

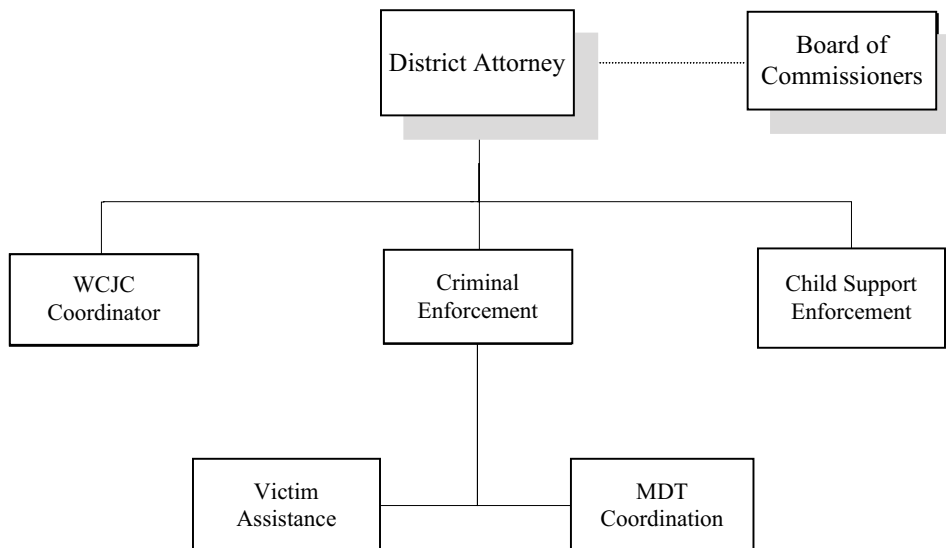
District Attorney

Function & Organization:

The District Attorney is a non-partisan, elected official who represents the State of Oregon in a wide variety of legal actions, including criminal, juvenile delinquency, juvenile dependency and child support enforcement proceedings. The office of District Attorney was created by the Oregon Constitution in 1859. The duties of the office are established by the Oregon Legislature. The majority of office expenses are borne by local funds.

Organization Chart:

District Attorney



Budget Summary

District Attorney - All Funds

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	44	3,535	2,556,700	2,883,605	3,471,600	20.4%
Charges for Service	73,614	202,967	162,600	162,600	273,928	68.5%
Operating Grants/Contributions	463,571	784,637	605,852	604,852	660,609	9.2%
Capital Grants/Contributions	-	-	-	-	-	--
Internal Fund Transfers	52,957	-	-	-	-	--
Loans	-	-	-	-	-	--
Current Revenues Total	590,186	991,139	3,325,152	3,651,057	4,406,137	20.7%
Unrestricted Beginning Balance	-	-	-	-	-	--
Dedicated Beginning Balance	232,276	256,133	36,700	36,700	76,000	107.1%
Beginning Balance Total	232,276	256,133	36,700	36,700	76,000	107.1%
Total Resources	822,462	1,247,272	3,361,852	3,687,757	4,482,137	21.5%
Personnel Services	979,991	2,279,378	2,451,577	2,753,330	3,185,722	15.7%
Materials & Services	393,813	969,671	890,356	908,108	1,276,425	40.6%
Capital Outlay	-	10,222	-	6,400	-	-100.0%
Other: Internal Fund Transfers	52,957	65,040	-	-	-	--
Other: Loans	-	-	-	-	-	--
Other: Debt Principle	-	-	-	-	-	--
Other: Debt Interest	-	-	-	-	-	--
Expenditures Total	1,426,761	3,324,311	3,341,933	3,667,838	4,462,147	21.7%
Other: Contingency	-	-	19,919	19,919	19,990	0.4%
Other: Debt Reserve	-	-	-	-	-	--
Other: Unappropriated Balance	-	-	-	-	-	--
Other Total	-	-	19,919	19,919	19,990	0.4%
Budget Surplus/(Deficit)	(604,299)	(2,077,039)	-	-	-	
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	16.44	16.60	15.00	18.00	19.00	5.6%
Temporary Hire	0.80	1.20	0.40	0.40	0.40	0.0%
Personnel Distribution by Fund						
General	16.84	16.60	15.00	15.00	16.00	6.7%
Health & Safety Levy	-	0.80	-	3.00	3.00	0.0%
Trust Fund	0.40	0.40	0.40	0.40	0.40	0.0%
Total Personnel (FTE)	17.24	17.80	15.40	18.40	19.40	5.4%
Expenditures by Fund						
General	1,400,100	3,246,902	3,341,933	3,586,105	4,378,078	22.1%
Health & Safety Levy	-	-	-	-	-	--
Trust Fund	26,661	77,409	-	81,733	84,069	2.9%
Total Expenditures	1,426,761	3,324,311	3,341,933	3,667,838	4,462,147	21.7%
Reserve Distribution by Fund						
Trust Fund	-	-	19,919	19,919	19,990	0.4%
Other (Reserve) Total	-	-	19,919	19,919	19,990	0.4%

