

STAFFING ANALYSIS

Deschutes County District Attorney's Office

2019

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OVERVIEW

The Deschutes County District Attorney, like all District Attorneys in Oregon, is an elected official and part of the state's executive branch. The Oregon Constitution, Article VII, Section 17 spells out the role of the District Attorney:

There shall be elected by districts comprised of one, or more counties, a sufficient number of prosecuting Attorneys, 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.

The District Attorney's Office represents the State of Oregon in all criminal cases filed in Deschutes County. The office advocates for victims' rights and enforces the laws of the State of Oregon. The DA, two chief deputies and 19 deputy district attorneys (17 FTE + 1 contract) are responsible for evaluating the investigative reports submitted by local, state and federal agencies to determine whether justice and public safety require prosecution. If the office initiates prosecution, the attorneys are responsible for presenting evidence to and advising a grand jury. If the case moves forward, the attorneys represent the state at every stage of the criminal proceeding in circuit court and thereafter.

The DA's office also employs other specialists to facilitate successful case review and prosecution. The team includes trial assistants, investigators, support staff and victims' advocates all of whom are dedicated to seeking justice.

Origin and purpose of the staffing analysis

District Attorney John Hummel requested this staffing analysis. Its purpose is to assess the current state of the office; identify the tasks, jobs and responsibilities all teams and staff members are undertaking; and assess staff capacities and current levels of work. Based on those findings, the report offers two sets of recommendations. The first target improving efficiency and productivity within the office. The second recommend staffing levels required to meet the office's obligation to keep Deschutes County safe, meet Deschutes County government's Every Time standards, and implement evidence-based programs to prevent crime.

The information in this report was obtained from more than 42 hours of one-on-one meetings with 52 staff members in the DA's office. Statistical information was compiled from various sources. Numerous conversations with staff members from district attorney's offices around Oregon also informed our conclusions. We also reviewed relevant academic literature and consulted offices outside Oregon when appropriate.

Outline of the report

This report has four main portions:

The **Teams** sections summarize each of the different teams and staffing roles within the office. The presentation includes the tasks and responsibilities of each role. The analysis also highlights themes that emerged from one-on-one meetings as part of the preparation of this report.

The **Special Programs & Community Collaborations** sections identify additional projects, teams and organizations that the office's staff participate in to further the District Attorney's Office mission and county goals. Many of these are outside responsibilities critical to public safety.

The **Workload and Data** sections provide a detailed analysis of the office's current workload, how it compares to other counties, and the effects on the office's ability to meet the needs of Deschutes County.

Finally, the **Recommendations** section provides guidance on staffing level needs, changes to staffing organization and other direction to improve the overall effectiveness of the District Attorney's Office.



Current staffing summary

Seeking justice, advocating for crime victims' and survivors' rights, and representing the state in criminal matters requires a dedicated, experienced team with diverse skills. The Deschutes County District Attorney's Office therefore employs attorneys, legal aides, support staff and others to deliver the services county residents deserve and expect.

POSTION	NUMBER
District Attorney	1
Executive Assistant	1
Chief Deputies	2
Deputy District Attorneys (FTE)	17
Limited Contract DDA	1
DDA - Fill-in	0.5
DDA - Juvenile	0.5
Administrative Manager	1
Trial Assistants - Adult	16
Trial Assistant - Juvenile	0.5
Trial Assistant Grand Jury	1.5
Trial Assistant - Intake	1
File Clerk	0.5
Front Desk Receptionist	1
IT Director	1
IT Staff	1
Investigators	2
Victims' Assistance Director	1
Victims' Advocates	6
DeschutesSafe Program Director	0.6

Figure 1: District Attorney's Office Staffing

Mission Statement:
Justice and Community Safety

ATTORNEYS

The District Attorney appoints deputy district attorneys (DDAs) to assist with discharging the responsibilities of the office. DDAs uphold state and federal law while reviewing, preparing for, and prosecuting criminal cases in Deschutes County. They also perform functions of the DA's office such as criminal case intake; providing guidance to law enforcement; appearing before the Grand Jury, Circuit, and Juvenile Courts; and fulfilling other duties as assigned by the DA.

Two of the DDAs are designated as chief deputies. They provide oversight of the remaining DDAs and share several other responsibilities. They also fill in for one another as needed.

Chief Deputies

The DA's office employs two chief deputies. The original intent was to have them focus on office management and administrative duties without carrying a caseload. Due to the high volume of cases, that has not been possible.

Both chief deputies carry an active caseload on top of their other responsibilities. The workload strain limits their ability to carry out other important duties including mentoring and supporting DDAs, proactively addressing law enforcement issues that impact the office, developing training plans, meeting with community partners, applying for grants, and overseeing grants and targeted projects.

Deschutes County's current chief deputies are Mary Anderson and Stephen Gunnels. Each has specific responsibilities, and they share some duties.

Chief Deputy Mary Anderson supervises 17 DDAs. Among her administrative duties are:

- Training new DDAs.
- Oversight of NOVA (time management program).
- Human resource issues.
- Budgeting.
- Community partner issues (Parole and Probation, KIDS Center, etc.)
- Handling memorandums of understandings between agencies.
- Office policies and procedures.
- Approving case management change requests.
- Approving expert witnesses and trial expenses.
- Serving as contact for building services.

Chief Deputy Stephen Gunnels supervises four DDAs. Among his other responsibilities are:

- Review and assign all intake.
- Serve as law enforcement liaison.
- Review subpoena requests for grand jury.
- Review search warrants for law enforcement.
- Law enforcement training.
- Review potential Clean Slate cases for program eligibility.
- Attend weekly Adult Threat Assessment Team meetings.
- Participates in the Officer Involved Shooting Workgroup, Family Drug Court Policy Advisory Board and the Juvenile Intermediate Sanctions Workgroup.

Both Anderson and Gunnels are members of the management team and have several overlapping and shared responsibilities. They include:

- Mentoring the DDAs that they supervise
- Mentoring all DDAs in areas of expertise.
- Providing grand jury orientation.
- Serving as contact for the court.
- Approving investigators' tasks when the DA is not available.
- Serve on the on-call team (see below).
- ***Each carries a full caseload.***



Deputy District Attorneys

Deputy district attorneys are responsible for several tasks on a day-to-day basis. The most visible and widely recognized duties involve performance in the court room. DDAs prepare for and present cases for trial, including by studying reports, reviewing evidence, speaking with and preparing witnesses, researching and preparing for anticipated legal and evidentiary issues, preparing jury instructions and verdict forms, selecting juries, presenting witnesses and evidence, and providing arguments.

DDAs have many other responsibilities, including:

- Review incoming investigation reports and determine whether further investigation is needed.
- Analyze investigative report and available evidence to determine appropriate criminal charges in cases.
- Prepare affidavits, search warrants, arrest warrants, legal memoranda, motions, responses to defense motions, proposed court orders and other related legal documents.
- Remain abreast of case law, legal authority and statutes.
- Appear in court for arraignments, release hearings, plea proceedings, sentencing hearings and other proceedings that the court may schedule.
- Prepare to respond to issues that may be brought up in court.
- Negotiate potential case resolutions with defense attorneys.
- Speak regularly with crime victims regarding their cases and ensure that victims' constitutional and statutory rights are upheld.
- Cover court for other DDAs as staff scheduling requires.
- Staff cases with coworkers who need input or guidance.
- Reviewing search warrants for law enforcement.
- Answer legal and strategy questions presented by law enforcement.
- And attend community partner meetings.

The DDAs view themselves as a team. They help each other in myriad ways, not least as backup assistance when unexpected issues come up in the courtroom. They also help each other stay on top of heavy caseloads. When DDAs are out on vacation or sick leave, are working long hours on trial prep for a complex case, or are at trial, other DDAs step in to help with their caseload.

Many DDAs are involved with specialty programs as well as community and collaborative groups. (More information about those groups is included below.) In addition, most DDAs conduct training in the community, across the state, or even nationwide in their established areas of expertise. A few examples:

- Elder Abuse – DDA Dan Reesor serves on the board of directors for the Oregon Department of Justice Advisory Committee which facilitates the annual Elder Abuse Conference. He has provided training at the statewide conference. He is also working on developing a volunteer group of local professionals to assist with financial and elder abuse cases.
- Domestic Violence – DDA Drew Moore worked in partnership with Saving Grace to apply for and obtain a grant. The grant funds a domestic violence investigator, a high-risk domestic violence multidisciplinary team, the Lethality Assessment Program and training for multidisciplinary team members. DDAs Drew Moore and Stacy Neil worked on a project to identify, recruit, and train local professionals to serve as expert witnesses in domestic violence trials. DDAs Kelly Monaghan, Drew Moore and Stacy Neil have provided trainings throughout the state on various domestic violence issues.
- Arson – DDA Brandi Shroyer works with the local chapter for the International Association of Arson Investigators and provides frequent trainings. She serves as the resource DDA for all arson investigations.
- Mental Health – DDA Brandi Shroyer works directly with the Mental Health Court and serves as a liaison with the jail on mental health issues. She attends all Crisis Intervention Team Meetings and conducts team trainings.
- Traffic Crimes – DDA Kari Hathorn provides frequent trainings to law enforcement on Driving Under the Influence of Intoxicants (DUI) investigations. She has been a trainer with the Department of Justice as well as the Oregon State Police. Hathorn serves as the primary DDA resource for law enforcement for DUI and crash cases.

DDA on-call

The two chief deputies (Mary Anderson and Steve Gunnels) and two DDAs (Kandy Gies and Brandi Shroyer) share on-call duties. They rotate the on-call phone so that a DDA is available to law enforcement 24 hours a day, 7 days a week. They take calls at all hours of the day and night. They answer questions, look up information in our computer system, review search warrants, and respond to crimes scenes.

Other DDA staff

Darryl Nakahira works as a temporary, part-time employee. On Monday mornings he helps with the high intake volume typically experienced after the weekend. He also provides some mentorship and trial preparation support. Nakahira's is available for only a few hours each week.

DDA	CASE LOAD FOCUS	OTHER RESPONSIBILITIES
Andrew Doyle	Traffic Crimes	
Andrew Steiner	Traffic Crimes	Civil commitment hearings
Mara Houck	Traffic Crimes	
Kyle Pearson	Traffic Crimes	
Kari Hathorn	Traffic Crimes/ Traffic Fatalities	
Brandi Shroyer	Person Crimes	On-call phone, public records requests, expunction requests, Mental Health Court, Civil commitment hearings, child abuse multidisciplinary team, International Association of Arson Investigators, police officer holds, in-house training, reserve officer training coordinator
Brooks McClain	Person Crimes	
Kandy Gies	Person Crimes/ Major Crime Cases	On-call phone, Sexual Assault Response Team, Child Abuse Multidisciplinary Team
Kelly Monaghan	Person Crimes	Domestic Violence Deferred Sentencing Program, Domestic Violence Council, Prosecutor By Karpel Committee Representative
Matt Nelson	Person Crimes	Child Abuse Multidisciplinary Team, Commercial Sexual Exploitation of Children Task Force Representative
Rosalie Matthews	Person Crimes	
Stacy Neil	Person Crimes/ DeschutesSafe Team	Child Abuse Multidisciplinary Team, Prosecutor By Karpel Committee DDA Representative
Jason Kropf	Person Crimes/ Property Crimes	Juvenile Coverage, Civil Commitment Hearings, Child Abuse Multidisciplinary Team
Dan Reesor	Property Crimes/ Elder Abuse	Elder Abuse Multidisciplinary Team
Marc Miller	Property Crimes	
Cliff Lu	Drug Crimes	
Van McIver	Drug Crimes	
Lillah Lehner (0.5 FTE)	Juvenile Delinquency	Safe School's Alliance
Drew Moore (0.5 FTE)	Fill-in/Coverage	Domestic Violence Grant Management

Figure 2: Deputy District Attorneys

DDA interview responses

After interviewing the DDAs one-on-one and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

The workload is too much and unsustainable.

There is universal consensus from the DDAs that the volume of work in the office is more than they can complete in the allotted time. They have insufficient time to prepare adequately for trial, to complete intake, to review evidence, and to do proactive work for cases. Given the need, many work extra unpaid hours simply to maintain the bare minimum service level for Deschutes County residents, crime victims and defendants. While this might be acceptable on occasion, the fact that extra hours are required every week is source of great frustration for the DDAs.

The workload challenges manifest in several other ways:

- All DDAs' caseloads exceed manageable levels. For example, traffic DDAs consistently handle 145 percent of the targeted caseload.
- Both chief deputies carry a full caseload on top of the administrative tasks that are supposed to be their primary focus.
- Nearly 350 cases have not been assigned for review and charging because there is no capacity for further case assignment.
- Staff turnover increases the workload for DDAs because they take on additional cases to fill in for those who depart.

Lack of communication.

Internal communication suffers under heavy workloads. Many DDAs feel like they do not know what is going on or are not made aware when changes are made.

Lack of consistency.

DDAs have little time to discuss common issues. That leads to many of them doing their own thing rather than collaborating and responding to challenges consistently. There is a perception by the court that we are inconsistent in our offers and handling of cases. Many DDAs feel co-workers are inconsistent as well. For example, file notes sometimes are inconsistent, poorly prepared, or incomplete, notes, which hinders success when one DDA must cover for another. No quality control mechanism for oversight addresses these issues when they come up.

In addition, there is lack of consistency and predictability when it comes to DDA schedules. Docket coverage comes out the night before, often after 5 p.m. That leads to many DDAs having to reschedule appointments or meetings due to conflicts with the coverage. Great frustration has been expressed in not having some predictability in scheduling for planning purposes, not only for work-related things but also for personal matters.

Lack of support and feedback.

Many DDAs feel there is a lack of support or acknowledgment for the work they do daily. With very high supervisor to supervised ratios (1:17), there is little opportunity or capacity to provide additional support and feedback. Supervisors have too much on their plate to effectively provide the mentoring, feedback, and support that they want to and that the DDAs need.

As noted in the county's Span of Control Report, the supervisor to DDA ratio is well above the average for county departments. The ratio in the DA's office is 1:13. The next highest department ratio is 1:8 and the county average is 1:6. This is critical given the complexity of the work, degree of public scrutiny, and responsibility involved in the work conducted by the DDAs. Support and guidance are necessary. The burden of the non-supervisory duties of the chief deputies is significant.

Lack of training.

Many DDAs expressed frustration with the lack of training they received when starting the job or observed that new people are not trained to the extent necessary. Workload restrictions and demands to complete other tasks limits the office's ability to train new attorneys. This impacts the quality of work performed by new DDAs as well as their comfort level and job satisfaction. It further perpetuates the problems with lack of consistency.

Struggles with Prosecutor By Karpel (PBK) software.

Most DDAs cite continued frustrations with the PBK case management system. One of the primary concerns is how slow it is. IT Director Casey Newsom has attempted to address this with PBK numerous times. In addition, due to high caseloads and workloads, the office has been unable to consistently and adequately provide ongoing training in using PBK. That results in lack of consistency in how DDAs use the software and in data entry. This negatively impacts the office's ability to gather adequate and accurate data.

Amount of evidence is overwhelming.

DDAs do not have enough time to review the large amount of digital evidence that accompanies each case.

DDAs support each other well.

DDAs consistently reported that support for and from other DDAs is a positive in the office. DDAs assist each other in helping with cases, preparation, covering when out, etc.

TRIAL ASSISTANTS

Trial assistants (TAs) perform a multitude of tasks for the DA's Office. Their primary function is to support for their assigned deputy district attorneys (DDAs) and to process and maintain files.

Typical daily TA responsibilities include:

- Placing updated paperwork in the file in preparation for court hearings.
- Processing in-custody intake, which includes in-person work and e-filing.
- Processing files from court – entering case notes, judgment information, etc.
- Preparing and sending subpoenas for trials and contested hearings.
- Creating discovery packets for defense attorneys.
- Preparing and filing motions as directed by the DDAs.
- Pulling their DDA's daily docket.
- Putting together new files.
- Ordering and processing evidence.
- Filing loose paperwork.
- Fielding calls from witnesses and law enforcement officers.
- Assisting with travel arrangements for trial witnesses.
- Maintaining office court files in the digital case management system (PBK) and in paper records.



The goal is to have one TA assigned to one DDA. Staff members point to greater efficiency, consistency and availability as the benefits of that structure. Currently, however, four TAs have two DDAs assigned to them due to insufficient TA staff.

There has been an 18 percent turnover rate among TAs during the past year.

Administrative Manager for Trial Assistants

Kara Palacio serves as the manager for all TAs and other support staff. She handles the following tasks and responsibilities for the office:

- Supervises 24 TAs and support staff.
- Assigns coverage for TAs that are out.
- MUNIS approvals – any financial requests.
- Bank reconciliation, spending decisions, and may sign checks less than \$1,000.

