98%	97%	95%	95%	95%
Target	95%	100%	100%	100%	100%

### How Are We Doing

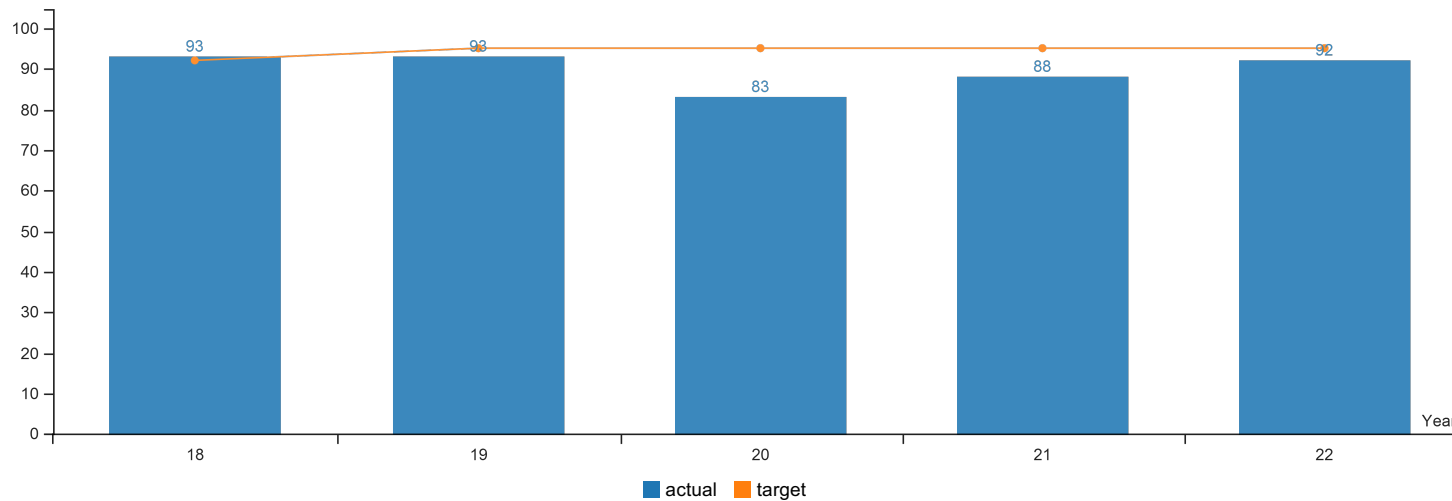
Our performance for the state fiscal year ending June 30, 2022 was 95% of responding counties to the survey reporting timely notification. Since the addition of the victims' rights enforcement provisions in the Oregon Constitution in 2008, the District Attorneys have been changing their practices to 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 or incorrect contact information for the victims; and 4. Logistic and budgetary restrictions. Some 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. Several 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 or provide the information to victims when they appear for Grand Jury. 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. Additionally, some offices reported increased challenges due to staffing shortages resulting from the pandemic and an increase in demand for DA victim advocate resources due to historically substantial increases in clemency petitions.

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	2018	2019	2020	2021	2022
<b>Percentage of District Attorney Offices resolving cases through early resolution and specialty courts</b>					
Actual	93%	93%	83%	88%	92%
Target	92%	95%	95%	95%	95%

### How Are We Doing

In Fiscal Year 2022, 92% of counties responding to the survey reported having early or special resolution programs or courts. Counties reported expanding their conditional discharge courts based on the passage of SB 218, which was a 2021 legislative policy priority of the District Attorneys. A National Institute of Justice report determined that drug court participants were less likely to test positive for drug use, had fewer arrests, reported less criminal activity, and experienced less recidivism. 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. Types of specialty courts operating during Fiscal Year 2022 include the following: Adult Drug/Treatment, Mental Health, Domestic Violence, DUII, Veteran's, Aid and Assist, and Downward Dispositional Departure. Statewide, drug courts are the most prevalent type of specialty 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. Available court/judge time is beginning to become a problem in some counties. Finally, small counties have difficulty maintaining a caseload that justifies the cost and time necessary to operate a specialty court.

