

Analysis

Item 44: District Attorneys and Their Deputies

Grand Jury Recordation

Analyst: John Borden

Request: Allocate \$924,837 from the special purpose appropriation made to the Emergency Board for the District Attorneys and Their Deputies and allocate \$498,409 from the special purpose appropriation made to the Emergency Board for the Multnomah County Sherriff's Office, for the implementation of SB 505 (2017).

Analysis: The Legislature in 2017 enacted SB 505, relating to recording of grand jury proceedings (Chapter 650, 2017 Laws). The measure was effective on passage but included various operative dates. The measure requires county district attorneys to electronically record all grand jury proceedings, and to store and maintain copies of the audio recording. Three counties [District Attorney Offices or DAs], Multnomah, Deschutes, and Jackson, were required to begin recording grand jury proceedings on March 1, 2018, with all other counties beginning on July 1, 2019.

The Public Defense Services Commission (PDSC), the Oregon Judicial Department (OJD), and each county that begins the recording of grand jury proceedings by March 1, 2018, are to submit a preliminary report to the Legislature by December 1, 2018. A second report is to be submitted on the implementation of the recording requirements to the Joint Committee on Ways and Means and the Legislative Assembly committees related to judiciary by February 1, 2019. The reports are to include an initial assessment of the implementation in the early-implementing counties; relevant information and data regarding the grand jury recording process; the preliminary hearing process; protective order process and data; information related to transcription; changes to policies or processes; and any legal issues or challenges arising from this measure.

Initial Budget Impact

OJD was provided funding to purchase, and maintain, the recording equipment for DAs as well as 15 positions (9.79 FTE) to assist with processing protective orders and conducting preliminary hearings. While PDSC, DAs, or counties received no initial appropriation of funds, the Legislature did set aside a \$7.9 million special purpose appropriation to the Emergency Board for additional expenses, if necessary, to implement SB 505. The special purpose appropriation will expire in December 2018, but funding will still be available.

District Attorneys and Their Deputies Budgeting

DAs are state employees and, by statute, the state is responsible for providing their salaries. There is a two tier, annual compensation plan for DAs, based on population. In addition, the state funds other payroll expenses and charges that primarily cover tort liability and other insurance for DAs. This is the extent of direct state funding for DAs.

Apart from state funding, some 26 counties have elected to provide supplemental compensation for their elected DA. Counties are also responsible for providing funding for: approximately 350 deputy district attorney positions; administrative support; facility space; and services and supplies. Counties also fund: expert and other witness fees for grand jury proceedings; trials; probation violation

hearings; pre-trial hearings; and other court actions; as well as, stenographic assistance. The state budget has not contributed to the cost of the deputy district attorneys since the 2007-09 biennium nor witness fees for trials and grand jury hearings in criminal proceedings since the 1999-2001 biennium.

State funding for DAs flows through the state agency District Attorneys and Their Deputies budget (SB 5515; Chapter 535, 2017 Laws) and is distributed by the Department of Justice to each county.

County Budgeting

For any possible state allocation of funding for county government, two issues are of note. County government budgets on a fiscal year basis, as opposed to the state's budgeting on a biennial basis. Second, as opposed to state agencies, the Emergency Board or the Legislature have no ability to independently verify costs and cost estimates provided by county governments or the Oregon District Attorneys Association, on behalf of the District Attorneys and Their Deputies.

State Budgeting

The Emergency Board request for September is comprised of two individual requests: (a) Oregon District Attorneys Association (ODAA), on behalf of the District Attorneys and Their Deputies (\$924,837) for the three early implementing counties; and (b) a Multnomah County Sheriff's Office request, a non-state entity (\$498,409). The combined requests total \$1.4 million General Fund. These are for costs from March 1, 2017 to June 30, 2019 or the end of the biennium (16 months), including some limited pre-implementation planning costs. No new position establishments or full-time equivalents (FTE) were requested. No request was made for the 33 remaining counties or other affected public safety entities.

In December, the Emergency Board will receive the first formal SB 505-directed report and presumably other entities will request allocations from the special purpose appropriation, prior to its expiration, including the 33 counties whose implementation date begins on July 1, 2019.

For the 2019-21 biennium, the DA's estimate the cost of grand jury recordation at \$5 million General Fund.