- Oversees use of the office credit card.
- Responsible for maintenance of office vehicles and holds the keys.
- Carries a DDA's caseload.
- Handles extraditions.
- Directs the archiving project, work orders, office location changes and discovery billing
- Shares court minutes.

Docket

One TA is responsible for the entire docket for the day. This entails pulling the tentative court docket, tentative grand jury docket, trial docket, and the in-custody list first thing in the morning; ensuring all of the in-custody, afternoon docket files are in the bucket for court; and at the end of the day sorting files, placing them in the correct cubby for the covering DDA, and ensuring the files are ready to go for court. The TA then sends an email to the office that includes the final dockets and the coverage sheet. Because the final docket comes out late in the day, the TA covering docket that day often stays past 5 p.m. and works overtime. The assignment of this responsibility rotates equally amongst the TAs and is assigned by the TA administrative manager.

Discovery

TA Administrative Manager Palacio, with the assistance of a committee of TAs, developed a detailed outline of the discovery process. TAs put together discovery "packets" and ensure Bates numbering occurs on pertinent documents. There are specific instructions for the labeling of documents in the digital case management system (PBK).

Palacio takes care of the discovery billing which takes about day and a half each month.

Coverage

When a TA is out sick or on vacation, another TA is assigned to cover for that day. Palacio has created an outline of the tasks that the covering TA is expected to complete.

TAs cover the front desk during receptionist's breaks – morning (15 min), lunch (1 hour) and afternoon (15 min). TAs also will fill in if the receptionist is out on vacation or sick. The coverage is assigned on a rotating basis.

TRIAL ASSISTANT	ASSIGNED DDA & CASE TYPE	OTHER RESPONSIBILITIES
Alyson Bartness (0.5 FTE)	Kelly Monaghan – Person Crimes	Domestic Violence Deferred Sentencing Program
Cindy Perrine	Dan Reesor – Property Crimes, Elder Abuse	
Dominique Tanton	Brooks McClain – Person Crimes	Civil Commitments
Emily Poole	Marc Mills – Property Crimes	
Fan Burge	Kandy Gies – Person Crimes	TA for two homicide cases, backup for court minutes
Jared Butler	Cliff Lu – Drug Crimes	Backup for intake, recycling and shredding, daily deposit to Finance, deliver mail to building services, collect USPS mail, shuttle citations and documents to and from courthouse
Jennifer Snow	Kyle Pearson – Traffic Crimes Jason Kropf – Person Crimes, Property Crimes	PBK lead and representative for PBK Committee, backup juvenile coverage
Kadee Larsen	Mara Houck – Traffic Crimes Joseph Langerman – Traffic Post-Conviction	Contact for Oregon State Police requests for Criminal History Clarifications
Kari Dethlefsen	Matt Nelson – Person Crimes	TA for one homicide case
Kirsten Pruett (0.5 FTE)	Kelly Monaghan – Person Crimes	Domestic Violence Deferred Sentencing Program
Melissa Aspell	Stephen Gunnels (Chief Deputy DA) – Drug Crimes Evander McIver – Drug Crimes	Civil commitments and public records requests point person
Narci Norgaard	Mary Anderson (Chief Deputy DA) – Mixture of Cases Brandi Shroyer – Person Crimes	TA for two homicide cases
Nicole Jensen (0.5 FTE)	Lillah Lehner – Juvenile Delinquency	
Pauline Anderson	Stacy Neil – Person Crimes	Expunctions
Stefanie de Gruyter	Rosalie Matthews – Person Crimes	
Tammy Plummer	Andrew Steiner – Traffic Crimes	
Vonda Iacovetta	Kari Hathorn – Traffic Crimes/ Traffic Fatalities	
Whitney McKirahan	Andrew Doyle – Traffic Crimes	

Figure 3: Trial Assistants

TA interview responses

After interviewing the TAs one-on-one and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

TA manager has too many responsibilities

Kara Palacio, the TA administrative manager, supervises too many people. She also has too many tasks and responsibilities and frequently is spread too thin. This impacts her staff as she is often not always available when needed.

Insufficient process documentation and training

There needs to be a process and procedure manual. TAs do things differently, and there is very little consistency for common responsibilities. This includes inconsistent data entry in the digital case management system (PBK).

TAs also pointed to a lack of comprehensive training at hire and on an ongoing basis. Training should be longer.

Traffic caseload overwhelms TAs

Because traffic cases process quickly, TAs struggle to keep up with the caseload.

Maintain one-to-one ratio with DDAs

Nearly all TAs prefer being assigned to a single DDA. Currently, four TAs are assigned to two DDAs each and find it very difficult to keep up with the caseload demands.

Data acquisition and management challenges

TAs reported issues with acquiring supplemental as well as transferring reports from other agencies via shared folders and entering them into the digital case management system (PBK).

Greater opportunities for diverse responsibilities

Many TAs are interested in engaging in different kinds of tasks beyond data entry. They would like to see greater involvement in their cases and supporting the attorneys in different ways.

OTHER SUPPORT STAFF

The “other support staff” category includes the executive assistant, two file clerks for the archiving project, the intake trial assistant, the front desk receptionist, and the public records request processor. The DA’s office relies on these staff members to carry out responsibilities that serve the public and free up other staff for trial and administrative work. Without other support staff, the office could not function successfully.

Executive Assistant

Jessica Chandler serves as executive assistant to District Attorney John Hummel. Her primary role is to assist Hummel with administrative needs. She has, however, taken on additional responsibilities and tasks outside her job description because there is no one else in the office available to do them.



Her current responsibilities include:

- Trial assistant work for District Attorney John Hummel.
- Coordinates and sets up meetings.
- Office manager duties such as ordering all supplies for the office and handling invoices and accounts payable.
- Budget responsibilities.
- Media liaison and oversees press releases.
- Death investigations.
- Liaison to all outside agencies.
- Investigate conflict cases.
- Administer the domestic violence grant.
- In charge of on-boarding new DDA staff.
- Human resources for new hires.
- Work orders and facilities issues.
- Administrative support for other managers.

Front Desk Receptionist

Kelsey Matter serves as the public front line for the DA's office. She answers phones, greets customers at the front window, and directs people to have their questions answered. She also works hard to alleviate as much work as she can from the DDAs and TAs by providing information and service to the best of her ability before redirecting. She constantly updates the digital case management system, (PBK) with important contact information and data to avoid future issues.

In addition to these tasks, Matter's responsibilities include:

- Handle all e-service documents.
- Receive defense motions daily – notice of representation, motions to continue and motions for discovery – and upload them into appropriate files in the digital case management system. (50-80 per day.)
- Handle all LOIS reports (lab reports), entering int cases, ensuring they are labelled/classified correctly, and adding forensic scientist to witness list. (10-12 per day.)
- Handle all Central Oregon Evaluation Services and Deschutes Monitoring Services reports and upload to case management system.
- Quick-set notifications for court cases added on.
- Processes all mail from the mail system as well as all release agreements, probation violations, warrants, etc. from the courts and citations, subpoena service/rejection notices, discovery, etc. from law enforcement. She also determines which cases mail is associated with and where paperwork should be routed. Given the volume of mail, this takes about 1.5 hours per day.
- Processes all incoming parole violations and detainers from Parole and Probation, ensuring information and documentation goes to the assigned DDA and TA.

The Front Desk Receptionist position typically sees a high rate of turnover. Eight individuals that have held this position in the past five years.

Intake Trial Assistant

Alycia Johnson is responsible for processing all of the reports that are referred to our office from law enforcement. She opens a new case in the digital case management system (PBK) and enters the pertinent information. She also runs and uploads the criminal history from Oregon Law Enforcement Data System along with agency reports. New reports and supplemental reports are constantly added by the agencies to a shared folder throughout the day. Johnson connects those reports to the appropriate cases. She works a modified schedule of 7 a.m. to 4 p.m. on Mondays to get a jump start on in-custodies from the weekend.

Archivists

Christina Martinez (1.0 FTE/temporary employee) and Stephanie Jacobson (0.5 FTE/temporary employee) work on the office's archiving project. In 2015, the office initiated an archiving project to

address a major storage space shortage issue related to the accumulation of files. This project consists of taking all old files that meet the Oregon Revised Statute retention schedule, scanning them into the database system to create a digital copy, and then destroying the physical file. The process entails identifying which files are subject to purge, pulling out evidence or other pertinent documentation that needs to be saved, prepping the file for scanning (removing staples, making copies of carbon documents, disassembling the file), scanning the entire file into the digital case management system (PBK), adding any digital evidence, and finally destroying the file. The office currently has 1.5 FTE working on this project.

In the past 3 years, misdemeanor files have been scanned and purged for 2005-07 and felony files for 2010-12. That is less than half of the years that need to be processed. Remaining years and work to complete are 2005-07 (felonies), 2008-09 and 2013-15 (felonies and misdemeanors), and 2010-12 (misdemeanors).

As the prosecutorial work of the office adds new files daily, it has become clear that the archiving project will take much longer than originally anticipated.

Public Records Processor

Elyse Haney (0.2 FTE/temporary employee) was hired to process public records requests submitted to the office. Haney works one day per week for eight hours. This position was created to address the steady increase in the number of public records requests received. Previously, two other support staff had done the work, but they were struggling to keep up with their daily tasks and process these requests in the statutorily required timeframe of two weeks. Both frequently had to put in overtime to complete the task. The office received 312 public records requests in 2018.

SUPPORT STAFF	ROLE
Jessica Chandler	Executive Assistant to the DA
Kelsey Matter	Front Desk Receptionist
Alycia Johnson	Intake Trial Assistant
Christina Martinez (1.0 FTE/temporary)	Archivist
Stephanie Jacobson (0.5 FTE/temporary)	Archivist

Figure 4: Support Staff

Support staff interview responses

After interviewing support staff one-on-one and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

Volume of reports for processing

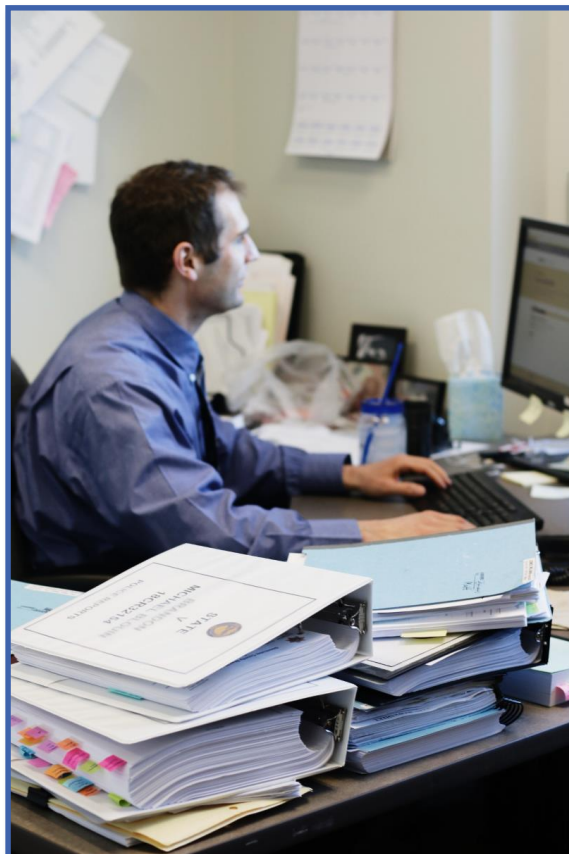
Support staff universally shared concerns about the number of reports that come in and must be processed. There is a significant lag time in getting supplemental reports on cases, even for cases where defendants are in custody. There can be upwards of 500 reports sitting in the shared folder at a time. Providing timely discovery is a critical responsibility for the office. Efforts should be made to explore ways to assist in processing these reports.

Archiving project requires procedural update

Since the archiving project began, the archiving team has developed a much greater understanding of the sorts of records that exist and the archival requirements. The project would benefit from revising procedures guidelines for what needs to be retained from each file.

Paperless office

Moving to a paperless storage system would eliminate the need for future archiving projects.



GRAND JURY STAFF

The Grand Jury Division is responsible for scheduling, running and maintaining the grand jury process and grand jury records. The grand jury staff's tasks include:

- Scheduling all cases for grand jury within the appropriate timeframes.
- Juggling officer schedules to optimize the time they are present to testify, taking into consideration their shift schedules and limiting the amount of overtime that the officer would be putting in to appear.
- Sending subpoenas.
- Answering calls and questions from witnesses.
- Ensuring an operational recording system.
- Providing orientation to grand jury groups.
- Processing indictment paperwork, warrants, and recordings.
- Supporting DDAs when presenting cases to the grand jury.
- Meeting the office's statutory obligation to do a yearly grand jury jail review and associated recommendations.

One notable accomplishment for 2018 was the creation and implementation of the grand jury recording policies and procedures. The grand jury staff are responsible for ensuring the proper use of the recording system and works in partnership with the IT staff to ensure proper functionality.

GRAND JURY STAFF	ROLE
Diane Carnahan (1.0 FTE)	Trial Assistant
Marcia Bischoff (0.5 FTE)	Trial Assistant

Figure 5: Grand Jury Staff

INVESTIGATORS

The DA's office employs two investigators. The DA's general budget funds one investigator, and a grant funds the other.

Investigator Adam Heyman is supervised by District Attorney John Hummel. He provides DDAs assistance by locating victims and witnesses needed for trials and conducts administrative investigations regarding personnel issues for law enforcement agencies. He also participates on the County Safety Committee as the DA's representative. The committee averages one meeting per month. Heyman is in charge of security for the DA's office and evidence handling in and out of the office. His work is critical to the office, and he is available to respond immediately to issues as they arise.

Investigator Isabel Chavez's position is funded entirely by a domestic violence grant, so she investigates only domestic violence cases. She works with DDAs and victims' advocates in identifying cases that need follow-up and any additional evidence collection. She partners with local law enforcement agencies to ensure continuity in work. The addition of this position has filled a huge gap that has existed in the effective prosecution of domestic violence cases. Chavez can immediately respond, complete investigations, and help build relationships with victims. Her work makes cases stronger and instills confidence in a sense of support throughout the criminal justice process.

INVESTIGATOR	ROLE
Adam Heyman	Investigations, office security, evidence handling, participate on County Safety Committee
Isabel Chavez	Domestic violence investigations, evidence collection, victim assistance

Figure 6: Investigators

INFORMATION TECHNOLOGY

The Information Technology (IT) team is responsible for providing maintenance and support for all information technology equipment and computer program systems. Both IT staff members work on any IT issues that arise. Specific responsibilities include:

- Support for the digital case management system (PBK).
- General computer program issues.
- Redaction of audio evidence for purposes of trials and contested hearings.
- Assist with trial exhibits – printing photos, creating exhibits for smart boards, etc.
- Setting up smart boards and ensuring proper function for trials.
- Purchas of IT equipment such as computers and peripherals.
- Support grand jury equipment.
- Pull data and reports for statistical purposes as needed.
- Complete any other tasks needed to support IT equipment or programs.

Director Casey Newsom heads the IT team, providing supervision of the program and the other IT staff. Casey handles most of the digital case management system (PBK) programming. He also chairs biweekly PBK committee meetings to discuss problems, issues, modifications, and improvements to the system.

Applications Systems Analyst I Kyle Herbst’s primary responsibilities include tech support such as replacing computers and deploying software and cabling. He also conducts server management and maintenance, network troubleshooting, and printer support.

INFORMATION TECHNOLOGY STAFF	ROLE
Casey Newsom	IT Director
Kyle Herbst	Applications Systems Analyst I

Figure 7: Information Technology Staff

Information technology staff interview responses

After interviewing IT staff one-on-one and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

Data policies

There is no consistent data tracking system in place, and data entry lack quality controls. These challenges create significant concerns about the integrity of data pulled from the system. There also is no consistent examination or reflection on the work staff members are doing through data analysis.

Paperless office

The office should implement a paperless process. Successfully doing so will require development of a good implementation plan and adequate staff training for the new system.



VICTIMS' ASSISTANCE PROGRAM

The Victims' Assistance Program (VAP) team provides support and assistance to the victims of crime in Deschutes County. They play a vital role, ensuring that the DA's office meets its statutory obligations to uphold victims' constitutional and statutory rights. The team provides information, resources and support through the often confusing and lengthy criminal justice process.

There are currently six victim advocates and one director assigned to the Victims' Assistance Program. The county funds three of them, and grants fund the remaining four.

Each advocate has a specialty, and the cases are assigned based on case type. Due to the lack of staff capacity, VAP assigns advocates only on child abuse, domestic violence, adult sexual assault, elder abuse, some major traffic, some adult assaults, and all violation of Restraining and Stalking Orders.

