

Department of District Attorney

Department Purpose

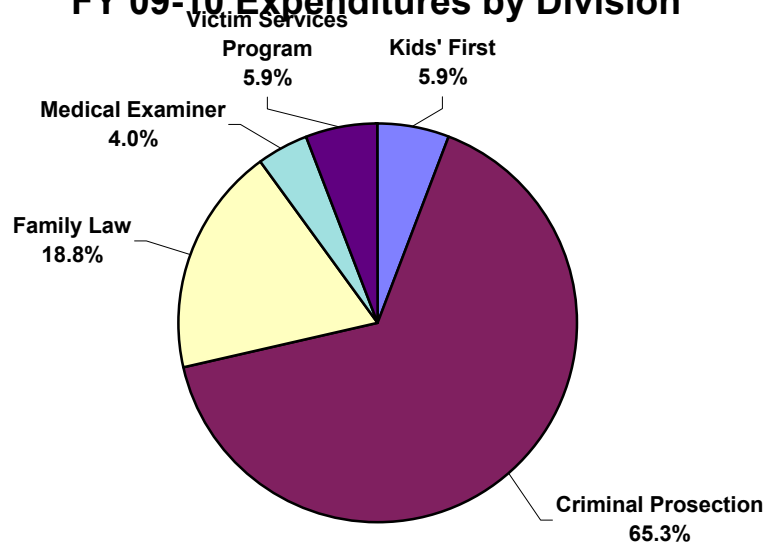
The Oregon Constitution, Article VII, Section 17 creates the elected office of the prosecuting attorney, “who shall be the law officers of the state, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of law, and general police as the 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.

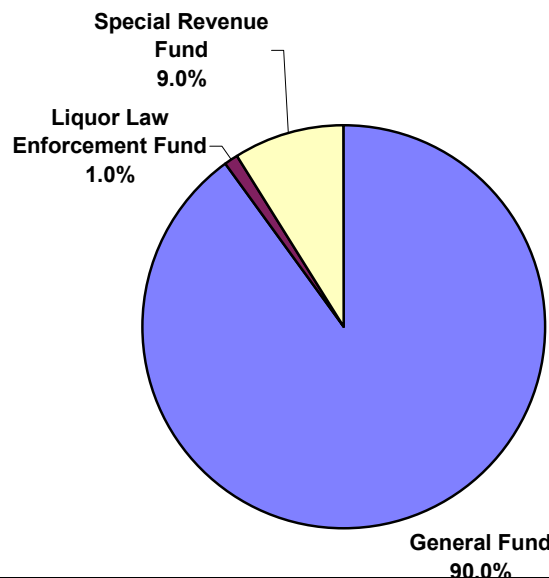
Total Expenditures

\$10,034,891

FY 09-10 Expenditures by Division



FY 09-10 Budget by Fund

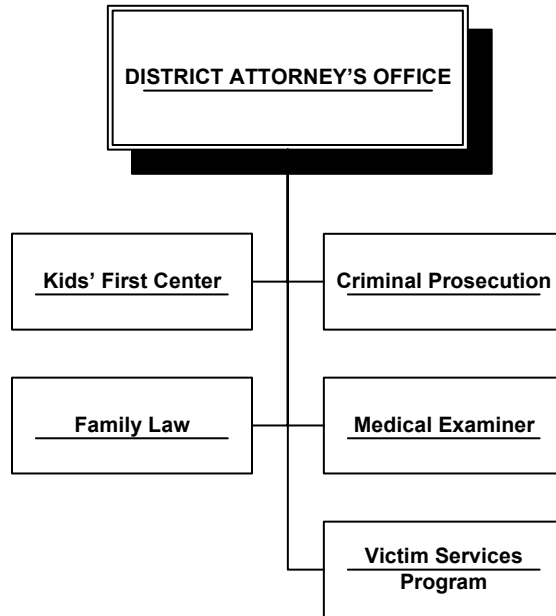


Alex Gardner
District Attorney
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District Attorney

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.