Special Purpose Appropriation - Preliminary Hearings

Article VII, section 5, of the Oregon Constitution provides three ways by which the state may commence with a felony prosecution, which include: 1) by way of grand jury indictment; 2) upon information of the District Attorney after a preliminary hearing before a judge; or 3) if the defendant waives the right for the case to be reviewed by either a grand jury or a judge.

While county district attorneys may pursue any of these options, the policy direction of SB 505, and therefore the fiscal and budgetary impact, as well as the intent of the special purpose appropriation, is presumably limited to recordation of the grand jury indictment process.

During the 2017 legislative session, SB 505 was referred to the Joint Committee on Ways and Means where a budget report was produced, as is practice for measures passed out of the joint committee, in lieu of a formal fiscal impact statement. A preliminary fiscal impact was, however, produced by ODAA. Due to the recordation of grand jury proceedings, that impact predicted a substantial shift from grand juries to preliminary hearings. For the three early implementing counties, such a shift has failed to materialize, at this time. Multnomah County is currently the only early implementor

county that has employed limited use of preliminary hearings and well below what had been predicted for the county in the ODAA preliminary fiscal impact. The request letter does note that the Jackson County DA may consider the use of preliminary hearings at a later time. The Deschutes County DA has chosen to continue using the grand jury process.

For this Emergency Board request, ODAA only requested funding for the review of preliminary hearing transcripts. No funding was explicitly requested for preliminary hearings themselves.

Grand Jury Recordation

For the three implementing counties, there are direct costs that are attributable to the implementation of grand jury recordation. These costs are: (1) protective orders, which only apply to grand jury process (\$13,297); (2) non-attorney staff to manage recording equipment and train grand jurors on the use of equipment (\$106,338); (3) non-attorney staff to review and redact grand jury recordings (e.g., recordings of grand jury deliberation and voting)(\$35,657); (4) production of transcripts (\$138,529); (5) information technology costs for the day-to-day upkeep of recording devices and the storage or archiving of recordings (\$40,054); and (6) one-time setup/startup costs (\$78,837). These one-time startup costs include: updates to policies and procedures; case management system programing; data systems; and training. Of note, is that direct costs vary between counties, sometimes significantly.

Non-attorney staff to manage recording equipment, to train grand jurors on the use of equipment, and to review and redact grand jury recordings appears to be legitimate SB 505-related expenses, but expenses that should not be budgeted by the state as personal services costs due to the discrepancies between state and local classifications and compensation plans. Instead, these costs should be budgeted as payments to counties.

The more complicated aspect of the implementation of grand jury recordation is additional deputy district attorney time to prepare and present grand jury cases (\$108,557) as well as review grand jury recordings (\$343,515). Any deputy district attorney time should, as is current state policy, remain the funding responsibility of each county.

A District Attorney's decision to move from the grand jury indictment process to preliminary hearings is a local decision of the District Attorney apart from the requirements of SB 505. Therefore, the costs of deputy district attorneys participating in or reviewing preliminary hearing recordings (\$60,053) should also be considered a county expense. With that said, the request notes that the added cost of preliminary hearings may be offset by early case resolution.

The Legislative Fiscal Office (LFO) believes that the Emergency Board's decision on this September request will help frame future SB 505 budget requests. LFO recommends that work should be completed to develop a more standardized budget request format as the grand jury recordation requirement approaches statewide rollout. Included in this work would be guidance based on the Emergency Board's actions, absent other legislative direction, from ODAA to the counties with respect to which expenses related to implementation of SB 505 are eligible for state reimbursement and which are not eligible. This would be valuable for future requests so that there is a single set of expense reimbursement criteria instead of relying on each county to develop its own expectations.

Multnomah County Sheriff's Office

The Multnomah County Sheriff's Office is requesting a special purpose appropriation allocation of \$498,409 for sheriff's deputy overtime (\$446,323) and capital improvement cost reimbursement to repurpose a community court room to a preliminary court room in the Justice Center (\$52,086). An allocation for Multnomah County Sheriff's Office is not being recommended given the requested funds are primarily, if not exclusively, related to preliminary hearings, not grand jury recordation. Neither the Deschutes or Jackson county sheriff offices submitted a funding allocation request.