On the assigned cases, advocates:

- Call victims and provide information about victims' rights.
- Attend court hearings.
- Provide updates, support and connection and referrals to services.
- Assist with obtaining crime victims' compensation and restitution.
- Facilitate and support trial preparation meetings and support victims through trial.
- Notify victims of final case resolution and answer any questions.

Each advocate maintains more than 100 cases. That is far too many for advocates to ensure quality interactions and support on every case. The needs of the community are not currently being met as there are approximately 420 cases that need advocates, but the office is unable to assign due to capacity issues. These unassigned cases include domestic violence harassment, complex property cases, reckless endangering, DUII assaults, and non-domestic violence assaults.

In addition to direct victims' case services, the VAP team provides several other services that benefit the community and the DA's office.

Phone hotline

The advocates operate a phone hotline set up by the DA's office. Any crime victim or other member of the community can call in with questions about the criminal justice system, their specific case, or general concerns. The hotline receives 7,000 calls per year. These calls are in addition to the everyday calls that come in from crime victims to their assigned advocates.

Statistics

In 2017, VAP provided more than 56,000 specific acts to support 7,206 victims of crime. Data for 2018 is not yet available due to the computer system conversion. However, we can determine that there was approximately a 9 percent increase in number of victims from 2017 to 2018.

Walk-in services

The advocates provide service to anyone considered a “walk-in” or a victim that does not have court or otherwise have an appointment but has questions or wants assistance. Advocates estimate that there are about 25 walk-ins per week. There is no other designated staff member that can take care of this task. Instead, advocates with full caseloads are shouldering the responsibility which can interrupt the day and their workflow.

Victim Information Packets

The victims in cases charged by the DA’s office receive a victim packet that includes information about their rights, restitution, contact information, and availability. The VAP team is responsible for assembling and distributing these packets.

High priorities

If any critical stage court hearing is set in less than 10 days, one of the advocates is responsible for calling the victims on those cases to notify them regarding the court date. This process is in place to ensure that victims receive notice before the court hearing takes place.

On-call support

VAP provides 24/7 on-call support for law enforcement and sexual assault nurse examiners. An advocate shows up on scene to render assistances to victims for about 40 calls per year.

Victim Impact Panel

Advocate Kaeli Snyder runs the county’s Victim Impact Panel (VIP). Defendants sentenced in DUI cases are typically ordered to complete a VIP as a term of their probation. VIP occurs once per month. Snyder organizes, facilitates, keeps records and recruits speakers.

VAP Director

Ashley Beatty is director of the Victims’ Assistance Program. In addition to managing the program and supervising her staff, she has other responsibilities including:

- Assigned to conflict cases (carries her own caseload).
- Reviews cases and assigns them to advocates.
- Audit advocate case performance monthly to ensure quality control and data accuracy.
- Writes and manages 5 grants. (She primarily completes this work on her own time, off hours.)
- Manages VAP budget.
- Participate on the Adult Threat Assessment Team, Juvenile Threat Assessment Team, Sexual Assault Response Team, Domestic Violence Council, and the Commercial Sexual Exploitation of Children Task Force.

ADVOCATE	CASELOAD TYPE	OTHER RESPONSIBILITIES
Ashley Beatty (Director)	Diverse Cases	Case Assignment, Budgeting, Audits, Several Teams and Task Forces.
Debbi Wise	Child Abuse	Child Abuse Multidisciplinary Team
Keaton Boileau	Domestic Violence, Complicated Property Crime	Domestic Violence Child Witness Project
Patricia Forsberg	Adult Sexual Assault, Mental Health, Elder Abuse	Elder Abuse Multidisciplinary Team
Kayla Bonnet	Domestic Violence, Domestic Violence Deferred Sentencing Program	Domestic Violence Child Witness Project, Address Confidentiality Program
Kaeli Snyder	Adult Assault, Severe Crash Cases	Volunteer Coordinator, Victim Impact Panel Facilitator, Address Confidentiality Program
Lisa Cummings	Juvenile, Restitution, Trafficking	Commercial Sexual Exploitation of Children Task Force

Figure 8: Victims' Advocates

Victims' advocates interview responses

After interviewing victims' advocates one-on-one and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

Overwhelming workload

All victims' advocates feel overwhelmed by their workload. Caseloads are high. In addition to maintaining their own work on cases, they must cover too many administrative tasks that take away from their time with victims.

Restitution challenges

Advocates said they do not have good consistency in obtaining restitution information and getting it filed appropriately. This is a huge issue of concern for the team.

Communication and separation from the DA's office

Advocates said that they do not feel like part of the larger office team. They experience inconsistent communication with DDAs, and this has a significant impact on their job.

Spanish language services

Advocates recognize that they cannot adequately serve Spanish-speaking victims. They believe the office should hire a Spanish-speaking advocate.

VAP team works well

The VAP team itself is very strong and functions very well, according to its members. They all feel supportive of each other and are a very close-knit group. They are all happy with the support, feedback, communication and consistency they receive from their leader and their team.

865

**Number of cases currently
assigned to victims' advocates.**

DESCHUTESAFE

The District Attorney launched DeschutesSafe in 2015 to enhance community knowledge about crime issues, understand how these crimes are impacting the public's perception of safety, and establish a practice of using data and evidence-based approaches to make measured changes in improving the community. The ultimate goals of the program are to improve community safety, reduce recidivism, and support and enhance the work already being accomplished by the DA's office and its partner agencies.

The DeschutesSafe team works with DA's office staff as well as county and community-based partners to improve community safety by, but not limited to, reducing recidivism related to drug crimes, developing a county-wide initiative to address reoccurring domestic violence, tackling traffic safety issues, and improving the criminal justice system to better support veterans. The DeschutesSafe team implements programs, secures new program funding, and evaluates the initiatives to assess the measurable impact on the participants, our partners, and the community.

Two part-time positions support and work on DeschutesSafe programs and initiatives.

Program Director

Program Director Kathleen Meehan-Coop (0.6 FTE) provides program management for DeschutesSafe and the Goldilocks program. She assists with seeking grant funding, drafting grants and supporting the grants. She also researches and evaluates other initiatives that that could further the goals of DeschutesSafe.

Program Attorney

Stacy Neil (0.5 FTE) provides legal assistance to DeschutesSafe. She currently focuses on completing a staffing analysis with future focus on special programs and initiatives that further the purpose of DeschutesSafe.

DESCHUTESAFE STAFF	ROLE
Kathleen Meehan-Coop (0.6 FTE)	Program Director
Stacy Neil (0.5 FTE)	Program Attorney

Figure 9: DeschutesSafe Staff

DeschutesSafe staff interview responses

After interviewing DeschutesSafe staff and asking their thoughts on the current state of the office, their workload, and many other issues, the following themes emerged:

Better office engagement

DeschutesSafe team members need to be engaged in department meetings on a more regular basis to understand DDA, TA, and VAP challenges, and to learn about ideas other members of the DA's office have for improving community safety. The entire office also could better understand the impact of criminal justice reform measures and the positive effects they are having on communities nationwide.

The team also believes a full-time DDA should be assigned to work on DeschutesSafe projects. Having someone with a comprehensive knowledge of the Oregon legal system and DDA-specific experiences would improve planning and implementation of projects.

Deschutes County is a leader in criminal justice reform

DeschutesSafe team members view Deschutes County as a leader in criminal justice reform. Even as a county the size of Deschutes can have an impact nationally. The size of the county allows development and maintenance of strong community partner relationships and it provides opportunity for flexibility to act quickly to solve problems.

More data analysis help

The DA's office and the DeschutesSafe team would benefit from access to more-complex data analysis. This could be obtained through external assistance or training for staff to conduct analyses in-house.

“By working together as a community, leveraging resources, and using data and evidence-based strategies, we can become even better at preventing crime and keeping our community one of the safest places in the country to live, work, and raise a family.”

– DeschutesSafe Launch Announcement

SPECIAL PROGRAMS & COMMUNITY PARTNER COLLABORATIONS

The DA's office participates in multiple special programs and community partner collaborations. These programs and collaborations are essential to furthering the goal of public safety. Each of these programs has specific staffing needs.

Goldilocks

Deschutes County has a drug problem. Each year the number of drug arrests grows. The DeschutesSafe team believed that the increase is primarily due to known offenders being re-arrested for drug possession or committing other crimes such as theft. Furthermore, recidivism rates are high because the traditional prosecution strategy too harshly penalized individuals with addictions and was too lenient on individuals manufacturing and selling drugs. The current criminal justice model has created a revolving door and DeschutesSafe determined it is time to make a change.

District Attorney John Hummel, in collaboration with law enforcement, launched Goldilocks: a three-tiered program that targets the intervention that is "just right" for each criminal suspect.

1. **Clean Slate:** Pre-charge diversion for people suspected of possession of a controlled substance (PCS). Individuals are offered the opportunity to enter into a medical model program rather than going through the criminal justice system.
2. **Boost:** For suspects who were not successful in Clean Slate or who are charged with a drug crime more severe than PCS. These individuals are prosecuted via the "traditional" criminal justice system model.
3. **Deter:** The district attorney seeks the maximum prison sentence for individuals with a history of drug dealing who are charged with a commercial drug offense or with selling drugs to a minor.

This countywide collaborative program, involving law enforcement, behavioral health, primary care physicians, drug counselors, and public defenders will decrease the number of individuals in the criminal justice system, reduce recidivism rates, and create a safer and healthier community.

Staffing

Kathleen Meehan-Coop manages the Goldilocks program with help from two grant-funded, part-time staff members – Sarah Wiggers, Clean Slate Program Specialist (0.25 FTE), and Su-Chin Ward, BHS1 Clean Slate Substance Use Disorder (SUD) Counselor (0.125 FTE). Patricia Gaskins and Christy Maciel also work on the program and serve as backup SUD counselors.

Domestic Violence Deferred Sentencing Program (DVDSP)

First-time domestic violence offenders who are residents of Deschutes County and fit other qualifying criteria may participate in the Domestic Violence Deferred Sentencing Program (DVDSP). Defendants enter a plea and the disposition is set out for 12 months for male offenders and six months for female offenders. The defendant is ordered to complete certain conditions on release. A probation officer through Parole and Probation supervises the participants. Review hearings are set to check in on their progress. If the defendant successfully completes all conditions and has no violations of release, the case is dismissed at the end of the deferred period. There are currently 45 participants in DVDSP. Participation numbers can be as high as 100 cases.

Staffing

DDA Kelly Monaghan manages the DVDSP caseload. This entails coordinating and collaborating with Parole and Probation, staffing cases, filing motions to revoke, seeking sentencing on revoked cases, and attending court that occurs on Monday mornings twice a month. Victim Advocate Kayla Bonnet serves the victims on the DVDSP cases, keeping them informed of the process, attending court hearings, and providing information about rights and notifications. TAs Alyson Bartness and Kirsten Pruett are responsible for preparing files for court and processing files after court.



Mental Health Court

Deschutes County has a Mental Health Court that meets biweekly. Defendants with qualifying mental health issues who also meet specific criteria are allowed to participate in Mental Health Court. Participants are required to work with Deschutes County Behavioral Health and participate in all services required of them. They check in with the court on a regular basis. Upon successful completion of Mental Health Court, they may get their charges dismissed or reduced to misdemeanors. There is capacity for 24 participants.

Staffing

DDA Brandi Shroyer is assigned to Mental Health Court. She participates in team biweekly team meetings, handles all issues that come up on the cases, and attends court hearings that occur every other week. TA Narci Norgaard is responsible for preparing files for court and processing files after court.

Civil Commitment Hearings

The DA's office handles all civil commitment hearings that occur in Deschutes County. When someone with mental health issues needs to be committed for their own safety and the safety of the community, a hearing must be conducted.

Staffing

DDAs Brandi Shroyer, Jason Kropf and Andrew Steiner handle all civil commitment hearings. In 2018, there were 27 commitment hearings. Each case averages a full day of work for the DDA between preparation and the hearing itself. The DDAs receive approximately two days' notice when a hearing is scheduled. All other work must be set aside to work on the hearings.

Drug Court

A multi-agency team that includes the court, DA's office, Parole and Probation, and the Drug Court coordinator manages the Deschutes County Drug Court. The program allows defendants facing drug charges who also have at least one child and meet other qualifying criteria to participate in Drug Court. Participants must complete specific requirements to successfully graduate from the program. The program typically lasts 12-18 months. Upon successful completion, participants either have probation terminated, avoid prison or have their case dismissed, depending on the defendant's criminal history and how the case was resolved. The program has capacity for 25 participants.

Staffing

Chief Deputy Steve Gunnels is assigned to cover Drug Court. This entails staffing and reviewing cases for eligibility, handling issues that come up during the pendency of Drug Court, and attending all court hearings that occur on a weekly basis. TA Melissa Aspell prepares the files for court and processes the files after court.

Domestic Violence Child Witness Project

The DA's office, in partnership with KIDS Center, Law Enforcement, Department of Human Services (DHS) and Saving Grace, developed the Domestic Violence Child Witness Project. This program encourages law enforcement to refer victims of domestic violence and their children to KIDS Center for a forensic interview the following business day after a domestic violence incident. This referral occurs if there is reasonable belief that a child witnessed the domestic violence incident.

The purpose is to provide support in a less intimidating environment. The program also attempts to obtain accurate information from the children about the incident through a recorded forensic interview. The hope is that more detailed and complete information is obtained in a non-threatening, child-friendly place, rather than at the scene of the incident. The program also encourages the resolution of cases, which leads to offenders receiving services in a timely manner and keeps victims and families safe.

Staffing

A victims' advocate (Keaton Boileau or Kayla Bonnet) attends the case meetings. If a DDA assigned to the case is available, they may attend as well. Victims' Assistance also takes care of calling and confirming the appointment with the victim and their children on the morning of the appointment. The interviews and meetings at KIDS Center vary in length depending on how much the child has to say or how many children are interviewed, but they are typically 2-3 hours long. One or two cases arise in an average week.

Child Abuse Multidisciplinary Team

Stature requires the DA's office to develop a multidisciplinary child abuse team consisting of appropriate community partners. The team must create a written protocol for immediate investigation of and notification procedures for child abuse cases and for interviewing child abuse victims. These protocols must be reviewed and updated on a regular basis. The team ensures that members and personnel conducting investigations and interviews are trained in risk assessment, dynamics of child abuse, child sexual abuse, and age appropriate interview and investigatory techniques. The team members convene every other week for a two-hour meeting to staff and discuss pending child abuse investigations. It also convenes to conduct the child death review meetings that occur twice a year. The DA's office delegates the facilitation and administrative functions of the team to KIDS Center.

Staffing

One to two DDAs and one victims advocate attend the meetings. The DA's office also provides support and guidance to KIDS Center in the management and facilitation of the multidisciplinary team.

Elder Abuse Multidisciplinary Team

Statute requires the DA to develop and facilitate a multidisciplinary team that addresses elder abuse cases. This team meets every other month to staff cases and share information. The team is tasked with developing written protocol for the immediate investigation and notification procedures for cases involving the abuse of adults and for interviewing victims. The intent is to ensure all agencies communicate during investigations and that adequate follow up and support is provided. All investigations are to be carried out in a manner consistent with the protocols and procedures set up by the team.

Staffing

DDA Dan Reesor is assigned as the DA's office representative. Reesor facilitates the meetings by creating agendas, sending out meeting reminders, recruiting team participants, maintaining meeting minutes, and running the meetings. He has partnered with the Department of Justice elder abuse resource attorney to provide additional support to the local group. He has brought in speakers from around the state to provide information and updates.

Sexual Assault Response Team

The DA's office chairs and facilitates the Sexual Assault Response Team (SART). SART is a multidisciplinary team consisting of representatives from community partner agencies. It works with victims of sexual assault. The team meets quarterly to staff cases and discuss issues, trends, and developments related to sexual assault.

Staffing

DDA Kandy Gies attends the SART meetings as well as Victims' Assistance Program Director Ashley Beatty.

Domestic Violence Council

The Deschutes County Domestic Violence Council is a multidisciplinary team consisting of representatives from community partner agencies that work with domestic violence issues. The council meets every other month to discuss issues, trends and developments related to domestic violence. The council works to ensure community partner response to domestic violence meets expectations and is constantly working to improve systems and processes.

Staffing

At least two staff members participate in council meetings – one or more DDAs and an advocate from the Victims' Assistance Program. Currently, Kelly Monaghan and VAP Director Ashley Beatty attend.

Drew Moore and Stacy Neil have both served as chair of the council in the past. Serving as chair entails developing an agenda, reaching out to partners to put on presentations, finding speakers for

relevant topics, ensuring conformance with by-laws, generating topics of conversation, and facilitating meetings.

Stacy Neil currently serves on the Batterer's Intervention Program Review Subcommittee. This role requires multiple meetings with subcommittee members and reviewing documentation and program curriculum to ensure compliance with the Oregon Administrative Rules.

