

**Lead Agency:** District Attorney

**Program Contact:** Scott Marcy

**Program Offer Type:** Existing Operating

**Related Programs:**

**Program Characteristics:** Backfill State/Federal/Grant

**Executive Summary**

This program offer supports 1 FTE Deputy DA 2 position that was previously funded through the City of Portland to prosecute cases in drug impacted areas of the County and to impose and enforce exclusion orders through the court as a part of their probation.

**Program Description**

The Drug Impact Area (DIA) Deputy DA works closely with local law enforcement and community organizations to identify and prosecute offenders committing drug related crimes in drug impacted areas of the County. Prosecuting these crimes as felonies or misdemeanors provides the Deputy DA an opportunity to request that the court impose exclusion or stay away orders as a condition of probation. If the offender violates this order they are considered in violation of their probation. Since the start of the DIA program, 240 criminal cases (169 felonies and 71 misdemeanors) have been issued involving the unlawful delivery or possession of heroin, cocaine, and marijuana that occurred in one of the 3 Drug Impact Areas. Since the inception of the DIA program, 164 cases that were formerly eligible for violation treatment have been issued as misdemeanors. To date, 244 defendants have been excluded from the DIAs as a condition of probation.

**Performance Measures**

| Measure Type | Primary Measure | Previous Year Actual (FY10-11) | Current Year Purchased (FY11-12) | Current Year Estimate (FY11-12) | Next Year Offer (FY12-13) |
|--------------|-----------------|--------------------------------|----------------------------------|---------------------------------|---------------------------|
| Output       | cases issued    | 0                              | 0                                | 299                             | 350                       |
| Outcome      | cases resolved  | 0                              | 0                                | 279                             | 300                       |

**Performance Measure - Description**

Cases issued- the number of cases for which a charging document has been created in that unit.

Cases resolved-the total number of cases that have been resolved.

## Legal/Contractual Obligation

ORS 8.660 Attending court and prosecuting offenses. (1) 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 prosecutions for such offenses therein.

ORS 8.670 Proceedings before magistrates and grand jury.

The district attorney shall institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of public offenses, when the district attorney has information that any such offense has been committed, and attend upon and advise the grand jury when required.

8.680 Prosecuting and collecting penalties and forfeitures; prosecuting and defending for state.

## Revenue/Expense Detail

|                         | Proposed General Fund | Proposed Other Funds | Proposed General Fund | Proposed Other Funds |
|-------------------------|-----------------------|----------------------|-----------------------|----------------------|
| <b>Program Expenses</b> | 2012                  | 2012                 | 2013                  | 2013                 |
| Personnel               | \$0                   | \$119,703            | \$0                   | \$129,335            |
| Total GF/non-GF:        | <b>\$0</b>            | <b>\$119,703</b>     | <b>\$0</b>            | <b>\$129,335</b>     |
| Program Total:          | <b>\$119,703</b>      |                      | <b>\$129,335</b>      |                      |
| Program FTE             | 0.00                  | 1.00                 | 0.00                  | 1.00                 |
| <b>Program Revenues</b> |                       |                      |                       |                      |
| Intergovernmental       | \$0                   | \$119,703            | \$0                   | \$129,335            |
| <b>Total Revenue:</b>   | <b>\$0</b>            | <b>\$119,703</b>     | <b>\$0</b>            | <b>\$129,335</b>     |

## Explanation of Revenues

## Significant Program Changes

Last year this program was: