

Hugo Neighborhood Association & Historical Society

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March 28, 2016 Letter/Email

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Subject: Learn About Josephine County's (JO CO's) District Attorney's Office

Dear Ryan:

Thanks again for making the time to hear our *Study Design* idea at our October 14, 2015 meeting in your office. We would very much like a followup meeting to share and learn.

Our interest is to learn about the JO CO's District Attorney's Office as part of a project to research the six major public safety services (i.e., 1. Adult Jail, 2. Juvenile Justice, 3. District Attorney's Office, 4. Sheriff Rural Patrol Deputies, 5. Criminal Investigations & Related Sheriff's Office Support Services, and 6. Animal Control/Protection) identified in the last four county levies and the sales tax proposal (2012 - 2015). We will also research other PSS as a second project (e.g., Adult Corrections, etc.). Like most of our research, it would be web published (Appendix A). Our proposed agenda for the meeting has two items.

- Item # 1. Continue answering any questions you might have about *Study Design*, and its major project, *Study*, while focusing on information and studies that describe the District Attorney's Office.
- Item # 2. We are interested in the county's PSS, including identified elective, necessary, and/or mandated services as policy. The descriptions and the standards could become part of a range of alternative solutions to be analyzed in the socio-economic impact *Study*. These descriptions could also act as the affected conditions analyzed for direct and indirect impacts from the *Study* alternatives.

Per the direction of the Management Team at our March 7, 2016 meeting, we are researching the county's budget document for elective, necessary, and/or mandated PSS (*Josephine County District Attorney's Office, Josephine County, Oregon Adopted Budget: FY 2015-16*). What we found for the District Attorney's Office is covered in Appendix B which is the context for any elective, necessary, and/or mandated Juvenile Justice PSS, including other descriptive information and studies. The description of the District Attorney's Office will also serve as a public awareness description for future levies.

We recognize you as the “expert” manager of the District Attorney’s Office PSS. With that in mind, we would appreciate any comments on supplemental District Attorney’s Office information needs that should also be web published.

We are especially interested in descriptive documents and/or references directly or indirectly related to the public safety issue. For example, ORS 132.440 requires that at least once yearly, a grand jury shall inquire into the condition and management of every correctional facility and youth correction facility in the county. Can Josephine County make the county’s special corrections grand jury reports available as did Jackson County?

On December 8, 2014 the Jackson County District Attorney web published Jackson County Special Corrections Grand Jury reports for 2008 - 2013. On June 8, 2015 it published the 2014 Special Corrections Grand Jury Report. Juvenile justice, jail space, jail staffing levels, improved data collection/documentation of forced release due to the jail occupancy cap to raise public awareness, and adult corrections are just a few of the topics covered in these reports. These grand jury reports are at the Committee’s jail web page at <http://www.hugoneighborhood.org/jail.htm>.

In conclusion, we hope you will be interested in sharing information with us, especially relating to Appendix B. We propose a 30 minute to one hour meeting.

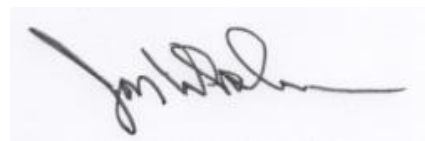
Sincerely,

Mike & Jon :)

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Appendices

Appendix A. Josephine County Public Safety Services

Appendix B. Josephine County District Attorney's Office, Josephine County, Oregon Adopted Budget: FY 2015-16

Appendix A. Josephine County Public Safety Services

Public Safety Services

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<http://www.hugoneighborhood.org/pss.htm>

The Josephine County District Attorney's Office is one of six major public safety services identified in the last four county levies and the sales tax proposal (2012 - 2015). Locally there are usually considered to be the six major components of the JO CO public safety program.

Appendix 4B. Josephine County's Minimally Adequate Level of Public Safety Services Standards, Section III.C. Components Of JO CO Public Safety Program For Increased Funding: 2012 - 2015.

JS&PSS Exploratory Committee

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<http://www.hugoneighborhood.org/malpss.htm>

- Walker, Mike; Whalen, Jon, Members JS&PSS Exploratory Committee, Hugo Neighborhood Association & Historical Society. Very Draft December 15, 2015. *Appendix 4B. JO CO's Minimally Adequate Level of Public Safety Services (MALPSS) Standards, Including Law Enforcement Staffing & Deployment.* Supporting Justice System & Public Safety Services Study Design: 2015. Hugo, OR.

1. Adult Jail.
2. Juvenile Justice.
3. District Attorney's Office.
4. Sheriff Rural Patrol Deputies.
5. Criminal Investigations & Related Sheriff's Office Support Services.
6. Animal Control/Protection.

Other PSS

7. Adult Corrections

District Attorney's Office

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<http://www.hugoneighborhood.org/pss.htm>

**Appendix B. Josephine County District Attorney's Office, Josephine County, Oregon
Adopted Budget: FY 2015-16**

- Josephine County (JO CO) Board of County Commissioners (BCC). June 17, 2015. *Josephine County, Oregon Adopted Budget FY 2015-16*. JO CO BCC Resolution Number 2015-026. Grants Pass, OR.

PUBLIC SAFETY FUND (PSF), JOSEPHINE COUNTY, OREGON (PSF, pages 158/764 - 223/764)

- I. PUBLIC SAFETY FUND DESCRIPTION (PSF, page 160/764)
- II. BUDGET – RESOURCES AND REQUIREMENTS
- III. PROGRAM DESCRIPTIONS AND BUDGETS
 - A. Sheriff (n/a; PSF, pages 164/764 - 199/764)
 - B. District Attorney (PSF, pages 200/764 - 216/764)
 - 1. Program: Criminal Prosecution
 - 2. Program: Victim Assistance
 - 3. Program: Support Enforcement
 - 4. Elective, Necessary, And/or Mandated District Attorney's Office PSS
 - C. Juvenile Justice (n/a; PSF, pages 217/764 - 223/764)

PUBLIC HEALTH FUND (PHF), JOSEPHINE COUNTY, OREGON (n/a; PHF, pages 262/764 - 321/764)

Animal Protection and Regulation (PHF, pages 300/764 - 302/764)

ADULT CORRECTIONS FUND (ACF), JOSEPHINE COUNTY, OREGON (n/a; ACF, pages 224/764 - 261/764)

I. PUBLIC SAFETY FUND DESCRIPTION (PSF, page 160/764)

The Public Safety Fund was formed in 2006. It was comprised of three departments: Sheriff, District Attorney, and Community Justice, which had previously been in the General Fund. The Community Justice Department was further reorganized into Juvenile Justice and Adult Corrections. In 2007, Adult Corrections was moved to a separate fund. The Sheriff and District Attorney are elected officials. The manager of the Juvenile Justice Department reports to a liaison County Commissioner. The departments within this fund provide support for the criminal justice system utilized by city, county and state law enforcement. County wide services include court prosecution, civil services, the jail and juvenile facility.

The budget is in balance, which means that the budgeted requirements (expenditures and ending fund balance) are equal to the resources (beginning fund balance and revenues) that are estimated to be available during the budget year. The primary source of revenue to operate the departments in this Fund had been monies received under the Troubled Assets Relief Program (TARP) and a transfer from the General Fund. Additionally, programs operated by the three departments generate revenues for specific program purposes. The TARP “county payments” money replaced the O&C distributions that the County received for many years.

A summary of the Public Safety Fund (Resources and Requirements) is presented first in the *Josephine County, Oregon Adopted Budget FY 2015-16*, followed by sections for each of the three departments. The money available for them is equal to total resources of the fund, less the requirement for Internal Service Fund charges. Major reductions in programs occurred in FY 2012-13 due to the loss of funding and five percent reductions have been occurring annually since.

For each department, there is a summary of its programs (Schedule A), which in turn is supported by a Program Worksheet (Schedule B) for each program. Schedule B provides information about the purpose of the program, how much revenue it is expected to generate during the budget year, and a breakdown of its expenditure budget by the categories specified in Oregon Local Budget Law.

Schedules C, D, and E provide details of resources, personal services and other expenditures, respectively.

II. BUDGET – RESOURCES AND REQUIREMENTS (n/a)

III. PROGRAM DESCRIPTIONS AND BUDGETS (n/a)

A. Sheriff (n/a)

B. District Attorney (PSF, pages 200/764 - 216/764)

1. Program: Criminal Prosecution (PSF, page 206/764)

Fund: Public Safety Fund (12)

Office/Division: District Attorney

Cost Center #: 1410

Purpose of Program Oregon Revised Statutes mandate that the District Attorney shall attend court and prosecute all offenses occurring in the District Attorney's county. ORS 8.660. Oregon Revised Statutes mandate that the District Attorney shall attend and advise the grand jury. ORS 8.670. Oregon Revised Statutes mandate that the District Attorney shall appear in juvenile court to assist the court in any matter within the juvenile court's jurisdiction. ORS 8.685. The goal of the criminal prosecution unit is to successfully prosecute offenders for all crimes occurring in Josephine County and obtain an appropriate sentence that both advances public safety and provides justice to the victim.

DESIRED OUTCOMES AND GOALS

Budget Goal #1 - Improve community outreach and communication to the public by investing in technology that will improve efficiencies within County Departments and provide enhanced services to citizens.

The District Attorney's Office serves citizens by incarcerating the most dangerous offenders in state prison, holding accountable and encouraging reformation of lesser offenders, protecting

children from physical and sexual abuse, lowering the crime rate, instilling a sense of safety in the community, and helping to provide our community with a business friendly environment. The District Attorney's Office meets Budget Goal #1 by employing attorneys to represent the interests of the community in criminal court. Deputy District Attorneys openly communicate with victims when appropriate. The District Attorney's Victim's Assistance Unit constantly updates all victims on the status of their case whenever a victim requests such notification.

Budget Goal #2 - Develop a sustainable plan for all mandated and essential County government programs.

The District Attorney's Office employs Deputy District Attorneys (lawyers) to attend court and prosecute all offenses in Josephine County. For lawyers to obtain successful outcomes in court, the assistance of support staff is required. Support staff are responsible for: arranging the appearance of witnesses in court; obtaining copies of police and lab reports; organizing files; assisting in preparing exhibits for trial; providing discovery to defense counsel; communicating with court staff; answering questions of the public when appropriate, etc. Together, the lawyers and support staff of the District Attorney's Office almost always obtain positive outcomes for victims and the community. The District Attorney's Office meets Budget Goal #2 by allocating 91% of its budget to personal services costs. Maintaining the employment of the skilled professionals in the District Attorney's Office ensures the citizens of Josephine County will have access to justice when victimized. Maintaining the employment of the skilled professionals in the District Attorney's Office ensures the safety of our community. The District Attorney's Office actively seeks reimbursements and grants for any of the work that qualifies for assistance.

Budget Goal #3 - Provide access to County services to the citizens of Josephine County in a transparent, open and professional manner.

Protecting ongoing investigations, victims, and informants can require the District Attorney's Office to withhold information from the public. Additionally, the Oregon State Bar Association places restrictions on the information prosecuting attorneys can make public in active cases. However, the District Attorney's Office meets Budget Goal #3 by, when appropriate, making information easily accessible to the public through communication with our attorneys, support staff, or victim's services office.