Legislative Fiscal Office Recommendation: Allocate \$412,712 from the special purpose appropriation made to the Emergency Board for the District Attorneys and Their Deputies for current costs related to grand jury recordation, and direct the Department of Justice to distribute \$209,195 of that allocation to Multnomah County, \$63,918 to Deschutes County, and \$139,599 to Jackson County, on a one-time basis.

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District Attorneys and Their Deputies
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Request: Allocate \$924,837 from the Special Purpose Appropriation made to the Emergency Board for the District Attorneys' costs to implement Senate Bill 505 for the recordation of grand jury proceedings in Deschutes, Jackson and Multnomah counties.

Recommendation: Approve the request. This recommendation does not include the Multnomah County Sheriff's Office requests who are not under executive budgetary authority.

Discussion: The Oregon District Attorney's Association, Inc. (ODAA) request outlines expenses associated with implementing Senate Bill 505, the recording of grand jury testimonies, and the costs associated with conducting preliminary hearings in lieu of a grand jury proceedings for the Phase I counties (Deschutes, Jackson and Multnomah). ODAA is a voluntary association of the 36 County District Attorneys, deputy district attorneys, Oregon Assistant Attorney General, district attorney office managers, and the U.S. attorneys serving in Oregon.

Senate Bill 505 outlines a phased-in approach for all 36 counties. Deschutes, Jackson and Multnomah counties commenced enacting Senate Bill 505 grand jury recording effective March 1, 2018. All other counties are expected to record grand jury proceedings no later than July 1, 2019.

The Oregon Judicial Department (OJD) is responsible for the purchase and installation of the recording equipment for the counties. The direct maintenance of the equipment being purchased is expected to be handled through a contracted service agreement. The counties are responsible for making sure the site location is prepared to receive the new recording equipment, the day-to-day operations of the equipment, and resources needed to perform all functions as outlined in Senate Bill 505. Senate Bill 505 established an \$8,500,000 General Fund Special Purpose Appropriation to the Emergency Board for additional expenses necessary to implement the requirements of the bill.

This request includes projected costs based on actual costs experienced thus far with the implementation of Senate Bill 505. The following table provides a condensed outline of expenses the District Attorneys are requesting. The needs of the three counties are focused around staffing, resources, county existing infrastructures, or changes the counties needed to make, depending on how they prosecute cases.

The following table summarizes the ODAA request by various increased costs in each county District Attorney office. This includes increased time Deputy District Attorneys spend presenting to grand jury and preparing protective orders, recording equipment maintenance, additional staff and increased IT costs, transcription costs, and various one-time start-up costs. Each county District Attorney office priced each component based on implementation experience of its District Attorney office, as implementation has been different across the three counties.

Costs as described in ODAA report and addendums (Does not include Multnomah County Sheriff's details)				
Items and Description	Counties			Totals
	Multnomah	Deschutes	Jackson	
March 1, 2018 through June 30, 2019				
Additional case time costs for a Deputy District Attorney (County hours are converted to dollars)				-
Multnomah: projecting 2485 hours annually	59,738			59,738
Deschutes: averaging 1200- 1500 hours annually		34,493		34,493
Jackson: averaging 1000 hours annually			14,326	14,326
Protective Orders	645	7,044	5,608	13,297
Managing recording equipment and training the jury	8,124	3,634	94,580	106,338
Staff for reviewing grand jury recordings	218,199	156,009	4,964	379,172
Transcription of grand jury recordings	95,799	16,450	26,280	138,529
Preliminary Hearings				
Review of Preliminary Hearing recording	60,053			60,053
Information Technology costs	25,509	11,200	3,345	40,054
One-time costs to attend training on the use the new recording equipment	61,218	12,797	4,822	78,837
Total	529,285	241,627	153,925	924,837

Legislative Reference: Allocation of \$924,837 from the Special Purpose Appropriation made to the Emergency Board by chapter 650, section 17(1), Oregon Laws 2017, to supplement the appropriation made by chapter 535, section 1, Oregon laws 2017, for the District Attorneys, for the 2017-19 biennium.



Oregon District Attorneys Association, Inc.