Adult Threat Assessment Team

The DA's office participates in the Adult Threat Assessment Team. The team reviews cases and individuals deemed high-risk. The team includes members from Parole and Probation, law enforcement, mental health, and victims' assistance. Many of the cases involve domestic violence or cases where there is some other threat to third parties. The team meets weekly.

Staffing

Victims' Assistance Program Director Ashley Beatty and Chief Deputy Steve Gunnels attend the weekly meetings.

Juvenile Threat Assessment Team

The DA's office participates in the Juvenile Threat Assessment Team which reviews cases and juveniles deemed high-risk. Team members include schools, law enforcement, the Juvenile Department, mental health, and victims' assistance. The team meets weekly.

Staffing

Victims' Assistance Program Director Ashley Beatty attends the weekly meetings for the DA's office.

Commercial Sexual Exploitation of Children Task Force

The DA's office participates in and chairs the Commercial Sexual Exploitation of Children Task Force. The team includes community partners that work with potential victims of commercial sexual exploitation. The team convenes monthly to address issues related to commercial sexual exploitation.

Staffing

Victims' Assistance Program Director Ashley Beatty and DDA Matt Nelson participate in the task force for the DA's office.

Safe Schools' Alliance

The DA's office participates in the Safe Schools' Alliance, which meets monthly. The group consists of various agencies and community partners that play a role in school safety. The group discusses safety issues that impact schools and work to prevent school safety problems.

Staffing

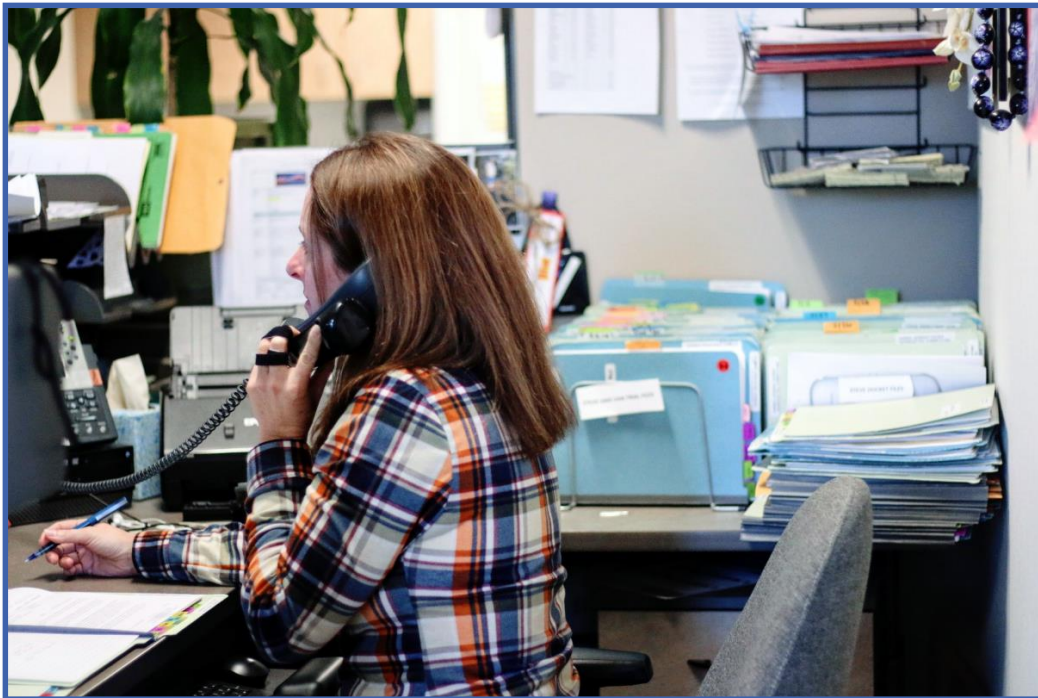
DDA Lillah Lehner attends the meetings for the DA's office.

Vicarious Trauma Resiliency Program

The DA's office recognizes the importance internally of acknowledging the reality of vicarious trauma and work-related stress that staff members experience. The DA's office has implemented a Vicarious Trauma and Resiliency Program that promotes staff health and wellness.

Staffing

The program is handled internally and is available to all DA's office staff.



DEMOGRAPHICS OF DESCHUTES COUNTY

Population

The District Attorney's office serves Deschutes County, which includes the cities of Bend, Redmond, Sisters, and La Pine. Deschutes County continues to have been one of the fastest growing counties in the country for two decades. As of July 1, 2018, the county's population was 188,980 with a one-year growth rate of 3.3 percent.¹ The county's Coordinate Population Forecast predicts that the population will grow to 240,118 by 2025.²

The U.S. Census Bureau³ reports the median age of residents at 42.1 years old with about a quarter of residents younger than 21 and 40 percent 62 or older. That makes the county slightly older than the rest of the country, reflecting the county's popularity as a retirement destination. The U.S. median age is 37.8 with 33 percent 62 and older.

The Census Bureau also found that 94 percent of residents self-report as white. Two percent of residents are at least part American Indian, 2 percent as Asian and 1 percent as Black. Also, 8 percent of residents identify as Hispanic.

Tourism

The resident population of Deschutes County must not be viewed in isolation when considering the impact of crime on the DA's office. A 2015 Visit Bend analysis found that on the average day, 20,000 tourists visit Bend alone. Annually, 2.5 to 3 million visitors stayed an average 2.4 days in the city. That works out to 6 to 7.25 million overnight visitors. Bend's resident population is 89,505, so visitors increase that by about 22 percent per day. Correspondingly, those same 20,000 visitors increase the number of people in the county by 11 percent daily. Note that these are averages. The tourism population fluctuates seasonally and by days of the week.^{4,5}

“Tourists have a significant impact on local law enforcement, and there are no resources to alleviate this. It results in Deschutes County residents experiencing a lower level of service.”

– District Attorney John Hummel

Central Oregon has had the greatest increase to tourism (lodging and air travel) in Oregon each year 2016-18.^{6,7} These numbers are significant because Bend's estimated percent change in hotel room revenues from 2013-14 far exceeded other major tourist destinations around the country, including statewide rates in Florida and California, and local rates in Las Vegas; Aspen, Colo.; and Flagstaff, Ariz.⁸

Large events and festivals play a role in the tourism numbers. In 2014, for example, 3,700 people from outside Deschutes County attended the Sisters Folk Festival.⁹ Assuming those attendance numbers are close to an annual average, the population of Sisters more than doubles for those few days each year.

More than 10,000 visitors also descend on Sisters for the annual Sisters Outdoor Quilt Show, coming from all 50 states and 27 foreign countries.¹⁰

Regional economic hub

In addition to hosting tens of thousands of tourists daily, Deschutes County serves at the economic hub of central Oregon. Residents of adjacent counties travel here on a daily basis for shopping, work, medical care and other services not found in outlying communities.

20 percent

Portion of crimes in
Deschutes County
committed by visitors.

LAW ENFORCEMENT

The Deschutes County Sherriff's Office and other local law enforcement agencies have expanded their ranks to respond to explosive population growth. With every officer added to an agency, the agency is better able to respond and appropriately investigate crimes. Crimes that previously went undetected or unobserved are now addressed, and cases that could not be properly investigated before are now being seen through to completion. With more arrests, the work of the DA's office increases commensurately.

Over the course of 2018 and moving into 2019, there are an additional 25 officers and deputies working in the county. This will result in an inevitable increase in workload for the office.

As it stands now, the DA's office is unable to keep pace with the work referred. When the office is unable to complete this work, there is lack of follow through on referred cases, victims are not served, defendants are not held accountable, and defendants get the message that they can continue to commit crime in our community without consequence.

AGENCY	OFFICER/DEPUTY INCREASE	
	2018	2019 (Projected)
Redmond PD	5 officers 2 community service officers	1
Bend PD	6 officers (filled positions that had been vacant since 2014)	--
Deschutes County Sheriff	5 deputies reclassified as law enforcement 4 deputies new FTEs	2

Figure 10: Officer/Deputy Increase 2018-19

Body-worn cameras

The advent of body-worn cameras by law enforcement has resulted in several positive outcomes. First and foremost, they provide excellent evidence because they document verbatim statements of witnesses, victims, and defendants. They also capture body language, visible emotion, and tone, all of which are nuances often lost when documented through written reports only.

However, unintended consequences have impacted the DA's office. Every arrest or citation that involves a body-worn camera means there are 1-8 hours of footage to review, depending on the type of case. There are often multiple officers on scene talking to several different witnesses. With the high volume and quick pace of cases in the DA's office, there is not enough time to review all evidence in every case. Moreover, with cameras documenting interactions, officers now tend to write

shorter reports with less detail. These recordings are extremely beneficial, but when trying to process cases quickly, without detailed reports, and with the current staffing level, the DA's office is unable to keep up.

Currently, the Redmond Police Department is the only agency utilizing body-worn cameras. However, the Bend Police Department is looking to them during the upcoming fiscal year. That will have a profound impact on the DA's office – from the trial assistants who need to process and copy the digital evidence to the DDAs who need to review the evidence and create transcripts of interviews for trial to the IT personnel who may end up needing to redact portions of the recordings.



AN INCREASING CASELOAD

The number of cases referred to the DA's office had fluctuated by only about 100-250 cases annually in the six years leading up to 2018. Due to this relatively consistent number, the DDA staffing level was adequate to get the job done, even if not ideal. However, the caseload referred in 2018 increased *significantly*. Within the past calendar year, the number of cases referred to the DA's office jumped by more than 900 cases over the previous recent highest year in 2015, and by more than 1,000 (15 percent) from 2017.

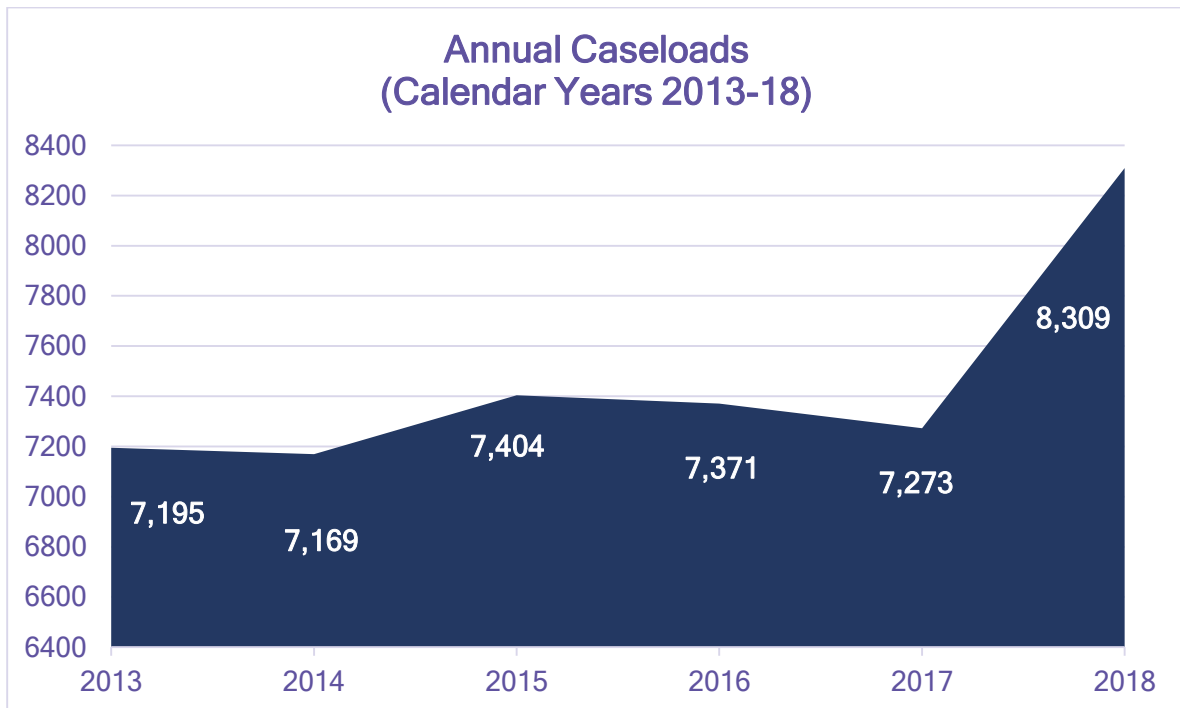


Figure 11: Annual Caseloads 2013-18 Calendar Year

Many factors can cause an increase in the number of cases that law enforcement refer to the DA's office, including population growth, economic changes, law enforcement priorities, and law enforcement staffing. What is unique about this past year is that there was a significant increase in overall quantity of misdemeanor cases without a significant decline in other types of cases.

The DA's office believes that the primary reasons for the increased caseload are Deschutes County's commitment to public safety and the 20 new law enforcement officers in 2018. The increased caseload aligns with the expected increase per officer. The six-year average shows Deschutes County law enforcement officers refer 57 cases each per year.

The DA's office anticipates that additional hires projected for 2019 will buoy the caseload relative to stable staffing. Based upon staffing increases we have estimated that the number of cases referred for FY19 will reach 8,766, in increase of more than 1,200 cases.

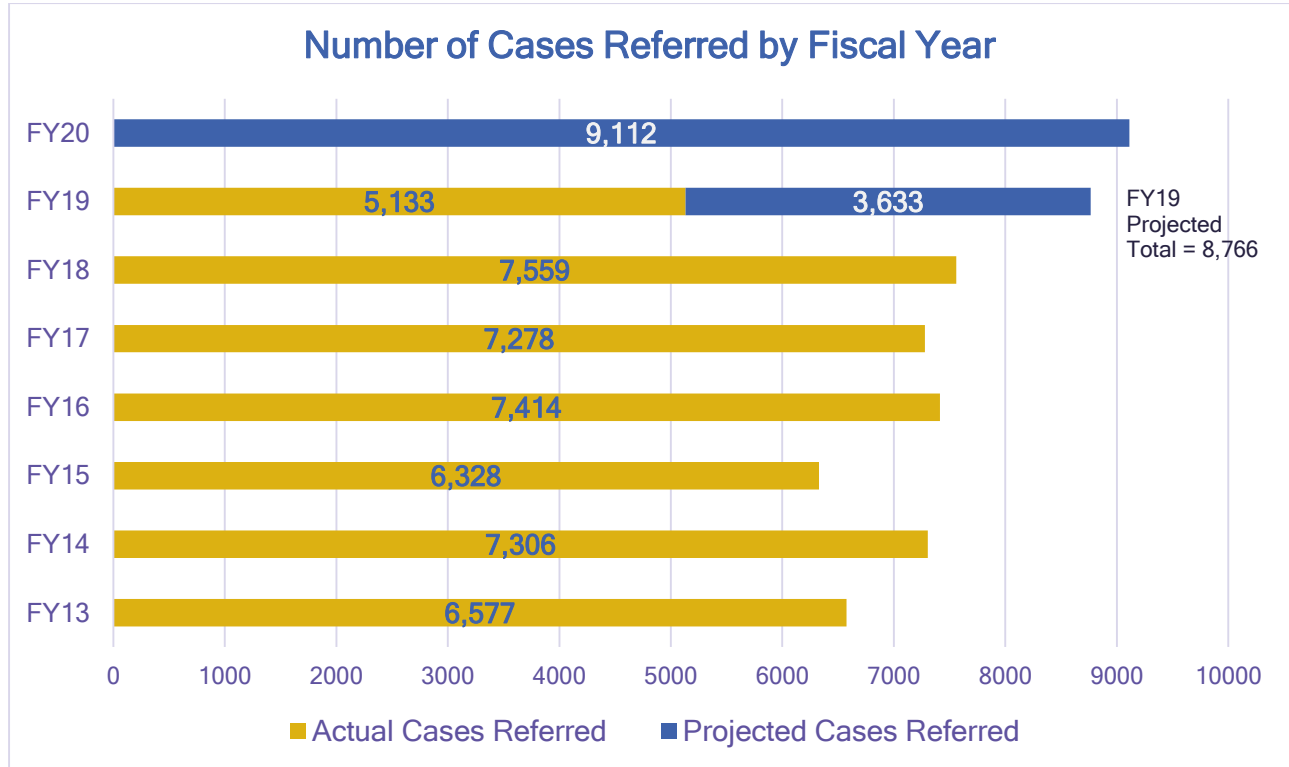


Figure 12: Number of Cases Referred by Fiscal Year

While our estimates show a substantial increase in caseload, we believe the forecasts for FY19 and FY20 are, if anything, conservative. Our FY19 forecast is based on the number of cases already referred during the year and historical monthly data. During the first seven months of FY19, law enforcement referred 5,133 cases to our office. That is 900 cases more than have ever been received for the same months in previous years. (See Figure 12 on the next page.)