2. Program: Victim Assistance (PSF, page 210/764)

Fund: Public Safety Fund (12)

Office/Division: District Attorney

Cost Center #: 1420

Purpose of Program The District Attorney is required to advise victims of their Constitutional rights and to assist them in the exercise of their rights. ORS 137.106; ORS 147.417; Oregon Constitution, Article 1, § 42. The program's desired outcomes are to afford the victim meaningful participating in the criminal justice process so that the physical, emotional and economic impact of crime is minimized. Staff members provide victims access to information and resources in a compassionate, responsive and dedicated manner. They research, verify and request restitution from the offenders to the crime victim. They provide emotional support and

educate crime victims during the course of their criminal cases, and assist them with filing restraining orders and no-contact orders. They keep the victim advised of the progress of their case and notify them of all court dates and outcomes.

The majority of the Victims Assistance Program is funded by Victims of Crimes Act (VOCA) grant funds and Unitary Assessment Funds received from the State for the express purpose of operating this program. The VOCA Non-Competitive Grant has been funding a Victim Assistance Specialist position for over 25 years. This grant now pays for 80% of this position. This staff member's primary function is to assist victims of crimes perpetrated by adults. The VOCA Competitive Grant currently completely funds a full-time Victim Assistance Specialist whose function is to assist victims of crimes perpetrated by both juvenile and adult offenders. Unitary Assessment dollars fund 90% of the Victim Assistance Director's position. The VA Director is responsible for overseeing the entire program, collecting and maintaining required statistics and reports, recruiting & training volunteers, and assisting all victims of crime in Josephine County.

The Victim Assistance Program goal is to provide victims of crime with information and services that support and enhance their understanding of and participating in the criminal justice system. Outcomes include 95% of victims self report a better understanding of their rights as a victim of crime, a better understanding of the criminal justice system as it relates to their case, and satisfaction with the results of the prosecution of their offender.

3. Program: Support Enforcement (PSF, page 213/764)

Fund: Public Safety Fund (12)

Office/Division: District Attorney

Cost Center #: 1430

Purpose of Program ORS 8.675 tells the District Attorney that except for criminal prosecutions he shall give priority to the enforcement of child support orders. The goal of the program is to enhance the well-being of children by providing child support services to families.

Desired outcomes are that the Support Enforcement Program helps more than 1,000 parents provide the financial and emotional support their children need while returning crucial funds to the community. The services it provides help children in need, reduce reliance on public assistance, encourage family self-sufficiency and save taxpayer money. Collecting child support is a vital job because it makes a major difference in the lives of children in Josephine County. Program staff pursue delinquent parents and work with parents who want to support their children.

Contempt charges for non support are filed against delinquent parents who are willfully failing to pay their child support obligations, are seriously delinquent and owe large amount of back support.

They work with parents to increase and/or decrease the amount of support ordered when changes in financial circumstances warrant an adjustment.

Program outcomes of the Josephine County District Attorney's Support Enforcement Division include the annual collection of over \$3,000,000 in child support owed.

Approximately 85% of all costs associated with the Support Enforcement Program are reimbursed by the State of Oregon.

4. Elective, Necessary, And/or Mandated District Attorney's Office PSS

a) Oregon Revised Statutes

1. Program: Criminal Prosecution

- Oregon Revised Statutes mandate that the District Attorney shall attend court and prosecute all offenses occurring in the District Attorney's county. ORS 8.660.
- Oregon Revised Statutes mandate that the District Attorney shall attend and advise the grand jury. ORS 8.670.
- Oregon Revised Statutes mandate that the District Attorney shall appear in juvenile court to assist the court in any matter within the juvenile court's jurisdiction. ORS 8.685.

2. Program: Victim Assistance

- The District Attorney is required to advise victims of their Constitutional rights and to assist them in the exercise of their rights. ORS 137.106; ORS 147.417; Oregon Constitution, Article 1, § 42.

3. Program: Support Enforcement

- ORS 8.675 tells the District Attorney that except for criminal prosecutions he shall give priority to the enforcement of child support orders.

b) Oregon Administrative Rules ??

c) Josephine County Policy/Law??

C. Juvenile Justice (n/a)