

Lane County, Oregon

FY 08-09 Service Options Sheet

Service: **Prosecution of Adult Defendants**
 Dept: District Attorney
 Program Contact: Doug Harclerod, Alex Gardner
 Contact Phone: 682-4261 (Fiscal: Rebecca M. 682-4508)

BCC Service Priorities: 1, 2, 3, 6
 Fund: 124 Dept. Org ID: 1111010
 Dept. Priority: 1 of 3
 Fund Priority: 8 of 46

Executive Summary

The District Attorney is responsible for the prosecution of all felony offenses and most misdemeanor offenses committed in Lane County. In round figures this is 6,000 cases a year. Essential Medical Examiner, Victim Services, and Investigation components are included in this service, as they are mandated by law and/or essential to this function. An independent study in 2004 said we need 32 prosecutors in this division and we currently have 22 prosecutors. Because of this shortage in attorneys and support staff, we have severely compromised the effective prosecution of thousands of cases. The case loads of the attorneys are so large we make easy plea bargains (lighter sentences or charges). We must "move" the cases. Trials take too much time.

State/Federal Mandate

ORS 8.660; ORS 8.670; ORS 146.095; ORS 137.106; ORS 135.139; Oregon Constitution Art 7, Section 17; ORS 8.660 states "The district attorney shall attend the terms of all courts having jurisdiction of public offenses within the district attorney's county, and except as otherwise provided in this section, conduct, on behalf of the state, all prosecution for such offenses therein."

Outcome Measure/s

Successfully prosecute approximately 3,300 Felony cases, and approximately 2,500 Misdemeanor cases. Of the 3,300 Felony cases, approximately 2,000 non-violent felonies will not be prosecuted with the Proposed Service Funding listed below.

Service Level Descriptions. Level 1 (very bottom) = Threshold Level Below Which Service Cannot Be Provided

X=Funded	Proposed Service Funding >>	Other Funds	Expense Total	General Fund	FTE
		404,128	5,076,473	4,672,345	41.50
	Priority 4: Felony Non-Person Crimes (Unfunded Portion)	82,142	840,119	757,977	6.50
	If we lose 4 attorneys and 4 support staff (the combined FTE loss for both the Adult and Juvenile Prosecution Units), approximately 2,000 cases of Felony Non-Person crimes described below will not be prosecuted.				
X	Priority 3: Felony Non-Person Crimes	75,006	473,152	398,146	4.50
	Felony Non-Person Crime Prosecution, and Related Services: Felony Non-Person Crimes include Burglary; Manufacture, Delivery, and Possession of Illegal Drugs; Theft; Forgery; Car Theft; Property damage/destruction >\$750.00; Arson; Identity Theft; and Computer Crimes.				
X	Priority 2: Misdemeanor Person Crimes	116,025	951,423	835,398	9.00
	Misdemeanor Person Crime Prosecution, and Related Services: Misdemeanor Person Crimes include Assault-4th Degree (most "domestic" assaults), Sexual Abuse-3rd Degree, DUUI (included here due to the substantial risk of death or injury involved), Assaulting a Police Officer; Contributing to the Sexual Delinquency of a Minor, and others.				
X	Priority 1: Felony Person Crimes	213,097	3,651,898	3,438,801	28.00
	Felony Person Crime Investigation, Prosecution, and Related Services: In the case of death/homicide, the District Attorney also shares the responsibility for investigation with the Medical Examiner and police agencies. Felony Person Crimes include Aggravated Murder (with potential for the death penalty), Murder, Rape, Sodomy, Robbery, Arson, Assault, Kidnapping, and more.				

Ver: 12/18/07d-ji

- "Shall" Mandate
- Related Mandate
- No Clear Mandate
- Highly Leveraged to County provided service (100% return or greater)
- Leverages Funds to County
- Leverages Funding for Citizens and/or Community Organizations

Leverage Details

At the FY 07-08 level of service, the GF portion of this program leverages:	<u>\$4,757,412</u> <u>\$5,699,561</u> <u>\$0</u> <u>\$0</u>	back to the General Fund into other County Funds directly or via subcontract to community orgs directly to citizens via services provided
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192.57% County Funds Leverage Ratio

For the purpose of this comparison, only include leveraged funds that are dependent on General Fund revenue. Do not include funds that would still be leveraged if the General Fund portion of the service were decreased or eliminated.

Please use this space to explain the Proposed Service Level Funding impact on leverage of the varying levels of service described above.

Please see the memo by Doug Daniell for information about the relationship between the Community Corrections Act (CCA) funds received by the county, and the prosecution of felonies by the District Attorney's Office. Because of this relationship, for every dollar that is cut in prosecution funding, two years later when the CCA funds are distributed around the state, it is estimated that Lane County will lose 4 dollars of CCA funds. Leverage info above includes FY07-08 amount of CCA funds (\$10,155,577) that are split between the Sheriff's Office (General Fund) and Health & Human Services' Parole & Probation (other County Funds). Non-CCA Leverage to the General Fund totals \$306,796.