Budget Note

Reserves are associated with the Willamette Criminal Justice Council (WCJC).

Department Head Message

District Attorney

It is the mission of the District Attorney's office to protect the public from crime; safeguard children from abuse and neglect; enforce the rights of children and families to receive child support; assist and advise crime victims; and foster a respect for the rule of law.

The State used to fund a significant percentage of the cost of prosecuting adult criminal offenders. That is no longer the case. State funds to cover the costs of extradition, witness fees and deputy district attorney salaries have all been drastically reduced. As a result, Oregon's 36 counties have had to bear virtually all of the direct costs associated with prosecuting State crimes.

During the 07-09 biennium, due to limited resources, the District Attorney's office operated with the lowest prosecutor staffing levels per capita in Oregon. As a result, prosecutors were forced to work at an unsustainable pace in order to avoid internal collapse. Despite these challenges, the office remained committed to reviewing all classes of criminal cases for prosecution, with an emphasis on violent person crimes, and chronic career criminal offenders. In addition, the number of complex cases charged and litigated, including murder, was at an all-time high.

With the passage of the health and public safety levy, the office was able to build staffing levels up to seven deputy district attorneys. Currently, the District Attorney's office's staffing level ranks among the lowest in Oregon, however, staffing is now sufficient to carry out basic prosecutorial functions in a sustainable manner.

Department Head:

John Haroldson, District Attorney

Office Location:

Benton County Courthouse
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Corvallis, OR 97333

Telephone:

(541) 766-6815

FAX:

(541) 766-6701

Criminal Enforcement

District Attorney - General & Local Option Levy Fund

Purpose:

Enforce state criminal law. Review investigations and determine when and whether to initiate legal action on behalf of the state. Represent the state in legal proceedings in any cases filed including adult criminal, juvenile delinquency, juvenile dependency, involuntary mental commitments and drug asset forfeiture proceedings. Provide legal advice and training to law enforcement agencies. Coordinate the Benton County Child Abuse Response Team (CART), the Multi-disciplinary Team and the Benton County Child Fatality Review Team (collectively the Benton County Multi-disciplinary Team, or MDT); coordinate the Benton County Sexual Assault Response Team (SART).

Resource / Expense Category	2004-05	2005-07	2007-09	2007-09	2009-11	% Change
	Annual Actual	Biennium Actual	Biennium Adopted	Biennium Adjusted	Biennium Adopted	Over Adjusted
General Revenues	-	-	2,260,367	2,586,272	3,049,080	17.9%
Program Income	148,805	397,630	235,500	235,500	337,478	43.3%
Beginning Balance	-	-	-	-	-	--
Resources	148,805	397,630	2,495,867	2,821,772	3,386,558	20.0%
Personnel Services	743,672	1,770,735	1,892,105	2,193,858	2,548,409	16.2%
Materials & Services	270,385	601,004	603,762	621,514	838,149	34.9%
Capital Outlay	-	520	-	6,400	-	-100.0%
All Other	-	-	-	-	-	--
Budget Total	1,014,057	2,372,259	2,495,867	2,821,772	3,386,558	20.0%
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	12.00	12.00	11.00	14.00	14.50	3.6%
Temporary Hire	0.80	0.80	-	-	-	--

Accomplishments:

- The Benton County DA is in the sixth year of implementing a Sexual Assault Response Team
- Working in conjunction with the Willamette Criminal Justice Council, implemented a DUII victim impact panel for the sixth consecutive year
- The Benton County Multi-Disciplinary Team (run by the DA's office) is in its tenth year of implementation and operation of the Child Abuse Response Team (CART)
- The DA is now contracting all child abuse assessment, interview and medical examination services from the ABC House and secured grant funding to cover \$70,000 to help cover the cost of the annual salary for the ABC House in-house physician, as well as related assessment costs
- Provided training to local law enforcement agencies either directly or through the Benton County major crimes team
- Maintained a juvenile drug court program which has continued to produce favorable results

Objectives:

- Manage a substantially increased and complex caseload with less attorney staff than we had in 1999
- Be prepared to respond to more than 13,000 court hearings per year
- Continue to support the Child Abuse Response Team (CART) and the Sexual Assault Response Team (SART) and advocate for law enforcement's efforts to obtain more investigative resources for both
- Provide training to local law enforcement via case specific feedback and at regularly scheduled training sessions

- In the 07-08 calendar years, the DA's office responded to 24,441 court appearances. In 2007 the office prosecuted 2,669 defendants on 6,075 criminal charges (26% felonies), and 2,141 defendants on 5,005 criminal charges (28% felonies) in 2008. A comparison of biennial totals for the last two terms reveals an 18% reduction (5,880 – 4,810) in cases prosecuted.
- During the 07-09 calendar years, the number of cases closed rose to 110% of intake, with closure rates increasing to 121% in 2008, and a projected closure rate of 134% for 2009. The increase in closure rate reflects the focused effort of the office to work with the Circuit Court to reduce a significant backlog of cases resulting from a number of docketing issues.
- Favorable disposition rates remained high during the 07-08 calendar years at 80% and 70% respectively. A modest reduction from the 86% of the prior biennium reflects mandated dismissals.

Victim Assistance Programs

District Attorney - General Fund

Purpose:

The purpose of this division is to assist the victims and survivors of crime, especially those who have been victims of violent crime.

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	-	-	196,802	196,802	297,204	51.0%
Program Income	75,682	172,558	100,000	100,000	104,000	4.0%
Beginning Balance	-	-	-	-	-	--
Resources	75,682	172,558	296,802	296,802	401,204	35.2%
Personnel Services	106,431	226,624	249,702	249,702	315,785	26.5%
Materials & Services	19,500	52,507	47,100	47,100	85,419	81.4%
Capital Outlay	-	9,185	-	-	-	--
All Other	-	-	-	-	-	--
Budget Total	125,931	288,316	296,802	296,802	401,204	35.2%
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	2.44	2.00	2.00	2.00	2.50	25.0%
Temporary Hire	-	-	-	-	-	--

Accomplishments:

- Continued to serve all victims despite the increase in the number of victims of major criminal events without adding staff
- Recruited and trained college practicum students and volunteers necessary to comply with all Victim of Crime Act (a federal grant that funds more than 50% of this reporting unit's budget) requirements and, more importantly, to meet the needs of crime victims.
- Obtained grant funding necessary to support this department's current operational needs
- In response to comprehensive changes to victim notification requirements, the office implemented the mandated victim notification system
- Played a key role in operating a victim impact panel for driving under the influence of intoxicants cases.

During the 07-08 calendar years, the Victim Services Division of the District Attorney's office provided an unprecedented level of services to a record number of crime victims, including a 64% increase in victims served and services rendered. Victim and service statistics since 2004 bear out the growing number of individuals impacted by crime, despite an 18% reduction in cases prosecuted.

Objectives:

- Recruit and train no less than two victim assistance volunteers within the year. Recruit, train and use at least one college practicum for each college quarter to assist in providing basic victim services.

Fiscal Year	2004	2005	2006	2007	2008
Victims	1,420	1,636	1,622	2,979	2,392
Services	9,071	15,957	12,469	24,933	19,953

Child Support Enforcement

District Attorney - General Fund

Purpose:

The purpose of the child support enforcement unit is to enforce child support obligations in accordance with state and federal regulations.