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August 27, 2018

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Nancy Nathanson, Co-Chair
State Emergency Board
900 Court Street NE
H-178 State Capitol Salem, OR 97301-4048

Dear Co-Chairpersons:

Nature of the Request

The 2017 Legislature passed the most significant procedural change to District Attorney's operations in decades with Senate Bill 505 (SB 505) which mandated three counties to begin recording all grand jury proceedings by March 1, 2018. By July 1, 2019, all 36 district attorney's offices in Oregon must record, and comply, with all provisions of SB 505. Deschutes County District Attorney's Office (DCDA), Jackson County District Attorney's Office (JCDA) and Multnomah County District Attorney's Office (MCDA) are the three counties that began recording March 1, 2018. ODAA seeks initial funding from the State Emergency Board for DCDA, JCDA and MCDA for implementation costs totaling \$924,837 from the Special Purpose Appropriation outlined in Section 17 of the bill allocating \$8,500,000.

Agency Action

As MCDA, DCDA and JCDA have implemented SB 505 several steps have been taken to ensure verbatim recording is handled professionally, effectively and efficiently, that grand jury protocols are fair and in place and that adequate protections for victims and witnesses are established. To that end, you will see each county has executed implementation of recordation based on its particular needs and evaluation of the above considerations. ODDA requests funding for costs incurred with grand jury recordation that include, but not limited to, increased Deputy District Attorney (DDA) time, recording equipment maintenance, staffing and IT costs, transcription costs, protective order costs, costs associated with preliminary hearings and various one-time start-up costs.

1. Increased DDA Time – Present to Grand Jury

Prior to SB 505, MCDA, DCDA and JCDA presented all felony cases to the grand jury. The length of time required to present each case to grand jury varies significantly. A drug possession or delivery case can take as little as 10 to 15 minutes while an aggravated murder or complex financial embezzlement case can require 30 to 40 hours or more to present. DCDA averages 1,200 to 1,500 hours of grand jury time annually, JCDA averages 1,000 hours and MCDA projects 2,485¹ hours for the current biennium. SB 505 requires recordation of all testimony to the grand jury. Due to the change to recording grand jury testimony, there is now a need for witnesses to respond verbally rather than with gestures, and the need to clarify physical responses for the record. As a result, there has been an increase in the time to prepare and present cases to the grand jury.

Increased DDA Time – Grand Jury: March 1, 2018 – June 30, 2019

MCDA	\$59,738 ²
DCDA	\$34,493 ³
JCDA	\$14,326 ⁴

2. Protective Order Expenses

Under SB 505 a district attorney may file a motion for a protective order concerning an audio recording of a grand jury proceeding. This motion is filed on behalf of a victim or a witness that has testified at the recorded grand jury proceeding and the district attorney is obligated by SB 505 to inform the victim of the ability to seek a protective order. There are strict timelines which the district attorney must follow. If granted by a judge, the protective order allows for the redaction of audio recordings, notes, reports, and transcripts. The order may also deny, restrict, or defer access to the recording. The protective order only applies to cases that have been heard by a grand jury. Cases that proceed to a preliminary hearing are not contemplated by this provision.

The number of protective orders will vary by county based on the number of cases sent to grand jury versus preliminary hearings, preferences of victims and types of cases. The expenses incurred due to the protective order statute include preparation and dissemination of materials

¹ MCDA's projected 2,485 hours (149,112 minutes) for the current biennium for cases presented to a grand jury does not include time for cases that are presented at a preliminary hearing. Preliminary hearing cases are addressed in the "Preliminary Hearing Costs" section. The projected increase in grand jury time due to recordation is 741 hours for the current biennium.

² MCDA's average amount of time for the same type of case to be heard by a grand jury has increased from 40 minutes to 57 minutes since recordation began on March 1, 2018. A significant portion of cases that would have taken 30 minutes or less are now being presented at a preliminary hearing and are not a part of the increased time calculation for grand jury. The increased cost of grand jury is calculated by using the increase of grand jury time multiplied by the FTE salary of an entry level Deputy District Attorney III. See MCDA's appendix, Note 1 and Note 2.

³ DCDA reflects 15-minute increase per case for DDA (\$80.78) and Grand Jury staff (\$45.43) to prepare and present 100 cases per month.

⁴ Reflects 20% increase in time for DDA to present and prepare.

to victims, training of victim advocates, attorney review of recordings, and preparation and filing of protective orders.

