

# Department of District Attorney

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## Department Purpose

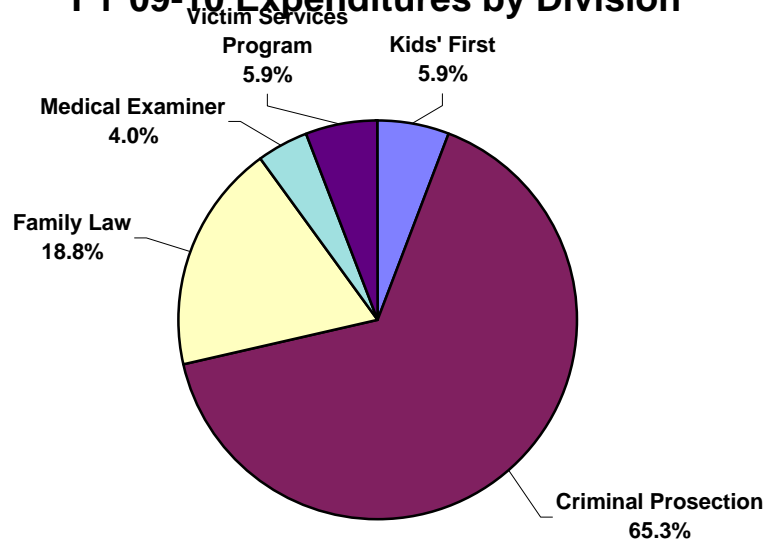
The Oregon Constitution, Article VII, Section 17 creates the elected office of the prosecuting attorney, “who shall be the law officers of the state, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of law, and general police as the legislative assembly may direct.” In summary the Legislative Assembly has directed the following:

- Prosecution, under Oregon Revised Statutes, of all violations of state criminal statutes;
- Civil and criminal enforcement of child support obligations;
- Assist the juvenile court in delinquency and dependency matters;
- Provide assistance to crime victims as required by the Oregon Constitution and the statutes; and
- Miscellaneous other responsibilities such as ruling on public records requests.

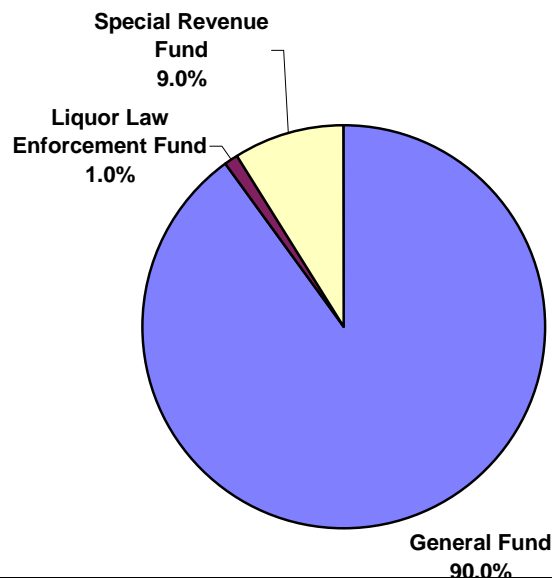
## Total Expenditures

\$10,034,891

### FY 09-10 Expenditures by Division



### FY 09-10 Budget by Fund



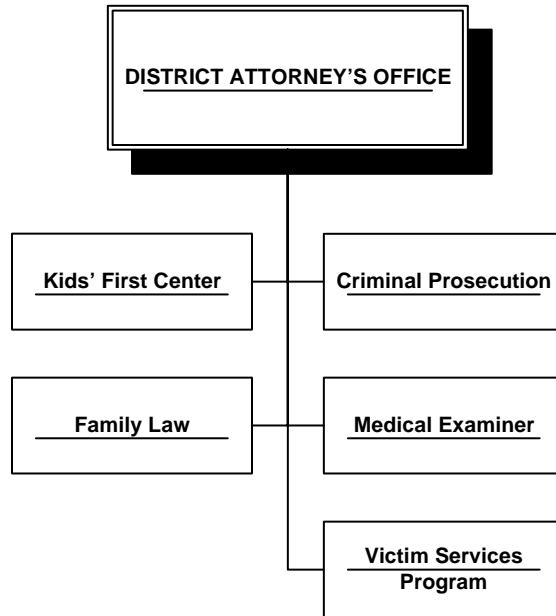
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# District Attorney

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## Department Overview

The Kids' FIRST Center (formerly known as the Child Advocacy Center) provides services to child victims of crime and to law enforcement. The Criminal Prosecution Division prosecutes adults and juveniles for criminal conduct. The Family Law Division enforces child support obligations. The Medical Examiner's Office investigates and determines the cause and manner of all suspicious deaths. The Victim Services Program provides support to adult victims of crime.