In addition, the second quarter of the fiscal year (October-December) is usually period during which the office experiences a slight decline in referred cases. Even with that traditional case decline occurring, we still had a substantial increase in cases referred. And two of the three months that historically produce the greatest number of cases per year -- March (10 percent) and June (9 percent) -- have not occurred yet.

The caseload in every month of FY19 through January exceeded the caseload of the same month of the previous four years. We forecast that trend will continue. Due to the fact the law enforcement staffing increases are permanent, we expect the caseload to not only remain at the higher level, but also grow again slightly in FY20. At that point, we anticipate the caseload numbers will stabilize and remain at the higher level.

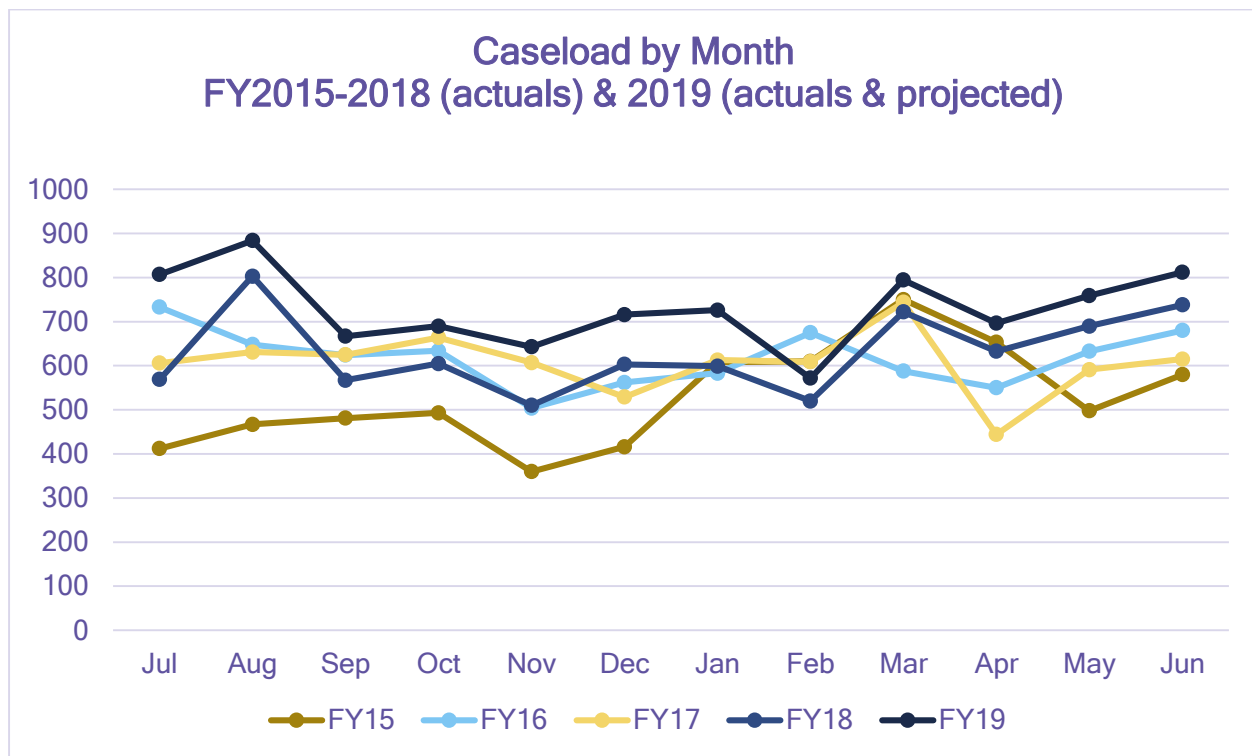


Figure 13: Monthly Caseload 2015-19

DDA caseloads

In preparing this report, we contacted counties across the state for comparative caseload data. The counties included in this analysis either returned our calls to collect the data or made this information available to the public through online reports. Deschutes County has the third highest referred caseload among available counties, with an additional 28 cases per DDA above the average caseload.

Although we include Jackson County in the analysis, we note that it is an outlier. County revenue challenges there related to federal timber funds and property taxes have led to critical funding shortfalls in recent years. If Jackson County were discounted from the average, Deschutes County DDA handle 57 more cases each than the average of the remaining counties.

Figure 14 shows the number of *referred* cases from law enforcement. Which means for every case referred, a DDA must review, assess, seek follow-up, and speak with witnesses or victims in deciding whether to proceed on that case.

Cases per DDA vs. Residents per DDA

Referred cases per DDA is the best metric for inter-county comparisons. Unlike a simplistic look at residents per DDA, it captures the actual work done by prosecutors. While population is one factor in how many cases reach a District Attorney's office, other factors have an equal or even greater impact.

Based on our referred case predictions for FY19, the number of cases per DDA will increase by 24 cases this fiscal year, likely increasing the gap between Deschutes County and other counties unless they have comparable increases. In addition, at current staffing levels the workload will increase again in FY20, to what we anticipate to be 456 cases per DDA or 99 cases above the 2018 average referral caseload (without Jackson County).

Researchers have studied the effects of high caseloads on communities and found that not only are they detrimental to the justice system, victims, and prosecutorial success, but they also are harmful to defendants charged with crimes.¹¹

This report therefore recommends adding four DDAs to the prosecutorial team. If this request were implemented it would restore per DDA caseload to only slightly more than the FY18 caseload. This would still be less than the ideal staffing level, but it is the bare minimum necessary to avoid difficult service cuts and staff turnover due to overwhelming caseloads.

DDA CASELOAD (Select Counties)			
County	DDAs	Referred Cases 2018	Cases per DDA
Jackson	17	10,025	590
Klamath	8	3,698	462
Deschutes	20	8,273	414
Marion	26.5	10,500	396
Clatsop	6	2,352	392
Clackamas	31	9,770	315
Jefferson	4	1,161	290
Lane	29	6,626	228
Average	18	6,551	386
Average without Jackson County	18	6,054	357

Figure 14: DDA Caseloads in Oregon

DDA REFERRAL CASELOADS				
	FY18 Actual staffing	FY19* Actual staffing	FY20*	
			Status quo staffing	Recommended staffing
Cases referred	7,559	8,766	9,112	9,112
DDAs	20	20	20	24
Caseload per DDA	378	438	456	380

* Forecast number of cases referred for remainder of FY19 and all FY20.

Figure 15: DDA Caseloads at Current and Recommended Staffing Levels

Decreasing filing rate

The DA's office seeks to file charges in all appropriate cases. However, as the number of cases that law enforcement refers has increased, DDAs and other staff have struggled to pursue charges in the same percentage of cases as in past years. The caseload per DDA has grown too large.

Until recently, the filing rate had been nearly 70 percent of cases referred. In 2018, the rate dropped to 65 percent, and in the first seven months of the current fiscal year, it fell even further to 59 percent. Increasing the filing rate with the current staffing level is unachievable. However, with the addition of four DDAs in FY20, we are confident that our file rate could increase to closer to historic rates.

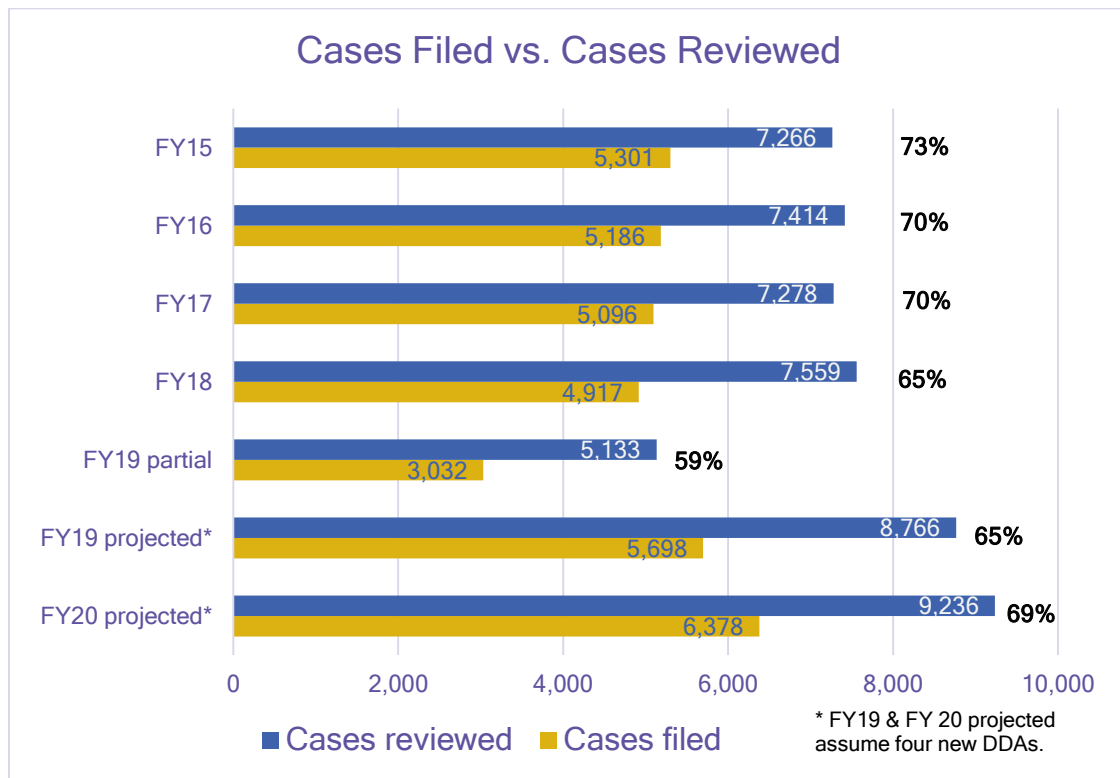


Figure 16: Cases Filed vs. Cases Reviewed

Notable increases in specific case types

Measure 11 Cases

The DA's office experienced a dramatic increase in referrals of the most serious crimes (Measure 11 offenses). Measure 11 crimes include: Arson, Assault I and II, Kidnapping, Murder, Manslaughter, Rape, Robbery, Sexual Abuse, Unlawful Sexual Penetration, Sodomy, and Using a Child in a Sexually Explicit Display.¹² The number of referrals *doubled* from 2017 to 2018.

Given that law enforcement already has referred 16 cases in 2019, we appear to be on the same trajectory for this calendar year as 2018.

An increase in Measure 11 cases is particularly noteworthy not because of their volume but because of the comprehensive impact they have on The DA's office's ability to manage the already-increasing caseload. Measure 11 cases require substantially more time per case than an average case.

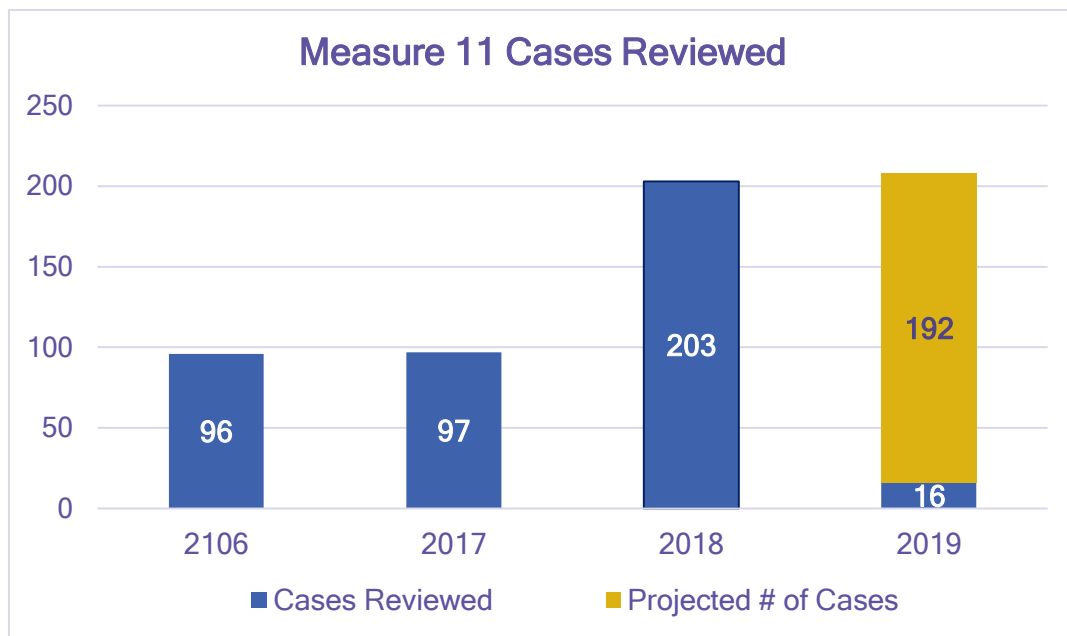


Figure 17: Measure 11 Cases Referred 2016-19

Homicide Cases

There are currently 11 homicide cases active and pending in Deschutes County. This is the most the DA's office has ever had pending at one time.

Target numbers – DDA caseloads

The chief deputies have carefully reviewed DDA capacity and case complexity to determine a threshold caseload number for general types of cases that they strive not to go beyond when assigning cases to DDAs. An assigned caseload refers to cases that have been filed with the court and are considered active, pending court hearings. These caseload targets (Fig. 18) are well-informed and based on concrete experience over many years of doing the case work and managing attorneys doing the case work.

CASE TYPE	MAX ACTIVE CASES PER DDA
Traffic	110
Person Crime	85
Felony Property/Drugs	100

Figure 18: DDA Maximum Assigned Cases for Specific Types

Caseload vs. Workload

It is imperative to keep in mind that an analysis of a DDA’s workload cannot even be viewed simply as the number of cases referred and number of cases assigned. The raw number does not take into account the complexity and lifespan of individual cases. One must also account for the factors involved with specific cases as well as the other duties and responsibilities that the DDAs are required to handle.

The American Prosecutors Research Institute conducted a study attempting to determine “best practice” for assigning a specific number of cases per DDA. Their research concluded that specific guidelines are not possible because there are simply too many variables from office to office and case to case to make comparisons. (This study looked at 56 offices around the country.)

“Answering the question of how many staff are needed to adequately function is *not* as simple as looking at the number of cases filed and processed or the population size. It instead, requires a more in-depth look at how the DA’s office actually functions and an in-depth look at what the staff members are actually doing to serve our community,” the researchers wrote.¹³

The fundamental distinction is between “caseload” and “workload.” The former reflects a tally of assigned cases; the latter reflects the amount of time and resources a DDA must expend to manage those cases. The remainder of this section will look more in-depth at the specific factors and challenges that impact the workload in the office.

Intake backlog

There are currently 350 unassigned pieces of intake in the system. Because all DDAs are maxed out on the number of cases they can take on, the chief deputies are handling a caseload, too. That diverts chief deputies from performing full attention to their normal duties and responsibilities.

Of the 350 pending intake pieces, 150 of them are from individuals who did not follow through with the Clean Slate Program. They must be addressed and charged in order to maintain the integrity of the program.

DDA turnover

The DA's office has experienced a record-setting year of staff turnover among DDAs. Seven DDAs left the office in 2018. As the office loses those experienced DDAs, capacity goes down. That's especially true for handling major cases that ideally will be assigned to an experienced DDA.

Increase in major crime cases

Another reason not to consider case counts in isolation when determining workload is that it does not factor in major crime cases. The work (and stress) associated with one misdemeanor DUII case is far less than one Measure 11 or homicide case.

The DA's office currently has 11 pending homicide cases. Two DDAs, a trial assistant, and a victim advocate staff each of those cases. Homicide cases typically have thousands of pages of discovery, hundreds of pieces of evidence, and countless hours of recordings and digital evidence. There is follow-up needed as well as motions to be drafted, responded to, and argued. Preparation for trial can take weeks and even months. Witnesses can number in the hundreds. Witness meetings and preparation, exhibit preparation, and trial strategy planning all must occur. Trial is typically scheduled for anywhere from two weeks to two months. Two DDAs who, on average, carry a caseload of 75-150 cases each, are essentially taken out of the rotation. That leaves a substantial burden on the remaining, already overloaded and overstressed DDAs.

Non-homicide major crime cases also take a substantial amount of time – including robbery, sex abuse, kidnapping, and assault. Just one of these cases can take an overwhelming amount of time for one DDA so that their regular work suffers, and co-workers must step in and cover.

For example, one child sexual abuse case can take days to review – watching video interviews, writing transcripts, providing feedback for follow up, charting out the disclosures and figuring out which charges go with which action over which dates and timeframe. And this is only *one* case.

Court Capacity

Deschutes County Courts are 2.77 judges behind where they should be. This lack of court capacity creates a backlog of cases getting through the court system and that backlog only continues to grow. Each week, six criminal trials or more are scheduled. That means at least six DDAs must be kept off the docket to prepare for trial. A significant amount of time is spent on prepping witnesses and putting in time reviewing evidence. Yet the night before the trial the DDA might learn that the court has bumped the case due to unavailability of judges. This creates a backlog of work for the DDA because those cases that were set over remain on their caseload until they go forward in another six months or more. The court regularly sets over cases two or three times, delaying justice for victims and defendants, accountability for offenders, and adding to workload.