Increased DDA Time – Protective Orders: March 1, 2018 – June 30, 2019

MCDA	\$645 ⁵
DCDA	\$7,044 ⁶
JCDA	\$5,608 ⁷

3. Recording Equipment, Staff and DDA Time Expenses

The Oregon Judicial Department (OJD) provided the recording equipment to the three early counties in February 2018. Upon delivery, MCDA, JCDA and DCDA installed the equipment in the grand jury rooms. Additional support staff time is necessary to prepare the recording equipment each day and to train new grand jurors on the proper use of the equipment. The level of need varies by county, as some counties currently have grand jury clerks while other counties do not have clerks or have insufficient personnel. Although the equipment that is being supplied by OJD is less complex than the equipment used in court, there are a number of identifying markers that the grand jury will need to insert⁸ at the precise moment of testimony of each witness in order to produce an accurate and searchable recording. Case information is pre-loaded into the FTR by staff.

Staff will also be trained to review recordings, identify portions which may need to be redacted, archive recordings, and produce recordings for the purpose of transmitting the recordings to deputy district attorneys and defense attorneys. In addition, only the case name and number, name of each witness and questions asked are recorded – the deliberations or vote are not allowed. Thus, staff will be required to review and delete if necessary, these recordings.

A DDA will also need to review grand jury recordings as part of case management and trial preparation. If a grand jury hearing results in an indictment of a defendant, then the case proceeds towards resolution, through plea, trial, or dismissal. In order to evaluate the strengths and weaknesses, each case is continually evaluated. A deputy district attorney must review all the evidence, which will now include reviewing the audio recordings of the grand jury proceeding. In many cases, the assigned deputy district attorney is unable to personally present the case to the grand jury and will have to thoroughly review the recording.

⁵ MCDA estimates that 0.3% of cases presented to a grand jury may require a protective order (See Appendix A, Note 3) as there has been little use of this provision at this time.

⁶ DCDA calculation based on six protective orders per year with DDA (\$80.78) prep and argument at 6 hours GJ staff (\$45.43) at 2 hours, VAP (\$35.00) at 3 hours and IT (\$50.00) at 4 hours.

⁷ Based on reviewing 4 per month, filing 1 per month and 30 minutes per week for victim services.

⁸ MCDA has discontinued the practice of having grand jurors input witness names in to the log sheet as it has proven too time consuming and complex for the grand jurors.

Increased Staff Time – Managing Recording Equipment: March 1, 2018 – June 30, 2019

MCDA	\$8,124 ⁹
DCDA	\$3,634 ¹⁰
JCDA	\$94,580 ¹¹

Increased Staff Time – Reviewing Recordings: March 1, 2018 – June 30, 2019

MCDA	\$218,199 ¹²
DCDA	\$156,009 ¹³
JCDA	\$4,964 ¹⁴

Prior to the passage of SB 505, the only recordings of testimony that existed in most criminal cases in Oregon were from court room matters, including release hearings and trials. Grand jury recordation is a major system change to criminal law practice. It is anticipated that grand jury recordings will also be transcribed for the purpose of use during trial, by both the prosecution and the defense. Defense counsel will likely cross-examine witnesses during trial with the prior recorded grand jury testimony. Deputy district attorneys will likely use the grand jury recordings to refresh the recollection of witnesses and victims during trial. The best practice (and most practical compared to audio) is to use a transcription of the recording. MCDA, DCDA, and JCDA have each submitted estimates as what percentage of cases will require transcription, for the purpose of trial preparation.

In addition, if the court so orders, District Attorneys are obligated to provide a transcript to a requesting member of the public for any case in which a grand jury finds “not a true bill” for acts by a public servant while in the performance of the public servant’s duties. The person filing the motion for the release of the transcript is responsible for the cost of the production.

⁹ MCDA’s expected cost is based upon the projected 86 hours over the course of the current biennium that it will take non-attorney staff to initially train grand jurors to use the recording device. There are a total of 72 grand jury panels every two years, as MCDA utilizes three grand jury panels each day. Additionally, non-attorney staff will spend 20 minutes each day (110 hours over two years) to prepare the three recording devices for use. This would be equivalent to 0.04 FTE for an Office Assistant Senior (See Appendix A, Note 5).