**District Attorneys and Their Deputies**

2023 - 2025 Biennium

**Detail of Reductions to 2023-25 Current Service Level Budget**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Priority (ranked with highest priority first)	Agency	SCR or Activity Initials	Program Unit/Activity Description	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	Impact of Reduction on Services and Outcomes	
Dept	Prgm/ Div													
1	1	19600 DA	010-00-000-00000	District Attorneys and Their Deputies	778,264						778,264	0	0.00	The District Attorneys and their Deputies budget contains Personal Services (PS) costs for District Attorneys and State Government Service 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 State Government Service Charges (SGSCs) payment is required by statute.  A 5% reduction would have to be taken out the salaries and benefits of the District Attorneys which represents approximately 28 working days.
2	2	19600 DA	010-00-000-00000	District Attorneys and Their Deputies	778,264						778,264	0	0.00	A 10% reduction would have to be taken out the salaries and benefits of the District Attorneys which represents approximately 56 working days.
3	3	19600 DA	010-00-000-00000	District Attorneys and Their Deputies	778,264						778,264	0	0.00	A 15% reduction would have to be taken out the salaries and benefits of the District Attorneys which represents approximately 84 working days.
				2,334,793	-	-	-	-	-	2,334,793	0	0.00		

2,334,793  
\$ - \$ - \$ -

Target 2,334,793  
Difference \$ -

2023-25 CSL 15,565,287

10% 1,556,529  
15% 2,334,793

Note

working days calculated in 21-23 tracker at bottom of CSL column

# Agency Request Budget

<b>PROGRAM PRIORITIZATION FOR 2023-25</b>																					
<b>Agency Name:</b> District Attorneys and Their Deputies														<b>Agency Number:</b> 19600							
<b>2023-25 Biennium</b>																					
<b>Program / Division Priorities for 2023-25 Biennium</b>																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included or Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	Legal Citation	Explain What is Mandatory (For C, FM, and FO Only)	Comments on Proposed Changes to CSL included in Agency Request	
1	1	DAs	District Attorney salaries and benefits		5	14,430,561						\$ 14,430,561	36	36.00	Y	Y	S	ORS 8.610-8.852		POP 101 - Pay Equity Alignment for DA's \$1,433,206 GF POP 102 - Salary Increase for DA's \$2,338,084 GF POP 103 - Including DAs & DDAs in PERS Police/Fire \$430,753 GF	
			State Government Service charges and Admin		5	1,074,726						\$ 1,074,726									
			Other S&S		5	0						\$ -									POP 104 - Digital Evidence Investment \$7.2M GF POP 105 - Strengthen DA Services to Crime Victims \$23.5M GF POP 107 - Grand Jury Recordation \$384K GF
			Professional Services		5	0						\$ -									
			IT Expendable Property		5	0						\$ -									POP 106 - County Costs Related to Indigent Defendants \$6M GF
			Other Special Payments			0						\$ -									
						15,565,287	#	#	-	-	-	\$ 15,565,287	36	36.00							

**7. Primary Purpose Program/Activity Exists**

- 1 Civil Justice
- 2 Community Development
- 3 Consumer Protection
- 4 Administrative Function
- 5 Criminal Justice
- 6 Economic Development
- 7 Education & Skill Development
- 8 Emergency Services
- 9 Environmental Protection
- 10 Public Health
- 11 Recreation, Heritage, or Cultural
- 12 Social Support

**19. Legal Requirement Code**

- C Constitutional
- D Debt Service
- FM Federal - Mandatory
- FO Federal - Optional (once you choose to participate, certain requirements exist)
- S Statutory

Within each Program/Division area, prioritize each Budget Program Unit (Activities) by detail budget level in ORBTS

**Document criteria used to prioritize activities:**



# Agency - District Attorneys and Their Deputies

## Vacant Position Information

Vacancies as of December 31, 2022

Agency Initial	SCR	DCR	Pos No	Position Class Comp	Position Title	Pos Type	GF Fund Split	LF Fund Split	OF Fund Split	FF Fund Split	FTE	2023-25 GF PS Total	2023-25 OF PS Total	2023-25 FF PS Total	2023-25 Total Bien PS BUDGET	Vacant Date	Position eliminated in GRB? Y/N	Reason for vacancy
DA	19600-010-00-00-00000	19600-010-01-00-00000	1960008	MOD	1960-SR36-E	District Attorney	PF	1.00			1.00	370,355			370,355	10/31/2022	N	This position has been vacant for 2.5 months and is currently in an active recruitment (REQ-117432). Governor makes the appointment to fill the vacancy.
<b>Total</b>						<b>Pos</b>	<b>GF</b>	<b>LF</b>	<b>OF</b>	<b>FF</b>	<b>FTE</b>	<b>GF</b>	<b>OF</b>	<b>FF</b>	<b>AF</b>			
						1	1.00	0.00	0.00	0.00	1.00	370,355	0	0	370,355			