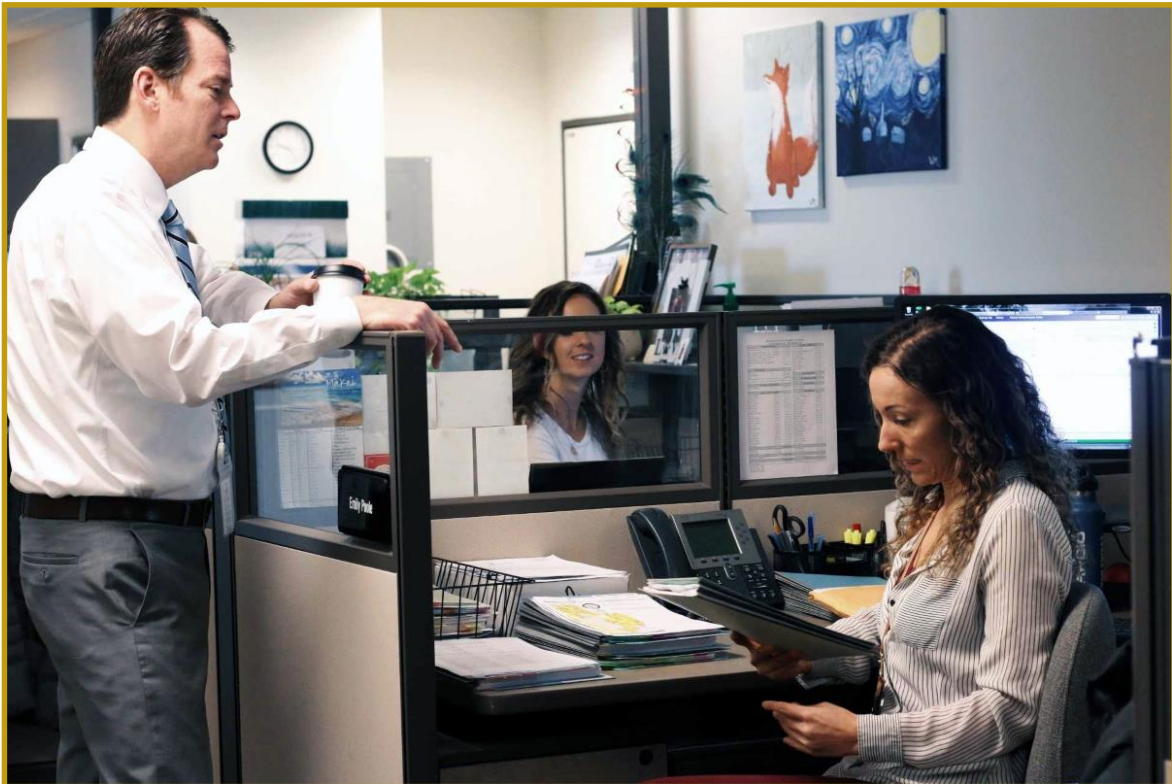
Deschutes County Courts are seeking additional judicial positions at this time. If one new judge is authorized by the Legislature, cases might be resolved sooner, but it would also mean an additional courtroom in operation that a DDA must cover.

Evidence is more complex.

The number of cases involving digital evidence has significantly increased in recent years. DDAs regularly must review and document body-cam videos, audio, video-recorded interviews, phone logs and computer data. If they lack sufficient time to review that evidence, they are not fully prepared for their cases.

Lack of time for supervisors to create standardized processes

Supervisors are so overloaded with work that they have been unable to create standardized processes. This leads to negative impacts including lack of consistency in how work is done, differing expectations, and overall confusion and frustration among staff.



Staff are not adequately trained

The lack of a standardized and comprehensive training plan for all staff members leads to inadequately trained personnel. This slows down work and lowers the quality of work product.

Other responsibilities

DDAs are very active in completing tasks unrelated to their specific caseload. The DA's office partners with other agencies in the community, collaborating to address myriad issues that impact the Deschutes County. DDAs are constantly working with all of the law enforcement agencies in the county (Deschutes County Sheriff's Office, Bend Police Department, Redmond Police Department, Oregon State Police, Sunriver Police Department, and Black Butte Police Department), Parole and Probation, the Department of Human Services, Child Welfare, Deschutes County Behavioral Health, KIDS Center, Saving Grace, Schools, Juvenile Department, and others. DDAs frequently attend meetings with various committees and groups or engage in conversations with them throughout the day.

DDAs provide training to law enforcement, and other partnering agencies. They also must keep abreast of new case law and changing rules and laws. The office receives weekly legal updates from the Department of Justice. DDAs must read these cases and keep up on ever-changing case law.

There are newer DDAs in the office that the more experienced DDAs must take some time to mentor and staff cases with in order to assist their development. DDAs also spend a lot of time filling in for other DDA's. On any given day there some DDAs are out, in trial, or handling other issues that come up.

Trials take longer

How cases are tried has changed over the past decade. Cases that 5 and 10 years ago could be done in one day are now frequently set for two and three days. It is standard for every DUII case to be set for a two-day trial. That locks up DDAs for longer periods than was the case historically.

Municipal Court

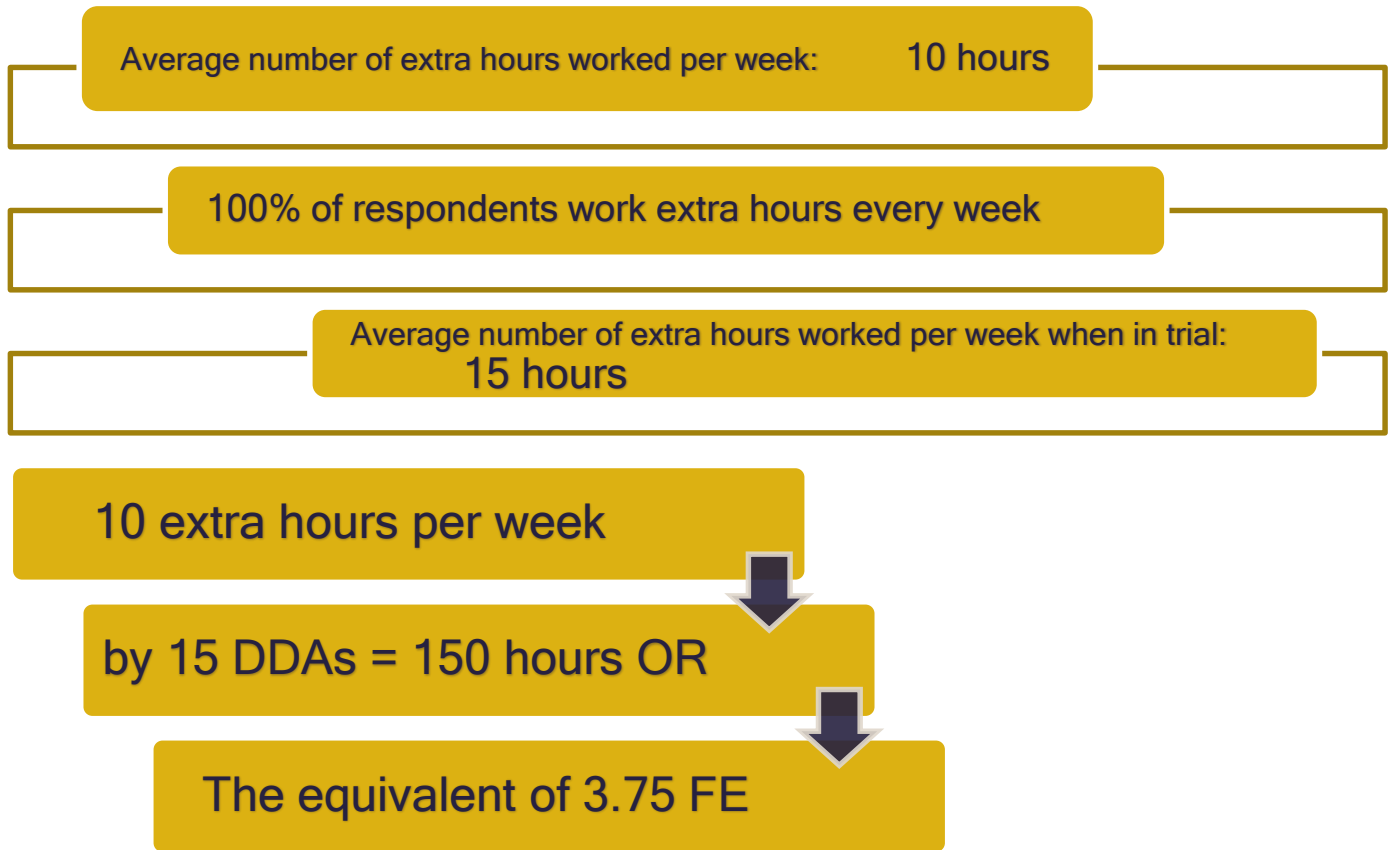
Unlike municipal courts in many Oregon counties, municipal courts in Deschutes County do not handle criminal matters. DA offices in counties with municipal courts that handle relatively low-level criminal cases can devote their limited resources to the prosecution of more serious cases.

Benton, Clackamas, Clatsop, Columbia, Coos, Douglas, Jackson, Lane, Linn, Marion, Polk, Tillamook, Umatilla, Washington, and Yamhill counties have municipal courts that handle criminal cases.

The city municipal courts in these counties that handle criminal cases are Corvallis, Philomath, Canby, Lake Oswego, Molalla, Oregon City, West Linn, Seaside, Rainier, Scappoose, St. Helens, Coos Bay, Canyonville, Glendale, Myrtle Creek, Reedsport, Roseburg, Sutherlin, Winston, Ashland, Medford, Cottage Grove, Eugene, Florence, Springfield, Albany, Harrisburg, Lebanon, Sweet Home, Mill City, Salem, Troutdale, Dallas, Monmouth, Tillamook, Hermiston, Milton-Freewater, Pendleton, Beaverton, McMinnville, and Newberg.

DDA SURVEY RESULTS

A survey of the DDAs was conducted to capture an idea of workload – extra hours worked, where time is spent and where the gaps are in getting work done. Some of the findings follow. For more information, contact the District Attorney.



The top three responses to the question “What do DDAs wish they had more time to devote to?” were:

1. Reviewing Evidence (75%)
2. Researching and Drafting Memos/Motions (56.25%)
3. Meeting and or Talking with Victims (43.75%)

This is notable as points to DDAs’ completing only completing core duties of intake and attending court. These three items are essential job functions that DDAs have insufficient time to complete.

DDAs must review evidence on their cases. This is critical as they are tasked with seeking justice. They cannot do that without ensuring that they are aware of the evidence that exists.

In order to bolster and support legal issues on their cases, time must be invested in drafting memorandums and motions appropriately. Without time to work on this, DDAs are not doing their jobs to the fullest potential.

Finally, the DA's office serves the community of Deschutes County first and foremost. They are not doing their jobs if there is not enough time to serve the victims of crime.

Q7 Which of these tasks do you wish you had more time to devote to?

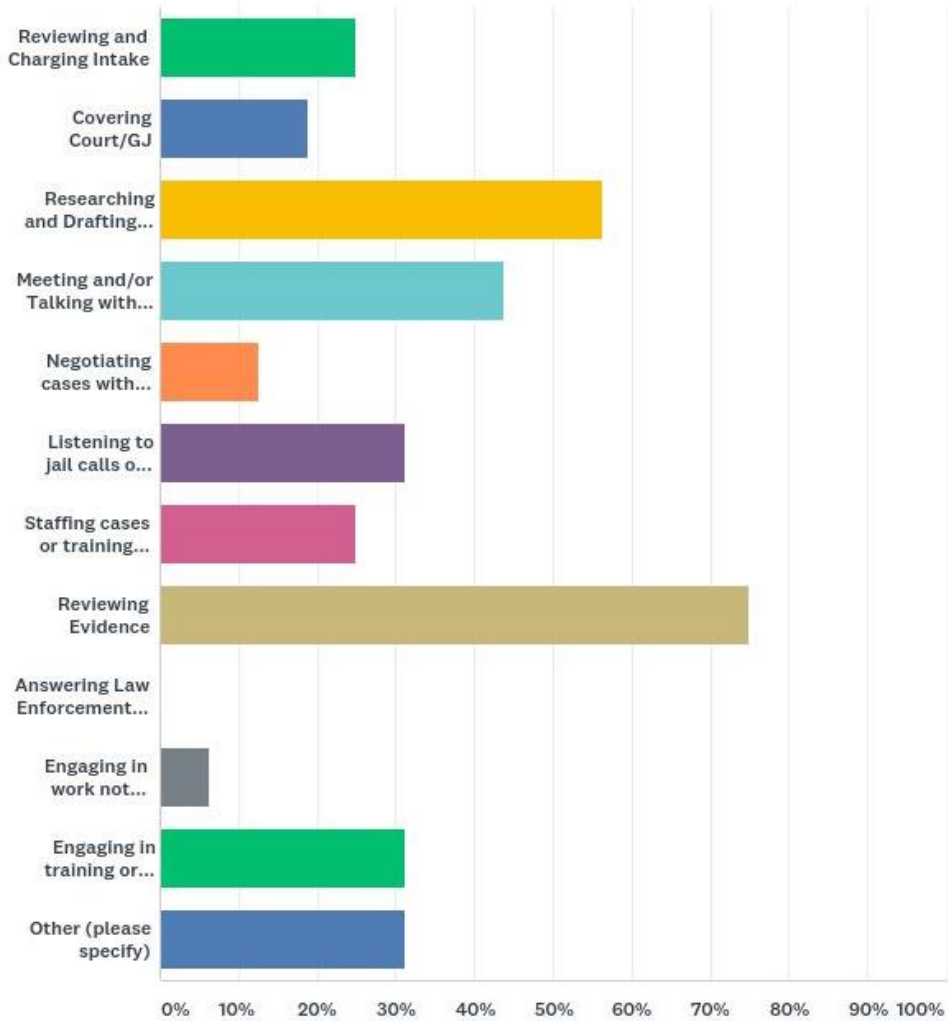


Figure 19: Tasks for Which DDAs Wish They Had More Time

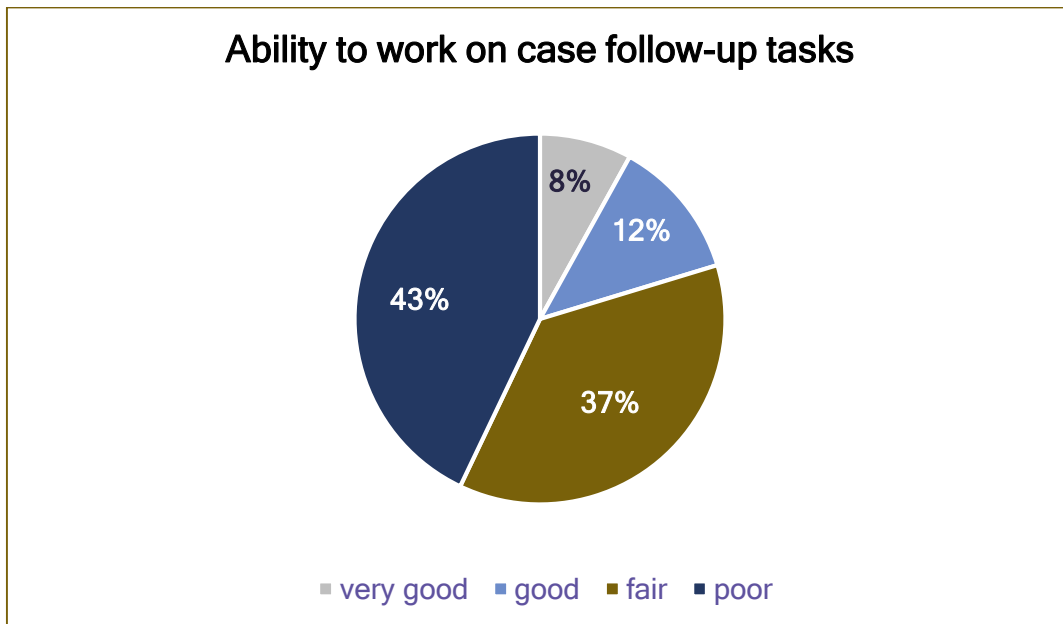
DDAs' rated themselves on the following tasks



Key finding: 75 percent of DDAs rated themselves fair or poor at contacting victims in a timely manner.



Key findings: No DDAs felt very good about their time to prepare for trial and half thought it was fair.