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	-	-	99,531	99,531	125,316	25.9%
Program Income	200,780	230,590	248,000	248,000	246,000	-0.8%
Beginning Balance	-	-	-	-	-	--
Resources	200,780	230,590	347,531	347,531	371,316	6.8%
Personnel Services	113,495	246,779	262,506	262,506	272,701	3.9%
Materials & Services	32,217	58,639	85,025	85,025	98,615	16.0%
Capital Outlay	-	516	-	-	-	--
All Other	-	-	-	-	-	--
Budget Total	145,712	305,934	347,531	347,531	371,316	6.8%
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	2.00	1.96	2.00	2.00	2.00	0.0%
Temporary Hire	-	-	-	-	-	--

Accomplishments:

- On average, the Benton County DA's office collects more than \$261,000 per month in child support payments. The Child Support Division collection rate continues to increase, despite a significant downturn in the statewide economy, past budget cuts to this division resulting in a 1.0 FTE reduction, and a modestly decreasing caseload.
- Our support enforcement paralegals take part in offering insight to statewide committees when requested for their input and experience in a system designed to guide Oregon's child support policy makers on methods to improve the state child support enforcement system. Because of travel costs, participants on committees rarely meet in person but communicate electronically.

Objectives:

- Continue to serve a demanding caseload with very limited resources. Be prepared to implement any major changes the Department Of Human Resources may have in mind for this practice area.

This office is currently managing just under 700 active child support cases with 2.0 FTE (plus the support of a criminal deputy district attorney who splits his time between a full-time criminal caseload and assisting the support enforcement division with their work). This caseload has decreased due to changes in state policies and shifting of cases based upon assistance benefits received. In the troubled economy, more citizens are qualifying for and receiving State program aid, which effectively takes the support case out of the District Attorney matrix. Despite the shifting caseload, our staff continues to collect more funds for local families.

Child Abuse Intervention

District Attorney - General Fund

Purpose:

Multi-disciplinary Team: Under ORS 418.747, the District Attorney is charged with the duty to coordinate a multi-disciplinary team (MDT) that is responsible for ensuring that child abuse cases are investigated and handled appropriately and according to all written protocol set by the MDT (this includes all adult criminal cases, all juvenile delinquency cases and all juvenile dependency cases). The MDT is also charged with conducting all child fatality reviews. The MDT is funded by an annual grant and does not receive any general fund money from the county. The MDT is comprised of officials from law enforcement, SCF, schools, Child Care Division, Health Department and the courts. The DA's MDT responsibilities are assigned to members of the criminal enforcement division of the DA's office.

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	-	-	-	-	-	--
Program Income	63,354	116,892	120,000	120,000	178,000	48.3%
Beginning Balance	132,270	134,179	-	-	41,000	--
Resources	195,624	251,071	120,000	120,000	219,000	82.5%
Personnel Services	-	-	-	-	-	--
Materials & Services	61,444	215,164	120,000	120,000	219,000	82.5%
Capital Outlay	-	-	-	-	-	--
All Other	-	-	-	-	-	--
Budget Total	61,444	215,164	120,000	120,000	219,000	82.5%
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	-	-	-	-	-	--
Temporary Hire	-	-	-	-	-	--

Accomplishments:

- Maintain a close working relationship with the Linn County Child Victim Assessment Center (known as the ABC House). Now contract all child abuse assessment, interview and medical examination services from the ABC House. The Benton County DA secured grant funding to cover \$20,000 to help cover the annual salary for the ABC House in-house physician.

Objectives:

- Run a highly trained and skilled Child Abuse Response Team (CART) with stable team membership to ensure the health and safety of victims of all forms of child abuse.

With strong support from local law enforcement, the Benton County Multi-Disciplinary Team (run by the DA's office) is in its eighth year of implementation and operation of the Child Abuse Response Team (CART). The CART is comprised of specially trained detectives from member law enforcement agencies, a Department of Human Services Child Protection caseworker, a District Attorney's victim advocate and Deputy District Attorney. The implementation of the Benton County CART was identified as a top priority for Juvenile Justice Task Force and the Benton County Commission on Children and Families/Yes for Kids. CART membership has been expanded to include members of the Benton County Juvenile Department and the Court Appointed Special Advocates office. However, due to state budget cuts, the Philomath Police Department has significantly restricted their participation, while the Oregon State Police have pulled their detective from this team.

Case Management System Development

District Attorney - General Fund

Purpose:

Hold contributions from Oregon counties to support improvements and upgrades to the District Attorney Case Management System (DACMS). (Benton County, using federal grants and other funding sources oversaw original development of the software system).