¹⁰ DCDA accounts for Grand Jury at 2 hours of Orientation and 3 additional hours of case data entry per month.

¹¹ Includes full time legal assistant to set up and manage equipment, provide discovery copies to defense, trouble shoot equipment problems and enter recording into case management system.

¹² MCDA estimates it may take MCDA non-attorney staff approximately 435 hours to verify 2,485 hours of grand jury recordings, for a cost of \$17,900 in the current biennium (See Appendix A, Note 6). Staff samples the beginning of the recording, a portion of the middle, and the end to ensure the entire case was recorded by the grand jury and that the case number has been included. The cost of a Deputy District Attorney III to review grand jury recordings in anticipation for trial is \$200,299 based on every hour of recording taking one hour to review. Review of the recorded testimony is critical and a best practice.

¹³ DCDA estimates 100 cases per month with DDA (\$80.78) charged at 1 hour, GJ Staff (\$45.43) at 20 hours, and TAs (\$36.38) at 21 hours as time spent reviewing recordings/ discovery.

¹⁴ JCDA will review all audio or transcriptions on an as-needed-basis. Above based on 50 hours per year x average DA salary at \$44.05 per hour.

Transcription Costs: March 1, 2018 – June 30, 2019

MCDA	\$95,799 ¹⁵
DCDA	\$16,450 ¹⁶
JCDA	\$26,280

4. Preliminary Hearing Expenses

As implementation of recordation takes place, some offices have also chosen to take certain cases to preliminary hearings, in lieu of grand jury¹⁷. Unlike grand juries, preliminary hearings are held in open court, include cross-examination by defense counsel, and are presided over by a circuit court judge. While these costs are not mandated by SB 505, they are a direct result of the procedural changes reflected in SB 505 and are reflective of various strategic and community-based reasons for an elected to choose to utilize preliminary hearings in lieu of grand jury including responsible transparency where the public and a judge are engaged on the charging decision, legal considerations, practical and logistical issues, and the concern for protecting vulnerable victims and witnesses. While SB 505 does not mandate the use of preliminary hearings, its fundamental change to Oregon’s criminal procedural does require each elected to evaluate the method by which they present cases in their county.

At this time, MCDA estimates¹⁸ that a significant number of their felony cases will be presented at a preliminary hearing, and that the balance of the felony cases will continue to be presented to a grand jury. DCDA estimates that 100% of cases will be presented to the grand jury and JCDA estimates that 85% of their cases will be presented to grand jury and 15% of their cases will go to preliminary hearings. While there will be additional costs associated with preliminary hearings, there are also potential cost-savings. Cases may resolve more quickly, as the

¹⁵ MCDA anticipates that 20% of cases that are presented to the grand jury will be transcribed by SpeakWrite, a transcription company based in Texas. Transcription services for multi-speaker recordings are two cents per word. Transcriptions can be prepared, in most cases, within twenty-four hours. Based upon the transcripts already completed by SpeakWrite, MCDA estimates that it costs \$3.34 to transcribe one minute of grand jury testimony (This is based upon 11 transcripts, which totaled 671 minutes of recorded grand jury time and 112,196 words. At two cents per word, the rate equals \$3.34 per minute). The estimated cost of grand jury transcription is \$74,705 (See Appendix A, Note 7). The Office Assistant Senior will then verify each transcript, at an estimated cost of \$21,094 (See Appendix A, Note 12), against the recording prior to the case DDA approving the transcription for release to defense counsel. The total cost is \$95,799.

¹⁶ DCDA estimates it will only transcribe cases that are going to trial. The above figure estimates 25 pages x \$7 a page x 94 trials. Discussions are on-going with defense counsel specific to clarify if a public defender uses state funds to create a transcript of a grand jury recording, will they provide a copy to the state?

¹⁷ Article VII (Amended), section 5, of the Oregon Constitution provides only three ways by which the state may commence with a felony prosecution, which include; 1) By way of grand jury indictment, 2) upon an information of the District Attorney after a preliminary hearing before a judge, or 3) if the defendant waives the right for the case to be reviewed by either a grand jury or a judge.