Key finding: 79 percent of DDAs report that their ability to do follow-up work on their cases is fair or poor.

Finally, when asked to respond to the statement, “I believe my current caseload is manageable and I am able to complete all tasks and responsibilities related to my cases within working hours”:

87% responded either strongly disagree, disagree or neither agree nor disagree.

55% responded strongly disagree or disagree

0% responded that they strongly agree

These sorts of workload issues contribute to workplace dissatisfaction. Seven DDAs left the office last year to pursue other opportunities. With only 17, that means 41 percent of the attorneys resigned. Meanwhile, 18 percent of trial assistants resigned. These rates are shockingly high compared with the resignation rate among all county departments – 10 percent. Most who left the DA’s office cited concerns about the workload as a factor in their decision.

To retain quality, experienced DDAs and other staff, it is imperative that the caseload numbers go down to a manageable, appropriate level. Every DDA should not have to put in a minimum of one extra day of work per week. This is important not only for taking care of county staff members but also for the quality of work that is offered to the citizens of our county. As staff suffer, so will the work.

UNDESIRABLE OUTCOMES

The DA's office has had to face the harsh realities of being understaffed and overworked. In an effort to provide greater understanding of what the office is experiencing beyond statistics and summaries, the following are examples of undesirable outcomes that occurred within the past year:

Victims don't receive restitution

On numerous occasions, the DA's office failed to request that the court order a convicted defendant to pay restitution to their victim.

One example is the case of *State v. Snyder*. A new trial assistant began work in March of 2018. Complete and thorough TA training requires two months. Due to our desperate need to get this trial assistant handling cases (18 percent of TAs left in 2018), training was rushed and completed in one month. During the abbreviated training, this new trial assistant was provided a mere overview on how to process victim paperwork. Because of the hurried training, this trial assistant did not know to process a victim's request for \$5,500 in restitution. The DDA, then, did not request the court to order it at the time of sentencing.

Another example is the case of *State v. Sarkis*. This was a hit-and-run case in which the victim's car was damaged and she had no insurance. The defendant was convicted, but at his sentencing hearing we did not request the court to order him to pay restitution to the victim because the DDA who represented the state at the hearing thought the victim had not requested restitution. In fact, the victim had provided her request for restitution to a volunteer in the Victims' Assistance Program. This volunteer did not make proper notation of this request. We have volunteers filling important roles in the Victims Assistance Program because we are understaffed.

Victims are not notified of important court hearings

On numerous occasions the DA's office has failed to notify victims of critical court hearings.

One example of this is the case of *State v. Campbell*. Because of the unmanageable workload in the Victims Assistance Program, the victim in this burglary case was not notified that the defendant had a release hearing scheduled. Consequently, she did not appear at the hearing to tell the court her safety would be at risk if the defendant were released from jail. The court released the defendant. When we ultimately informed the victim of this she was understandably upset, as she is the foster parent of the defendant's child and she fears defendant may physically harm her.

Unprepared for trials and staffing disruption

Because each DDA handles too many cases and because so many DDAs leave the office every year, the attorneys that remain struggle to prepare for trial adequately.

One example of this struggle is the case of *State v. Smith*. The DDA assigned to the case left the office immediately after the matter was scheduled for trial. The assigned TA sent out subpoenas and

did as much trial prep as possible. However, because there was no DDA assigned to the case it was not thoroughly reviewed. During the time the case was in limbo we lost contact with a witness and neglected negotiations (the DDA who left the office put a note in the file that said the defendant was willing to negotiate a resolution of the matter). We now have a new DDA assigned to the case and he is scrambling to locate witnesses and prepare for trial.

In the case of *State v. Craig*, a vicious assault case was re-assigned after the originally assigned DDA resigned. It was re-assigned again after the newly assigned DDA also resigned. It was re-assigned a third time due to shifting caseloads because of other departures in the office. On the morning of trial, we had to dismiss the case because we neglected to notify the victim of the trial and he was a critical witness.

Another example is a child sex abuse case. One of our senior DDAs was in the midst of a manslaughter trial and had a child abuse trial scheduled immediately after it, so she asked for help preparing for the child sex abuse trial. Specifically, the DDA needed one of our attorneys to meet with law enforcement to request specific follow-up investigation be completed. Unfortunately, no help was available, so the meeting with law enforcement did not happen and the follow-up investigation by law enforcement did not happen. During the child sex abuse trial, the defense attorney pointed out everything the police had failed to do. That could have been avoided if someone had the time, prior to trial starting, to assist the officers in completing the additional investigation. The defendant was acquitted.

In the case of *State v. Robanske*, we reviewed a police report from law enforcement and charged a suspect with felony DUII. The suspect is in jail and trial starts in a few weeks. The defense attorney contacted us and said they had not received a copy of the audio recording of the call a person made to 911 to report the DUII. We were unaware there was a call. We obtained the recording, listened to it, and learned that there were two separate instances of DUII. Fortunately, we had time to add this additional charge to the defendant prior to trial. It was mere luck that the defense attorney requested the recording – with our workload we would not have become aware of the recording on our own.

Another example is a major embezzlement case involving grand jury misconduct. The DA's office charged a local bookkeeper with embezzling from her employer. The matter was scheduled for trial and was pending for more than 10 months when her attorney told the District Attorney he believed misconduct occurred during the grand jury proceeding. The DA investigated the matter and learned that a police officer had uncovered this misconduct a month before and had sent the office a report with his findings. Because the assigned DDA's caseload was too large, he had insufficient time to read the report. Upon reading the report the DA dismissed the case that should have been dismissed months prior.

A final example is a pending child sex abuse case. The case was scheduled for trial and the defense attorney proposed a settlement. The assigned DDA thought the amount of prison time was too little but accepted the offer partly because she had insufficient time to prepare for trial and was concerned that because of this the defendant would be acquitted. The parties told the court the matter was settled, and the judge thus cancelled the trial and scheduled the matter for entry of plea

a few weeks out. Defendant appeared at the entry of plea and said he changed his mind and wanted a trial. The court thus scheduled a new trial date. During the time we've been awaiting this new trial date, it was discovered that the defendant was living with minor children and there are suspicions that he may have sexually abused a new victim – a 5-year old girl. This potential new victim could have been avoided if the DDA had had time to prepare for trial, and they could have gone forward at the time the case was originally scheduled rather than negotiating for a lesser prison sentence.

Cases take too long to resolve

Because DDAs handle too many cases, they are unable to devote adequate time to negotiate settlements with defense counsel. This, coupled with the court having too few judges, results in cases taking too long to settle (it takes 226 days on average to resolve a felony case). Victims suffer as a result.

One example of this is the case of *State v. Hanna*. The victim was a 90-year-old veteran. The caregiver who was caring for his dying wife took advantage of him financially. After the defendant was charged, the victim attended every single court hearing to represent his position and hold the defendant accountable. After the case was pending for more than a year, our office concluded that the defendant was a suitable candidate for mental health court. If we were appropriately staffed, the assigned DDA would have been able to reach this determination in approximately one month. After the defendant entered Mental Health Court, the process to collect restitution for the victim finally began. Unfortunately, after four months of delay to obtain restitution (after the one-year delay in getting the case resolved), the victim died shortly after the court ordered restitution be paid but prior to receiving any money.

Insufficient staff supervision

Managers are unable to supervise, coach, mentor, and otherwise help team members thrive.

One example of this is the day-to-day reality of our administrative supervisor. Kara Palacio supervises 24 administrative support staff. She is currently four months behind on performance reviews. This delay is due to her unmanageable workload. Instead of completing reviews, her time is spent performing operational duties (work orders, discovery billing, car maintenance, etc.), handling problems caused by high turnover (coverage for vacant positions, recruiting and interviewing for new employees, training new employees, etc.), managing a caseload of work herself (because we have too few authorized positions), and other urgent matters that arise. Not completing performance timely reviews creates several problems: team members do not receive formal documented feedback regularly, goals cannot be set and monitored, rescheduling of reviews due to urgent issues creates distrust and employee frustration, and employees do not have a measured/quantitative review of their performance.

Analysis

One should not take away from these examples that the deputy district attorneys, trial assistants, victims' advocates, support staff in the DA's office are not up to the job. These are not example of incompetence but the sorts of mistakes that human beings make when they are overwhelmed. Ask anyone to work long hours on complex material under public scrutiny without sufficient public support, and things will go wrong. Indeed, it is a testament to the character and commitment of the DA's office employees that they have been as successful as they have been.

Every single staff member at the DA's office cares about their job and about the mission. No one feels good about these undesirable outcomes. There is a significant fear that the work will continue to suffer, the staff will continue to suffer, and we will lose more staff as a result. This is not who we want to be.

WHO WE WANT TO BE

The Deschutes County District Attorney's office staff wants to perform the tasks that we are called upon to complete – reviewing, processing, filing and prosecuting criminal cases for crimes committed in our county. We want to continue to do this work, but we need to be equipped and staffed adequately so that we can do *quality* work. County officials and the public cannot allow the current state of affairs to continue. They deserve better.

We can offer the residents of Deschutes County a safer community, a place that values all community members – whether victims of crime who need to be made whole or offenders who have perpetrated crimes but will continue to be members of our community in the future.

We want to be part of the movement to reform the criminal justice system. We want to evaluate what we are doing and decide if it is really contributing to recidivism, contributing to safer communities, or contributing to reforming those who enter the criminal justice system.

We can continue being bogged down by cases, seeing a revolving door of the same defendants, or we can choose to be innovative, data-driven and focused on the best outcomes we can achieve. At current staffing levels, we do not have the ability to devote to researching, selecting and implementing special projects. We will not be able to get out ahead of the work. We can become more efficient and more effective in the work we do, but we will need staff time devoted to these projects to make it happen.

All it takes is support. With public investment in justice we will not only impact the offices workload in a positive way, we will also produce positive outcomes for the community we serve.

RECOMMENDATIONS

After many months of work, research, analysis, and hours spent in one-on-one meetings, it became apparent that there are specific changes and steps we can take to make significant improvements in how the DA's office functions as well as to improve the efficiency, overall morale, and job satisfaction of its staff. The following recommendations cover suggestions for staffing structure changes, the number of personnel needed to function effectively, and general process changes.

Structural changes

Recommendation 1

Restructure Deputy District Attorneys into three teams (property crime/drug, traffic, and person crime) with team managers designated for each. Assign a trial assistant team lead to each team.

Four recurring themes came out of the one-on-one meetings with DDAs that justify this change from no teams with designated managers. The DDAs are experiencing a lack of support/feedback, communication, consistency, and training. By providing a focused hierarchy, the team manager can provide those elements.

The positives and advantages the team structure and team leads will bring to the environment and culture of the office cannot be overstated. It will go a long way in promoting staff morale, job satisfaction and ultimately, staff retention. The addition of these new DDAs will help ensure we can effectively implement the new team structure.

Specifically, the new structure would address the concerns as follows:

Support/Feedback:

- The team lead can focus on smaller groups of DDAs.
- Provide regular one-on-ones and check-ins.
- Better able to get a handle on how the team members are doing.
- This support would boost morale.
- More opportunity for providing feedback.
- Consider providing more regular recognition for team members efforts.

Communication:

- Institute regular team meetings that can serve as a forum for each team to engage with other teams and learn about changes in the office. For example, some meetings could involve training while others might focus on common challenges with process or hearing what DeschutesSafe is engaged with.
- The team lead would be responsible for ensuring all updates and information are disseminated to their team members. This resolves the issue of not everyone being able to attend the Monday DDA meetings and missing out on important information and updates.
- The team model promotes a better two-way communication flow. Team members can express their concerns and ideas to the team lead who relay them to management, and vice versa. This allows DDAs to help shape police and know that they are being heard.

Consistency:

- The team lead would be in charge of scheduling docket coverage for the team. Develop a system so that scheduling is done well in advance (not the night before) and includes a system that allows for more days off docket for focused work time. More predictability in schedule for docket coverage is important to the DDAs.
- Team lead to focus on creation of systems/policies that promote greater consistency in DDAs work. Having team leads tasked with this responsibility allows for a designated person to ensure follow through and implementation of these system and policies. Currently, the managers or chief deputies do not have the capacity to ensure implementation. By designating specific individuals in charge of follow-through, and with the addition of more DDAs, this will allow for projects to move forward, ensuring quality work on cases and, in turn, quality service to the community.
- Team lead would be in charge of reviewing all intake and assigning what remains. Experienced DAs spend more time screening cases but also have better outcomes. This is reflected in the current model with chief deputies handling initial screenings.
- Builds in better quality control as Team Leads can address concerns immediately.

Training:

- Team leads would be tasked with training new team members. The training could be delegated, but having one person responsible for ensuring it occurs is important.
- Team leads to ensure senior DDAs provide more mentorship to newer DDAs. Having a smaller group responsible for mentoring (as opposed to Chief Deputy Mary Anderson in charge of mentoring 17 DDAs) would be much more manageable.
- Allow for more second chairing of trials as part of the training process.

Other important considerations:

- DDA and TA ratio should be 1 to 1. This was near-universally preferred as more efficient, and it leads to more satisfactory work product. (Currently there are 4 TAs with 2 attorneys assigned.)
- Set forth clear expectations for the team leads. The team leads must understand what their responsibilities are for the restructure to be a success. Team leads must:
 - Ensure no micro-managing occurs. DDAs need autonomy.
 - Be willing to serve in a role as a mentor and coach.
 - Have a positive and encouraging attitude but also be willing to have tough conversations and deal with issues as they arise.
- Identify DDAs with the right skill set and personality to serve in this role. It may or may not be someone with the most experience.
- Caseload needs to be offset to allow for the additional duties.
- Consider having the team leads attend leadership training.

Other positives:

- Takes load off Chief Deputies so that they can better take care of their obligations.
- Provides professional advancement opportunities for attorneys.
- Promotes teaming with TAs and VAP.
- Opportunity for creation of goals:
 - We should be a data-driven office.
 - Task teams with identifying the data they want to track.
 - Evaluate the data at regular interval.
 - The outcomes allow us to evaluate our work and the job we are doing.
 - We can use the data to inform policy and procedure change.
 - Explore innovations and encourage creativity.
 - Each team tasked with researching options and coming up with a plan to address any issues with outcomes.
 - Creates more ownership in our work and pride in what we do.
 - Create a dashboard.
 - Create a yearly report that highlights successes (beyond just trial work), special programs, and special projects.
- Addresses issue of very high ratio of employees to supervisors.

New and reclassified staff

Recommendation 2

Deschutes County should fund the following new positions for the District Attorney's Office:

• Deputy District Attorneys	4.0 FTE
• Trial Assistants	3.0 FTE
• Victim Advocates	2.0 FTE
• Victim Advocate Admin	1.0 FTE
• Program/Office Manager	1.0 FTE

New Deputy District Attorneys – 4.0 FTE

- One DDA to handle Early Disposition Program caseload and traffic post-conviction.
- Three DDAs to handle other cases – traffic/property/person crime.
 - There are 350 potential new cases that we don't have the capacity to review and handle at this time. Our community needs us to hold offenders accountable and ensure victims are able to seek justice. We need additional attorneys to provide our most basic service.
 - One of the DDAs who is currently handling all post-conviction issues on traffic cases and is also carrying a partial caseload is a limited duration contract employee. One of the positions requested would be to hire this deputy full-time. Just adding this position keeps everything at status quo and does not relieve caseload.
 - Additional attorneys would offset the reduced caseload for team leads, an essential step to adequately address concerns DDAs have about lack of communication, support/feedback, consistency, and training.

New Trial Assistants – 3.0 FTE

- Two TA IIs to work with new DDA hires.
- One TA I to support TA IIs and DDAs.

New Victim Advocates – 2.0 FTE

- One advocate to take on a caseload, reducing the caseload for other advocates.
- One advocate who serves as restitution advocate and takes on the currently unassigned cases. Works to ensure all restitution requests are handled.

New Victim Advocate Admin – 1.0 FTE

- One administrative assistant staff member that handles the additional tasks that the advocates are currently covering, such as answering hotline calls, handling walk-ins, assembling and sending victim information packets, processing mail, making high priority calls, and preparing case conclusion letters.

New Program/Office Manager – 1.0 FTE

- Create a new, management level position to oversee day-to-day operations and alleviate some of the pressure on the current managers who are overloaded with administrative tasks and unable to provide the support and supervision of their teams as needed. Tasks this position could take on:
 - NovaTime/Time sheet approval for all employees.
 - Office supply orders.
 - Work orders.
 - Munis approval.
 - Office location changes/structure and space.
 - Paperless project.
 - Calendar assignments.
 - Supervisor for support staff.
 - Discovery billing.
 - Archiving project.
 - Staff list/Contact list.
 - Recruitment.
 - Car maintenance.
 - CJIS/LEDS compliance.
 - Manage office grants.
 - New employee contact.