## Department Goals & Objectives

The department's strategic goals continue to be to meet the constitutional and statutory requirements for the office of District Attorney. Under the law the department must:

- Conduct training for all participating agencies handling child abuse cases to assure uniform handling and investigation through the county in a manner sensitive to the needs of children.
- Prosecute criminals.
- Enforce child support obligations.
- Investigate and certify all deaths as required by ORS 146.
- Provide services to crime victims to make sure their constitutional and statutory rights are upheld.

These goals are met through the following objective: To hire and retain a model professional staff. It is hard to meet these objectives as compensation is not competitive, the workload is oppressive, and there are too few lawyers and support staff.

Lane County has the highest caseload per attorney of all District Attorney Offices in Oregon. An independent study has the department about ten attorneys and seven investigators short of what is needed. Market adjustments in the attorneys' 2005-2007 contract helped on the compensation issue.

## Key Accomplishments in FY 08-09

- Successfully facilitated investigations and follow-up of over 700 child abuse allegations.
- Successfully prosecuted almost 6,100 criminal cases.
- Successfully raised almost 20 million dollars in child support.

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- Successfully determined the cause and manner of death in about 300 suspicious death cases.
- Documented over \$1.5 million dollars in restitution in 2008-2009.

### **Changes, Challenges & Opportunities for FY 09-10**

- Funding sources for all five divisions continue to decline as the workload rises.
- To keep the doors of the Kids' FIRST Center open, a variety of funding sources are needed to continue the work to lessen the trauma experienced by abused children. No general fund dollars are budgeted for this division.
- Twenty years ago the office "held the plea bargain line" and tried many more cases. With a dysfunctional jail and crushing caseloads, the lawyers are forced to plea bargain over 97 percent of the criminal cases. The sentences are often lenient and less effective due to the inadequate jail capacity and over-stretched alternative programs. Prosecuting repeat offenders is a way of life for lawyers and staff.
- The Lane County Circuit Court Judges and the Public Defender's Office are willing to develop streamlined court procedures consistent with the constitutional and statutory rights of defendants. There has been success in this area in the past and staff will continue to look for better ways to do the work, but the lack of investigators and jail space causes slippage and inefficiency.
- Successfully prosecute approximately 3,500 felony and 2,800 misdemeanor criminal cases with declining funding.
- Successfully collect almost \$20,000,000 in child support.
- Assist the new State Deputy Medical Examiner, Dr. Dan Davis, in fulfilling his role in determining the cause and manner of death in 300-400 suspicious death cases.
- Securing an affordable permanent morgue facility and additional professional death investigators.
- Successfully help thousands of crime victims navigate their way through the criminal justice system.
- House Joint Resolutions 49 and 50 were passed by the Oregon voters May 20, 2008 and provide for the enforcement of victims' rights. These measures will require more work for the District Attorney's office to file thousands of certifications of rights compliance with the court.

### **Performance Management**

- Forensic interviews at the Kids' FIRST Center have remained consistent in numbers over the years. With the implementation of Karly's Law in July 2007, the Center anticipated a significant increase in the number of interviews. The increase in interviews has not happened, primarily as a result of the children being too young (under 2), the need for field interviews to determine the immediate safety of the child, and the lack of detective resources. The Center has, however, experienced a large increase in the number of children served (12 to 16 more per month) as a result of the law. These children all receive a medical assessment and/or case review by the Center's doctor and the Multi-Disciplinary Team.
- Caseload per lawyer slightly increased from 2006 to 2007 and the workload continues to increase with increasing crime. These caseloads are too high for adequate case preparation by the attorneys and force us to plea bargain.
- The Family Law Division does an outstanding job each year collecting support for children. However, collection of child support may decrease as the Family Law Division complies with increasing non-collection service mandates resulting from both federal and state legislation.
- Cases that come to the Medical Examiner's Division receive a coordinated death investigation.
- The database used by the Victim Services Program allows staff and volunteers to accurately document all services provided to victims. These services include such things as assisting victims in obtaining restraining orders, notifying them of critical court hearings, accompanying them to court, and determining the amount of restitution. The number of volunteers in the program has decreased dramatically, in large part due to the closure of our 24-Hour Response Unit and the inability to