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	-	-	-	-	-	--
Program Income	15,145	3,000	-	-	-	--
Beginning Balance	47,083	62,228	-	-	-	--
Resources	62,228	65,228	-	-	-	--
Personnel Services	-	-	-	-	-	--
Materials & Services	-	188	-	-	-	--
Capital Outlay	-	-	-	-	-	--
All Other	-	65,040	-	-	-	--
Budget Total	-	65,228	-	-	-	--
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	-	-	-	-	-	--
Temporary Hire	-	-	-	-	-	--

Accomplishments:

- This page is included for historical purposes only.

Objectives:

- See DACMS Trust in the Administrative Services Department

- Funds in this budget have accumulated from contributions of various Oregon Counties that use the District Attorney case management system that was developed by Benton County with federal grant assistance.
- Responsibility for financial management was transferred to the Trust Fund and Information Resource Management division of the Administrative Services Department.

Willamette Criminal Justice Council

District Attorney - Trust Fund

Purpose:

The WCJC was created in 1993 to improve criminal justice services provided to the citizens of Benton County. The bylaws provide that the WCJC shall (1) Promote and facilitate fair, efficient and coordinated criminal justice services in Benton County; (2) Provide long-range planning for delivery of criminal justice services in Benton County; (3) Provide timely information to governmental agencies and to the public on criminal justice matters of local concern; (4) Perform the duties of a local public safety coordinating council as required by law; (5) Promote and facilitate the coordination of policy and long-range planning for criminal justice services and agencies in Benton County. Each of the member organizations contributes dues to the WCJC and Benton County acts as the fiscal agent for the WCJC.

Resource / Expense Category	2004-05 Annual Actual	2005-07 Biennium Actual	2007-09 Biennium Adopted	2007-09 Biennium Adjusted	2009-11 Biennium Adopted	% Change Over Adjusted
General Revenues	-	-	-	-	-	--
Program Income	86,353	70,468	64,952	64,952	69,059	6.3%
Beginning Balance	52,922	59,727	36,700	36,700	35,000	-4.6%
Resources	139,275	130,195	101,652	101,652	104,059	2.4%
Personnel Services	16,394	35,240	47,264	47,264	48,827	3.3%
Materials & Services	10,296	42,169	34,469	34,469	35,242	2.2%
Capital Outlay	-	-	-	-	-	--
All Other	52,957	-	19,919	19,919	19,990	0.4%
Budget Total	79,647	77,409	101,652	101,652	104,059	2.4%
Full-Time-Equivalent (FTE) by Type						
Regular (Greater than .50 FTE)	-	-	-	-	-	--
Temporary Hire	0.40	0.40	0.40	0.40	0.40	0.0%

Budget Note:

Since its creation, and in addition to its original charge, the Board of Commissioners (BOC) assigned the WCJC the responsibility of serving as Benton County's Local Public Safety Coordinating Council (LPSCC), as required under ORS 423.560. The LPSCC is responsible for developing and recommending to the BOC plans for use of state funds for programs serving adult and juvenile offenders.

The operating budget of the WCJC is in the Trust Fund and is separate from the District Attorney's budget.

- Member local governments and law enforcement agencies contribute annual membership dues to finance the activities of the WCJC.
- Some program support also comes from offender fees (Victim Impact Panel).

Accomplishments:

- Promoting restorative justice through facilitating the implementation of a DUII Victim Impact Panel of Benton County which began operating in March of 2002
- Encouraging coordination and cooperation among law enforcement agencies – 8 initiatives were a result of the Law Enforcement Restructuring Research Project, which the WCJC supported
- Supporting the adult and juvenile Benton County Drug Treatment Court
- Enhancing relationships between OSU students, law enforcement and the community
- Studied the viability of creating and operating a mental health court and continuing to monitor grant funds for possible future implementation
- Hold annual work sessions to examine the impact of State and local budget cuts on the local criminal justice system. The members believed that the best way for each agency to manage their resources was to look at their missions as part of a system, and then collectively manage the system to get the highest level of service and efficiency for the public dollar. The process has enabled partner agencies to appreciate their interdependence and to recognize the value in working together to prioritize the allocation of limited community resources