New Paralegal – 1.0 FTE

- Provides research and motion and memorandum drafting assistance to all DDAs.
- Creates and maintains a database of common motions and responses.
- Stays abreast of weekly new case law. Keeps DDAs and motions updated.
- Assigned to DDA in trial for the week to be available for quick memorandums or issues that arise that needs case law, evidence, or statutory authority.
- Assigned to assist in homicide and other major crime cases.
- Drafts jury instructions, updates per court instructions, and makes copies for parties.
- Provides assistance to TAs in drafting daily motions when needed.
- Responsible for drafting year-end reports.

Recommendation 3

Reclassify some current positions to the following positions with additional responsibilities and corresponding pay:

- | | |
|-------------------------|---------|
| • Trial Assistant Leads | 4.0 FTE |
| • Team Leads for DDAs | 3.0 FTE |
| • Support Staff | 1.0 FTE |

In addition to the new FTE requests in recommendation 2, there is a need to reclassify a few staff members to achieve better workflow, division of labor, and community response. If approved, these reclassifications would replace existing positions in the office. The new positions would include greater responsibilities and a modest pay increase.

Reclassified Trial Assistant Leads – 4.0 FTE

- TA Leads will have additional responsibilities such as training and mentoring that should be adequately compensated.
- Three TA leads assigned to the three DDA teams.

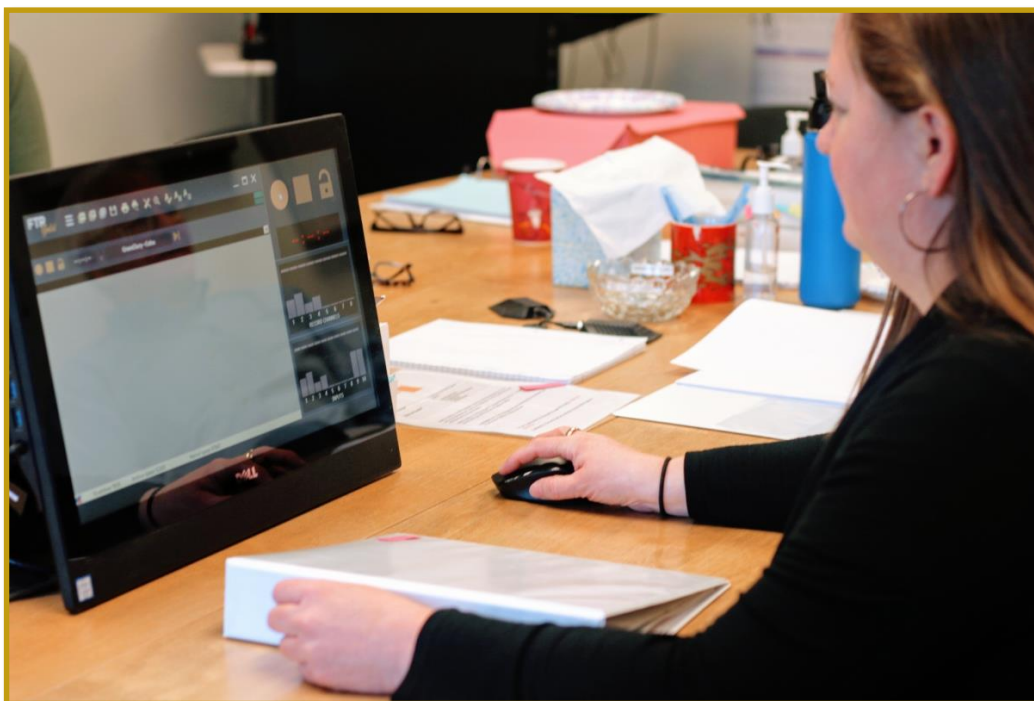
Reclassified Team Leads for DDAs – 3.0 FTE

- As discussed above in Recommendation 1, significant changes must be made to allow for better support/feedback, consistency, training, and communication amongst the DDAs, as well as to address span of control issues. Team leads will have additional responsibilities, including assigning intake, assigning docket, providing training, and mentoring, which should be adequately compensated.

Reclassified Support Staff – 1.0 FTE

- Front desk receptionist to be reclassified to TA I.
- Alleviate some of the workload of the traffic TAs.
- Put two receptionists at the front desk to help address while paying for a position at a lower pay scale than a TA I.
- Both positions would split phone and customer coverage. Break coverage would be handled between the two positions. The front window hours would return to 8 a.m. to 5 p.m., providing better service to the county. Currently the window closes at 4 p.m. to allow time for the receptionist to complete tasks. Additional responsibilities would be added to the positions to alleviate workload from the TAs and other staff such as:
 - Scanning all incoming documents into appropriate cases immediately upon receipt. This would significantly reduce the lag time of document processing and support the office's plan to move to paperless.

- Expand role of processing e-service documents. This would alleviate some of the Trial Assistant II duties allowing them to complete more paralegal oriented tasks.
- Processing public records requests to eliminate the need for the temporary employee who is only here one day a week, allowing for quicker responses.
- Processing expungements. The TA who currently completes this task could take on another attorney or complete other paralegal-oriented tasks.
- Processing judgements for the Traffic Team. Each TA on the Traffic Team manages almost 200 cases. Processing judgments needs to be completed in a timely manner in preparation for potential diversion and probation revocations. Reorganization of this task would eliminate judgment backlog This also would free up time for the TAs to complete more paralegal oriented tasks.
- Process subpoena returns. This is a task currently performed by the TAs. The reorganization would ensure quicker updating of service occurs and would free up time for the TAs to perform more paralegal oriented tasks.



General recommendations

The teams and divisions within the DA's office identified the following process recommendations. They range from moving to a paperless system to improved communication to team and office-wide goal setting. Many of these suggestions are low- to no-cost, but some will require additional financial resources. In addition, some of the recommendations are achievable given our current structure and staffing, while others that will have the biggest impact on achieving our goals will need additional human resources and a new internal structure.

Recommendation 4

Convert to paperless system for maintaining court files.

Feedback from TAs made it clear that maintaining paper files is burdensome and creates extra work. They estimate 30-40 percent of their time is spent on paper files. By savings just a third of that time, we could allocate to TAs some tasks that the DDAs currently handle, such as listening to jail calls, typing transcripts of interviews, creating trial exhibits, drafting motions, assisting with complex evidence cases. Some TAs also expressed a desire to do more than just data entry. Providing opportunities to engage in more challenging tasks could provide greater job satisfaction.

It is important to note that this transition would need to be part of a well thought out and vetted plan. User-centered systems design consultant Inge Fryklund conducted a workflow assessment of the DA's office and observed, "A transition from paper to computer is a cultural change as well as a technical one. It needs to be well supported with pre-planning, training and ongoing support to make sure people have a comfort level with going paperless."

Therefore, buy-in from staff will be crucial for a successful transition. Leadership would need to present the plan to staff, outline the advantage, and receive additional input prior to implementation.

- The process of developing a plan should include:
- A committee drawing members from information technology, deputy district attorneys, and trial assistants.
- A detailed workflow chart/outline so that every step is clear.
- IT Director Casey Newsom to work with committee DDAs to develop court coverage process.
- Conduct a training/practice scenario session with all DDAs. Newsom and Paperless Committee to facilitate staggered trainings. Have the DDAs bring their laptops to the conference room. Practice scenarios such as how to locate records when the judge asks for the defendant's criminal history.
- Training and practice utilizing face sheets.

- Develop detailed instructions and expectations regarding which information should be included in the notes section and the form that documentation is expected to take.
- Work with committee to address concerns about certain functions that may go away such as coverage memos for sentencing and notes to the covering DDA about the hearing.
- Ongoing training, evaluation, and adjustment of processes and procedures is essential.

Recommendation 5

Investigate and address frustrations with the digital case management system (PBK).

Another issue that came up repeatedly is the frustration with the digital case management system (PBK). While working on our goal to go paperless, we will also need to address staff concerns with the system. Efforts should be made to remedy the system's slow speed. Ongoing training and support are essential to ease these frustrations. Improving functionality of the program to meet the office's needs should continue to occur.

One of the biggest issues right now is the lack of consistency in how people are using PBK. Efforts need to be made to encourage uniform use. Time will need to be allocated on working through these issues. Particular attention must be paid to those who are unable to make trainings or meetings so that everyone is on the same page. The PBK committee should be tasked with working on this project.

Recommendation 6

Develop an office vision, engage in office-wide goal setting, and formalize a strategic plan.

Employees need a purpose. People want to feel a sense of pride in their work. It is important to make the organization's vision known. Leadership must show employees why they matter and how they are helping to reach goals.

Leaders also should introduce the office to the idea of criminal justice reform and educate all staff on innovations, trends, and evidence-based approaches that are being developed by DA's office committees and teams. All staff should have an opportunity to provide input and ideas

about the office's goals. Office-wide buy-in is critical, not only for the success of programs but for job satisfaction and staff morale.

The Association of Prosecuting Attorneys advises provides good guidance and suggestions for going through this process:

“Prosecutorial offices are more receptive to change when they receive notice and understanding of the intentions behind innovative solutions. Both individuals and institutions are more willing to embrace new and unfamiliar strategic directions if they are equipped with a clear vision of the purpose of changes and the ultimate desired outcome.

“Prosecutors intending to introduce a philosophical shift to their offices can also foster greater receptivity by openly researching and discussing new strategies well in advance of implementation. Collaborating with all the members of the office as well as other stakeholders to generate ideas and innovations also facilitates implementation. Reference to successful efforts of other jurisdictions can assist in laying the groundwork for change. A reluctant office will be more easily persuaded by evidence of successful innovations undertaken by other offices.”¹⁴

Recommendation 7

Implement a data tracking system.

It is vital that our office identify data points we want to track and develop a system to ensure we are accurately inputting the information when performing data entry functions. Once the DDAs are divided into three teams, each should identify the pertinent data it wishes to track. Besides the standard, number of cases reviewed, filed, trials and resolved, teams should consider data that would help inform changes to achieve better outcomes. This conversation must include input from TAs and VAP. Full participation encourages a sense of team, values the perspectives of all staff members, and creates buy-in.

Developing dashboards that the chief deputies could use for individual teams and other divisions would be highly beneficial. They would provide a snapshot of how everything is going.

Once a data tracking system has been implemented, the success of the system will depend on developing an auditing system to ensure quality control.

Recommendation 8

Improve relations with the court.

Some DDAs have a perception that the DA's office does not have a good relationship with the court. Many expressed frustrations with their experience interacting with court officials. It has also been conveyed to the DDAs in the past year that the court expects more out of the DDAs and that they have had issues with the DDAs level of preparation.

Chief deputies should help facilitate a conversation with the court to get specific feedback on ways DDAs can improve and what the court's expectations are. All DDAs want to represent our office well, but they often feel frustration when met with irritability for reasons that are not clear.

Recommendation 9

Use unpaid college interns for various projects.

The DA's office could recruit unpaid college interns for various projects including assisting with trial prep by transcribing interviews, going through financial records, organizing records, and creating trial exhibits. Interns with appropriate skillsets also could assist with data analysis.

An intern program would be a win-win, freeing up office staff for other tasks while providing an opportunity for residents, including those enrolled at Central Oregon Community College and Oregon State University – Cascades, to gain valuable experience. This might be particularly attractive to undergraduates considering a career in the law.

Recommendation 10

Allow law clerks to take on more paralegal responsibilities.

Most DDAs cite the need for support researching and drafting memoranda and motions. Law clerks could be utilized in this capacity with a reduction in court time for clerks. DDAs expressed concern that a lot of time is spent going to court with the clerks which ultimately does not save time for them. While providing clerks with a well-rounded experience is important and something we should be doing, thought could be put into balancing responsibilities and finding ways they can better assist DDAs to relieve their workload.

The office also should investigate partnering directly with an Oregon law school on a year-round clerk program.

Recommendation 11

Develop a training and procedures manuals and provide comprehensive training to all new hires.

One of the themes heard throughout staff interviews was the lack of training and reference resources for new hires. The office should identify a staff member to head up a project to fill these gaps with a taskforce comprised of representatives from each office team –DDAs, TAs, Other Staff and VAP. Efforts should be made to coordinate the training manuals between teams, so consistency is achieved.

- For example, the training manual for DDAs should include:
- Policies.
- Digital case management software (PBK) step-by-step processes.
- Case-flow maps.
- Common plea offer recommendations.
- Outline and summary of special programs and courts as well as qualifying criteria.
- Point people identified for specific questions that come up.
- Court information and resources such as bail schedule, list of judges, judicial assistants and contact information, and any blanket court orders or mandates.
- Summary of courtroom expectations such as court times, hearings and trials.
- Community partner lists.

A training process should also be identified. The office should consider developing a checklist of items to be completed to ensure everything is covered. Team leads should be tasked with ensuring that all training is complete. The training itself can be delegated, but one person should be in charge of ensuring everything is covered and to serve as a point person for questions.

Recommendation 12

Change docket coverage scheduling process.

This issue was outlined above under staffing recommendations. Planning and predictability in schedule would be a boost for morale. Consider convening a committee of several DDAs to map out options to present to staff for input.

Recommendation 13

Designate four trial assistants to serve as team leads to mirror the new staffing structure plus grand jury.

The office currently lacks leveled leadership. As pointed out by the recent Span of Control Report conducted by the county, the ratio of supervisors to supervisees is very high. This would help alleviate the pressure on Kara Palacio, providing a point person between TAs and their supervisor. That, in turn, would allow for creation of continuity of processes, promote consistency in workflow and work product, and streamline training. This also provides opportunity for professional growth and advancement for staff.

Recommendation 14

Create a better sense of “team” among all divisions of the DA’s office.

Staff feel that there is a lack “team” culture in the office. Many said they did not understand or appreciate the various roles people perform in the office. Physical separation of the office floor creates a barrier that needs to be overcome. Efforts should be made to include people in a more meaningful way. Having more all staff meetings has been suggested.

Recommendation 15

Improve restitution processes.

The office currently falls short in meeting its restitution requirements. Cases are missed, and victims then are out their restitution. Victims Assistance Program Director Ashley Beatty has been working on a procedure for the office to follow to address this issue. Continued refinement to this process and ensuring accountability and follow through needs to happen.

Recommendation 16

Train law enforcement more consistently.

DDAs frequently shared that they wish to provide more training to law enforcement on investigation techniques and evidence collection. There is an observed lack of consistency within agencies and between agencies in the quality of investigations. DDAs expressed great interest in providing more training, but they lack time and support. Teams should be encouraged to work together to coordinate with Chief Deputy Steve Gunnels, who is the law enforcement liaison, and law enforcement to set up more training opportunities.

Recommendation 17

Continue to seek out and implement alternative programs, specialty court options, and other criminal justice reforms.

Consider alternative programs, such as a Merchant Board, to deal with low-level thefts, thereby (reducing caseloads while also keeping low-level offenders out of the criminal justice system. Other programs to consider are pre-trial release risk assessments and specialty courts that will provide better outcomes for all parties.

Recommendation 18**Complete a resource survey.**

It would be highly beneficial to conduct a resource survey and determine what is available for treatment programs, treatment providers, and classes that address various issues and needs. This could be done in partnership with parole and probation. We make recommendations to the court every day regarding treatment, classes and interventions to address the issues that defendants present with. It is highly likely that there are other beneficial options and resources available in that we are unaware of. This would also assist in identifying gaps in the community.

Recommendation 19**Implement more opportunities for staff appreciation and recognition.**

Recognition for staff member efforts and successes should occur more often. In addition, to better appreciate the work being done by members of different teams, efforts should be made to educate staff about the diverse roles their coworkers fill in the office.

CONCLUSION

This staffing analysis was extremely beneficial for the entire DA's office. It helped us identify and bring to the forefront some challenges and deficiencies in our processes and structures. Every staff member cares about the work we do and believes in the mission of the DA's office. They continue to work hard each and every day, despite the many challenges and difficulties they encounter.

The open dialogue led to the development of concrete ideas that will significantly impact the overall morale, job satisfaction, efficiency and effectiveness for the office as a whole. However, to develop and implement these ideas, we must be staffed adequately. This in turn, will substantially improve our work product, quality of work and ultimately, community safety.

Deschutes County residents deserve a DA's office that has the resources to seek justice and serve victims to the best of their ability every day.

ENDNOTES

¹ Portland State University, College of Urban & Public Affairs: Population Research Center. (2018). [Population Estimates and Reports](#), Certified Population Estimates, July 1, 2018.

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⁶ Mamchik, T. & Sturdevant, M. (2018). [Oregon Travel Barometer](#).

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¹⁴ Hubert, R., Carlson, L., Assoc of Prosecuting Attorneys (APA), & United States of America. (2012). [Prosecutor's Policy Guide: A Roadmap to Innovation](#).