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recruit new volunteers for six months while the Volunteer Coordinator position was vacant. The 29,615 services provided in FY 07-08 is a testament to the hard work and dedication of the volunteers and staff in the program.

<b>DEPARTMENT PERFORMANCE MEASURES</b>						
<b>Performance Measures</b>	<b>2006 Actual</b>	<b>2006-07 Actual</b>	<b>2007-08 Actual</b>	<b>2007-08 Target</b>	<b>Comment</b>	<b>2008-09 Target</b>
Provide forensic interviews for law enforcement agencies and Department of Human Services	523	535	542	625	Fewer Than Anticipated	625
Caseload per lawyer	250	295	252	274 expected	Better Than Anticipated	274 expected
Total child support collected	\$20.3 million	\$20.2 Million	\$19.8 million	\$20 million	On Target	\$20 million
Medical examiner cases in which the cause and manner of death is established	287	297	254	300 estimate		300 estimate
Number of services provided to adult victims of crime	22,826	25,464	29,615	21,000	Far Exceeds Target	21,000

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<b>DEPARTMENT FINANCIAL SUMMARY</b>						
	<b>FY 06-07</b>	<b>FY 07-08</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	<b>\$ Chng</b>	<b>% Chng</b>
	<b>Actual</b>	<b>Actual</b>	<b>Curr Bgt</b>	<b>Proposed</b>	<b>Fr Curr</b>	<b>Fr Curr</b>
<b>RESOURCES:</b>						
Fines, Forf, and Penalties	30,297	64,331	42,000	36,000	(6,000)	-14.29%
Federal Revenues	1,262,897	963,784	1,105,301	1,169,913	64,612	5.85%
State Revenues	203,837	654,084	632,359	604,195	(28,164)	-4.45%
Local Revenues	538,161	529,917	613,276	654,430	41,154	6.71%
Fees and Charges	213,455	229,706	162,681	158,800	(3,881)	-2.39%
Interest Earnings	7,017	4,556	(5,000)	(2,500)	2,500	-50.00%
<b>Total Revenue</b>	<b>2,255,664</b>	<b>2,446,378</b>	<b>2,550,617</b>	<b>2,620,838</b>	<b>70,221</b>	<b>2.75%</b>
Resource Carryover	184,440	208,658	313,480	325,200	11,720	3.74%
Fund Transfers In	191,440	40,509	129,801	0	(129,801)	-100.00%
<b>TOTAL RESOURCES</b>	<b>2,631,544</b>	<b>2,695,543</b>	<b>2,993,898</b>	<b>2,946,038</b>	<b>(47,860)</b>	<b>-1.60%</b>
<b>EXPENDITURES:</b>						
Personnel Services	6,652,485	6,793,030	7,252,980	8,063,488	810,508	11.17%
Materials and Services	1,343,532	1,400,085	1,452,512	1,594,877	142,365	9.80%
Capital Expenses	94,988	0	0	0	0	0.00%
Fiscal Transactions	257,703	108,138	175,963	50,712	(125,251)	-71.18%
Total Resrvs & Conting.	0	0	190,730	325,814	135,084	70.82%
<b>TOTAL EXPENDITURES</b>	<b>8,348,708</b>	<b>8,301,253</b>	<b>9,072,185</b>	<b>10,034,891</b>	<b>962,706</b>	<b>10.61%</b>
<b>Total FTE</b>	<b>72.00</b>	<b>71.00</b>	<b>70.00</b>	<b>75.00</b>	<b>5.00</b>	<b>7.14%</b>
<b>EXPENDITURES BY FUND</b>						
General Fund	7,721,606	7,722,378	8,109,879	9,021,760	911,881	11.24%
Liquor Law Enforcement Fund	19,928	13,706	86,809	96,000	9,191	10.59%
Special Revenue Fund	607,174	565,170	875,497	917,130	41,633	4.76%
<b>TOTAL FUNDS</b>	<b>8,348,708</b>	<b>8,301,254</b>	<b>9,072,185</b>	<b>10,034,890</b>	<b>962,705</b>	<b>10.61%</b>

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<b>DEPARTMENT FINANCIAL SUMMARY BY PROGRAM</b>						
<b>PROGRAMS</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Curr Bgt</b>	<b>FY 09-10 Proposed</b>	<b>\$ Chng Fr Curr</b>	<b>% Chng Fr Curr</b>
Kids' FIRST	502,955	553,848	612,826	649,430	36,604	5.97%
Criminal Prosecution	5,550,416	5,533,452	5,739,156	6,493,219	754,063	13.14%
Liquor Law Enforcement	19,928	13,706	86,809	96,000	9,191	10.59%
Family Law	1,515,643	1,456,050	1,865,752	1,880,075	14,323	0.77%
Medical Examiner's Office	410,409	340,035	325,303	360,916	35,613	10.95%
Victim Assistance Library	849	378	18,523	18,600	77	0.42%
Victim Emergency Services	1,370	944	1,750	1,600	(150)	-8.57%
Victim/Witness Program	347,139	402,841	422,066	535,051	112,985	26.77%
<b>TOTAL EXPENDITURES</b>	<b>8,348,708</b>	<b>8,301,253</b>	<b>9,072,185</b>	<b>10,034,890</b>	<b>962,705</b>	<b>10.61%</b>

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DEPARTMENT REVENUE SUMMARY						
REVENUE ACCOUNTS	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Curr Bgt	FY 09-10 Proposed	\$ Chng Fr Curr	% Chng Fr Curr
Court Fines	15,576	26,107	18,500	18,500	0	0.00%
Fines From Other Courts	14,563	18,912	17,500	17,500	0	0.00%
Forfeitures Other	158	19,312	6,000	0	(6,000)	-100.00%
<b>FINES, FORF &amp; PENALTIES</b>	<b>30,297</b>	<b>64,331</b>	<b>42,000</b>	<b>36,000</b>	<b>(6,000)</b>	<b>-14.29%</b>
Health & Human Services	1,167,909	963,784	1,105,301	1,169,913	64,612	5.85%
Department Of Justice	94,988	0	0	0	0	0.00%
<b>FEDERAL REVENUES</b>	<b>1,262,897</b>	<b>963,784</b>	<b>1,105,301</b>	<b>1,169,913</b>	<b>64,612</b>	<b>5.85%</b>
Dept Of State Police	27,398	0	0	0	0	0.00%
Miscellaneous State	0	50,556	75,000	75,000	0	0.00%
DDA Salary Supplement	0	12,329	12,329	0	(12,329)	-100.00%
Victim - Witness Program	103,744	147,692	162,425	154,304	(8,121)	-5.00%
Misc - State Revenue	72,694	443,507	382,605	374,891	(7,714)	-2.02%
<b>STATE GRANT REVEN</b>	<b>203,837</b>	<b>654,084</b>	<b>632,359</b>	<b>604,195</b>	<b>(28,164)</b>	<b>-4.45%</b>
Other Local	538,161	529,917	613,276	654,430	41,154	6.71%
<b>LOCAL REVENUES</b>	<b>538,161</b>	<b>529,917</b>	<b>613,276</b>	<b>654,430</b>	<b>41,154</b>	<b>6.71%</b>
Miscellaneous Svc Chrgs	24,915	39,009	25,000	37,600	12,600	50.40%
Report Fees	360	165	225	0	(225)	-100.00%
Private Donations	0	650	0	0	0	0.00%
Discovery - Police Records	148,634	155,891	121,156	121,200	44	0.04%
Refunds & Reimbursemt	28,398	15,980	4,300	0	(4,300)	-100.00%
Legal Services	11,148	18,011	12,000	0	(12,000)	-100.00%
<b>FEES AND CHARGES</b>	<b>213,454</b>	<b>229,705</b>	<b>162,681</b>	<b>158,800</b>	<b>(3,881)</b>	<b>-2.39%</b>
Investment Earnings	7,017	4,555	(5,000)	(2,500)	2,500	-50.00%
<b>INTEREST EARNINGS</b>	<b>7,017</b>	<b>4,555</b>	<b>(5,000)</b>	<b>(2,500)</b>	<b>2,500</b>	<b>-50.00%</b>
Fund Balance	184,441	208,658	313,480	325,200	11,720	3.74%
Transfer Fr General Fund	89,440	30,509	0	0	0	0.00%
Transfer Fr Sp Rev Funds	102,000	10,000	125,251	0	(125,251)	-100.00%
Transfer Fr Int Svc Fnds	0	0	4,550	0	(4,550)	-100.00%
<b>FISCAL TRANSACTIONS</b>	<b>375,881</b>	<b>249,167</b>	<b>443,281</b>	<b>325,200</b>	<b>(118,081)</b>	<b>-26.64%</b>
<b>TOTAL RESOURCES</b>	<b>2,631,544</b>	<b>2,695,542</b>	<b>2,993,898</b>	<b>2,946,038</b>	<b>(47,860)</b>	<b>-1.60%</b>