¹⁸ Based upon current projections, 1,680 felony cases will be presented at a preliminary hearing, which is 39% of all felony cases. MCDA set an initial projection of 70% of felony cases to be presented at a preliminary hearing. This projection did not take in to account cases that are initially set for a preliminary hearing, but are then set for grand jury because the defendant or critical witnesses failed to appear for the preliminary hearing. It also did not account for Direct Present cases which cannot be presented at a preliminary hearing.

defendant will have had an opportunity to view and test the state's evidence in open court shortly after arrest.

Preliminary Hearing Costs: March 1, 2018 – June 30, 2019

MCDA	\$0 ¹⁹
DCDA	\$0 ²⁰
JCDA	\$0 ²¹

Preliminary hearings are recorded court proceedings. Much like the recording of grand jury cases, each deputy district attorney will need to review preliminary hearing transcripts and recordings in preparation of case resolution through plea, trial, or dismissal.

Review of Preliminary Hearing Recording Costs: March 1, 2018 – June 30, 2019

MCDA	\$60,053 ²²
DCDA	\$0 ²³
JCDA	\$0

Preliminary hearings are recorded by the court. In anticipation of trial, the deputy district attorney will need a transcript of the preliminary hearing. It is not yet clear what impact preliminary hearings will have upon the average lifespan of a case and whether preliminary hearing cases will resolve more quickly than cases that proceeded to a grand jury. More data should be available in December of 2018.

¹⁹ MCDA implemented a phased plan with partner agencies to move to preliminary hearings. In November 2017, drug related cases became the first crime category to begin utilizing preliminary hearings. In January 2018, property crime cases began employing preliminary hearings. In March 2018, the remaining crime categories of cases began to utilize preliminary hearings. On average, the types of cases that are presented at a preliminary hearing utilize about thirty minutes of recorded court time. The same cases, in the experience of MCDA, would have taken close to thirty minutes to present to a grand jury. The cost in court time to MCDA to present these types of cases at a preliminary hearing is about the same cost as presenting these cases to a grand jury. However, MCDA is not calculating, in this zero-cost analysis, the incalculable cost of re-scheduling 29% of cases, initially set for a preliminary hearing, for grand jury due to the failure to appear of defendants, victims, and critical witnesses. There are other costs and systemic implications of preliminary hearings to MCDA, the court, defense counsel, the Sheriff, and other law enforcement partners that are not captured in the current zero-cost projection for MCDA.

²⁰ DCDA does not anticipate Preliminary Hearings.

²¹ JCDA is not currently doing preliminary hearings but may consider them in the future.

²² Additional time is needed to review the recording from the preliminary hearing and is estimated to cost \$49,953 (See Appendix A, Note 11). So far, very few recordings from preliminary hearings have been requested from the court by deputy district attorneys. In March of 2018, 29% of the cases were presented by a DDA other than the assigned DDA, given scheduling conflicts. The assigned DDA will order the recording from the court and listen to the entire preliminary hearing recording in order to adequately prepare for case resolution. For every hour of recording, it will take one hour of DDA time to review the recording. In addition, MCDA estimates that 10% of the preliminary hearing recordings will need to be transcribed in anticipation of trial, at a cost of \$10,100 (See Appendix A, Note 11). SpeakWrite will also transcribe preliminary hearing recordings. An Office Assistant Senior will then verify each transcript against the recording prior to the case DDA approving the transcription for release to defense counsel.

²³ DCDA does not anticipate Preliminary Hearings.

5. IT Expenses

While SB 505 requires OJD to purchase equipment and retain a service agreement, day-to-day maintenance and upkeep of recording equipment and troubleshooting will be the responsibility of the district attorney. The capabilities of district attorneys' offices vary dramatically from county to county. In counties with limited or no IT maintenance capacity, there will need to be contracts with county IT departments or additional in-house personnel. Also, OJD is purchasing servers for storage capacity, but the management of the server will be the responsibility of district attorneys' offices. Some offices do not store data locally but use cloud-based storage and discovery systems. OJD is not responsible for the purchase or monthly fees associated with such systems.

JCDA is part of a flexible IT pool facilitated by the county. JCDA uses a cloud-based storage and discovery system which charges a monthly fee based on storage requirements.