| DEPARTMENT PERFORMANCE MEASURES | | | | | | |
|-------------------------------------------------------------------------------------------|--------------------|-----------------------|-----------------------|-----------------------|-------------------------|-----------------------|
| Performance Measures | 2006 Actual | 2006-07 Actual | 2007-08 Actual | 2007-08 Target | Comment | 2008-09 Target |
| 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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| DEPARTMENT FINANCIAL SUMMARY | | | | | | |
|-------------------------------------|------------------|------------------|------------------|-------------------|-----------------|----------------|
| | FY 06-07 | FY 07-08 | FY 08-09 | FY 09-10 | \$ Chng | % Chng |
| | Actual | Actual | Curr Bgt | Proposed | Fr Curr | Fr Curr |
| RESOURCES: | | | | | | |
| 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% |
| Total Revenue | 2,255,664 | 2,446,378 | 2,550,617 | 2,620,838 | 70,221 | 2.75% |
| 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% |
| TOTAL RESOURCES | 2,631,544 | 2,695,543 | 2,993,898 | 2,946,038 | (47,860) | -1.60% |
| EXPENDITURES: | | | | | | |
| 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% |
| TOTAL EXPENDITURES | 8,348,708 | 8,301,253 | 9,072,185 | 10,034,891 | 962,706 | 10.61% |
| Total FTE | 72.00 | 71.00 | 70.00 | 75.00 | 5.00 | 7.14% |
| EXPENDITURES BY FUND | | | | | | |
| 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% |
| TOTAL FUNDS | 8,348,708 | 8,301,254 | 9,072,185 | 10,034,890 | 962,705 | 10.61% |

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| DEPARTMENT FINANCIAL SUMMARY BY PROGRAM | | | | | | |
|------------------------------------------------|----------------------------|----------------------------|------------------------------|------------------------------|----------------------------|---------------------------|
| PROGRAMS | FY 06-07 Actual | FY 07-08 Actual | FY 08-09 Curr Bgt | FY 09-10 Proposed | \$ Chng Fr Curr | % Chng Fr Curr |
| 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% |
| TOTAL EXPENDITURES | 8,348,708 | 8,301,253 | 9,072,185 | 10,034,890 | 962,705 | 10.61% |

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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% |
| FINES, FORF & PENALTIES | 30,297 | 64,331 | 42,000 | 36,000 | (6,000) | -14.29% |
| 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% |
| FEDERAL REVENUES | 1,262,897 | 963,784 | 1,105,301 | 1,169,913 | 64,612 | 5.85% |
| 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% |
| STATE GRANT REVEN | 203,837 | 654,084 | 632,359 | 604,195 | (28,164) | -4.45% |
| Other Local | 538,161 | 529,917 | 613,276 | 654,430 | 41,154 | 6.71% |
| LOCAL REVENUES | 538,161 | 529,917 | 613,276 | 654,430 | 41,154 | 6.71% |
| 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% |
| FEES AND CHARGES | 213,454 | 229,705 | 162,681 | 158,800 | (3,881) | -2.39% |
| Investment Earnings | 7,017 | 4,555 | (5,000) | (2,500) | 2,500 | -50.00% |
| INTEREST EARNINGS | 7,017 | 4,555 | (5,000) | (2,500) | 2,500 | -50.00% |
| 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% |
| FISCAL TRANSACTIONS | 375,881 | 249,167 | 443,281 | 325,200 | (118,081) | -26.64% |
| TOTAL RESOURCES | 2,631,544 | 2,695,542 | 2,993,898 | 2,946,038 | (47,860) | -1.60% |

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| DEPARTMENT EXPENSE SUMMARY | | | | | | |
|-----------------------------------|------------------|------------------|------------------|------------------|----------------|----------------|
| EXPENDITURE ACCOUNTS | FY 06-07 | FY 07-08 | FY 08-09 | FY 09-10 | \$ Chng | % Chng |
| | Actual | Actual | Curr Bgt | Proposed | Fr Curr | Fr Curr |
| 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% |
| PERSONNEL SERVICES | 6,652,484 | 6,793,030 | 7,252,980 | 8,063,488 | 810,508 | 11.17% |
| 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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| DEPARTMENT EXPENSE SUMMARY | | | | | | |
|-----------------------------------|------------------|------------------|------------------|-------------------|------------------|----------------|
| EXPENDITURE ACCOUNTS | FY 06-07 | FY 07-08 | FY 08-09 | FY 09-10 | \$ Chng | % Chng |
| | Actual | Actual | Curr Bgt | Proposed | Fr Curr | Fr Curr |
| 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% |
| MATERIALS & SERVICES | 1,343,533 | 1,400,085 | 1,452,512 | 1,594,876 | 142,364 | 9.80% |
| Scientific & Laboratory | 94,988 | 0 | 0 | 0 | 0 | 0.00% |
| CAPITAL OUTLAY | 94,988 | 0 | 0 | 0 | 0 | 0.00% |
| 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% |
| FUND TRANSFERS | 257,703 | 108,138 | 175,963 | 50,712 | (125,251) | -71.18% |
| Operational Contingency | 0 | 0 | 190,730 | 325,814 | 135,084 | 70.82% |
| TOTAL RESERVES | 0 | 0 | 190,730 | 325,814 | 135,084 | 70.82% |
| TOTAL EXPENDITURES | 8,348,708 | 8,301,253 | 9,072,185 | 10,034,890 | 962,705 | 10.61% |

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