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<b>DEPARTMENT EXPENSE SUMMARY</b>						
<b>EXPENDITURE ACCOUNTS</b>	<b>FY 06-07 Actual</b>	<b>FY 07-08 Actual</b>	<b>FY 08-09 Curr Bgt</b>	<b>FY 09-10 Proposed</b>	<b>\$ Chng Fr Curr</b>	<b>% Chng Fr Curr</b>
Permanent Operating Salaries	3,943,368	4,004,179	4,149,127	4,539,781	390,654	9.42%
Extra Help	148,949	142,287	108,468	66,276	(42,192)	-38.90%
Unclassified Temporary	0	5,040	0	77,844	77,844	100.00%
Overtime	23,077	1,213	12,696	12,696	0	0.00%
Reduction Unfunded Vac Liab	75,128	78,506	96,510	132,118	35,608	36.90%
Compensatory Time	976	68	0	0	0	0.00%
Employee Benefits	2,191,818	0	0	0	0	0.00%
Risk Management Benefits	17,973	12,671	7,851	5,553	(2,298)	-29.27%
Social Security Expense	0	252,677	263,303	294,897	31,594	12.00%
Medicare Insurance Expense	0	61,088	63,258	69,957	6,699	10.59%
Unemployment Insurance (State)	0	32,704	33,162	36,259	3,097	9.34%
Workers Comp	0	14,097	13,077	14,512	1,435	10.97%
Disability Insurance - Long-term	0	25,807	42,600	46,840	4,240	9.95%
PERS - OPSRP Employer rate	0	469,740	506,413	464,649	(41,764)	-8.25%
PERS Bond	251,195	238,033	219,305	351,344	132,039	60.21%
PERS - 6% Pickup	0	236,544	255,589	285,778	30,189	11.81%
Optional ER IAP	0	57,551	92,805	99,579	6,774	7.30%
Health Insurance	0	837,322	957,030	1,168,673	211,643	22.11%
Dental Insurance	0	78,726	87,940	103,033	15,093	17.16%
Vision Insurance	0	15,541	17,830	25,875	8,045	45.12%
EE Assistance Pgm - IBH	0	4,384	4,200	4,500	300	7.14%
Life Insurance	0	13,244	13,440	14,400	960	7.14%
Flexible Spending	0	636	840	900	60	7.14%
Disability Insurance - Short Term	0	1,667	1,680	1,800	120	7.14%
Defer. Comp Employer Contrib.	0	9,216	7,865	19,248	11,383	144.73%
Retiree Medical	0	200,088	207,991	226,976	18,985	9.13%
Salary Offset	0	0	90,000	0	(90,000)	-100.00%
<b>PERSONNEL SERVICES</b>	<b>6,652,484</b>	<b>6,793,030</b>	<b>7,252,980</b>	<b>8,063,488</b>	<b>810,508</b>	<b>11.17%</b>
Professional & Consulting	100,259	76,325	154,050	95,718	(58,332)	-37.87%
Court Related Personal Service	27,693	40,896	40,260	40,250	(10)	-0.02%
Relief & Assistance	1,137	2,159	1,750	1,600	(150)	-8.57%
Agency Payments	98,074	108,691	120,451	125,000	4,549	3.78%
Light, Power & Water	7,316	11,675	7,600	13,420	5,820	76.58%
Telephone Services	43,540	42,891	47,400	47,960	560	1.18%
Purchased Insurance	12,926	20,540	25,303	23,505	(1,798)	-7.11%
Damage Claims	602	0	0	0	0	0.00%
Maintenance of Equipment	978	1,492	1,400	1,300	(100)	-7.14%
Maintenance of Structures	35	0	0	0	0	0.00%
Maintenance Agreements	432	180	200	200	0	0.00%
External Equipment Rental	1,071	974	1,100	1,547	447	40.64%
Real Estate & Space Rentals	0	0	0	12,312	12,312	100.00%
Fleet Services Rentals	80,701	31,442	30,258	33,581	3,323	10.98%
Copier Charges	28,355	29,577	28,800	32,503	3,703	12.86%

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<b>DEPARTMENT EXPENSE SUMMARY</b>						
<b>EXPENDITURE ACCOUNTS</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	<b>\$ Chng</b>	<b>% Chng</b>
	<b>Actual</b>	<b>Actual</b>	<b>Curr Bgt</b>	<b>Proposed</b>	<b>Fr Curr</b>	<b>Fr Curr</b>
Mail Room Charges	20,008	21,446	23,965	24,025	60	0.25%
Direct/Information Services	353,680	365,433	331,964	468,792	136,828	41.22%
County Overhead Charges	394,824	413,376	424,860	438,094	13,234	3.11%
PC Replacement Services	32,566	43,690	51,100	47,630	(3,470)	-6.79%
Office Supplies & Expense	33,160	31,553	32,034	45,210	13,176	41.13%
Membrshp/Professional Licenses	11,918	18,720	19,146	19,350	204	1.07%
Printing & Binding	11,432	10,853	16,500	16,650	150	0.91%
Advertising & Publicity	816	971	0	150	150	100.00%
Postage	8,304	6,371	5,375	5,375	0	0.00%
DP Supplies And Access	418	4,861	1,787	2,910	1,123	62.84%
DP Equipment	5,222	7,993	2,740	4,205	1,465	53.47%
Furniture, Equipment & Tools	11,150	23,131	0	5,000	5,000	100.00%
Special Supplies	14,620	17,839	33,637	33,600	(37)	-0.11%
Safety Supplies	427	1,486	0	0	0	0.00%
Business Expense & Travel	3,446	4,501	11,289	11,589	300	2.66%
Awards & Recognition	759	1,035	750	950	200	26.67%
Outside Education & Travel	35,732	52,612	37,343	40,100	2,757	7.38%
County Training Classes	1,240	1,820	1,200	2,100	900	75.00%
Training Services & Materials	692	5,551	250	250	0	0.00%
<b>MATERIALS &amp; SERVICES</b>	<b>1,343,533</b>	<b>1,400,085</b>	<b>1,452,512</b>	<b>1,594,876</b>	<b>142,364</b>	<b>9.80%</b>
Scientific & Laboratory	94,988	0	0	0	0	0.00%
<b>CAPITAL OUTLAY</b>	<b>94,988</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>
Transfer To General Fund	102,000	10,000	125,251	0	(125,251)	-100.00%
Transfer To Special Rev. Funds	89,440	30,509	0	0	0	0.00%
Transfer To Debt Service Funds	50,712	50,712	50,712	50,712	0	0.00%
Transfer To Capital Proj. Funds	15,551	16,917	0	0	0	0.00%
<b>FUND TRANSFERS</b>	<b>257,703</b>	<b>108,138</b>	<b>175,963</b>	<b>50,712</b>	<b>(125,251)</b>	<b>-71.18%</b>
Operational Contingency	0	0	190,730	325,814	135,084	70.82%
<b>TOTAL RESERVES</b>	<b>0</b>	<b>0</b>	<b>190,730</b>	<b>325,814</b>	<b>135,084</b>	<b>70.82%</b>
<b>TOTAL EXPENDITURES</b>	<b>8,348,708</b>	<b>8,301,253</b>	<b>9,072,185</b>	<b>10,034,890</b>	<b>962,705</b>	<b>10.61%</b>

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