MCDA has three IT staff that has been addressing any IT issues with the four recording devices that have been connected to the MCDA network. Their assistance has been additional to their normal work duties and responsibilities. The recording system will need on-going maintenance and administration.

IT Costs: March 1, 2018 – June 30, 2019

MCDA	\$25,509 ²⁴
DCDA	\$11,200 ²⁵
JCDA	\$3,345 ²⁶

5. One-Time Expenses

In preparing for grand jury recordation and proceeding to preliminary hearings for many felony cases, there are several one-time costs. Offices will need to revise current policy manuals and/or develop new manuals. Counties use different case management systems and each system will need to be updated to accommodate new documents and storage of data recordings. Recording system set up will require IT support. Data lines may need to be installed depending on the location of the equipment.

One-time Costs: March 1, 2018 – June 30, 2019

MCDA	\$61,218 ²⁷
DCDA	\$12,797 ²⁸
JCDA	\$4,822

²⁴ MCDA costs are for annual software maintenance and support, the addition of data lines, as well as 0.10 FTE for a systems analyst to provide on-going support (See Appendix A, Note 13).

²⁵ DCDA anticipates IT data storage management for IT (\$50.00) at 14 hours per month.

²⁶ Includes storage of 75 GB per year and IT expenses for maintenance.

²⁷ MCDA's one-time itemized costs are from October of 2017 through March of 2018, for both grand jury recording and preliminary hearings. These costs include the expenses of a Deputy District Attorney III and a Senior Legal Assistant to develop training materials, policies, and procedures, as well as time spent for travel, internal and external meetings, and trainings of attorneys and staff (See Appendix A, Note 14).

²⁸ DCDA's one time start-up costs are from October 2017 through March, 2018.

Action Requested

Approve the appropriation of \$924,837 from the special purpose appropriation for Oregon District Attorneys:

March 1, 2018 – June 30, 2019

MCDA \$529,285

DCDA \$241,627

JCDA \$153,925

TOTAL: \$924,837

Legislation Affected

Chapter 650, Oregon law 2017, to supplement the appropriation made by chapter 535, section 1, Oregon Law 2017, for the District Attorneys and Their Deputies for the 2017- 19 biennium.

Sincerely,

TIM COLAHAN
Executive Director
Oregon District Attorneys' Association

Enclosed:

Summary of Funding Request
Multnomah County Sherriff's Office Request of the Emergency Board
MCDA Appendix GJ Recordation Estimate

cc: CFO.LegRequests@oregon.gov
LFO.LegRequests@oregonlegislature.gov
Senior Legislative Analyst John Borden
Budget Policy Analyst Michelle Lisper

Summary of Funding Request
August 27, 2018

County	Pre-3B 505 Grand Jury Time Annually	Felony Cases Filed 2017	County Population	Increased DDA Time – Present to Grand Jury	Protective Order Expenses	On-Going Expenses						Start-up Expenses	Start-up Expenses	
						Increased Staff Time: Managing Recording Equipment	Increased Staff Time: Review Recordings	Transcript Costs	Preliminary Hearing Costs	Review of Preliminary Hearing Recordings	IT Costs			
Multnomah	3850	3149	799766	\$ 59,738.00	\$ 645.00	\$ 8,124.00	\$ 218,199.00	\$ 95,799.00	\$ -	\$ 60,053.00	\$ 25,509.00	\$ 61,218.00	\$ 529,285.00	57%
Deschutes	1500	1541	175268	\$ 34,493.00	\$ 7,044.00	\$ 3,634.00	\$ 156,009.00	\$ 16,450.00	\$ -	\$ -	\$ 11,200.00	\$ 12,797.00	\$ 241,627.00	26%
Jackson	1000	3585	216527	\$ 14,326.00	\$ 5,608.00	\$ 94,580.00	\$ 4,964.00	\$ 26,280.00	\$ -	\$ -	\$ 3,345.00	\$ 4,822.00	\$ 153,925.00	17%
TOTALS				\$ 108,557.00	\$ 13,297.00	\$ 106,338.00	\$ 379,172.00	\$ 138,529.00	\$ -	\$ 60,053.00	\$ 40,054.00	\$ 78,837.00	\$ 924,837.00	



Multnomah County Sheriff's Office
501 SE HAWTHORNE BLVD., Suite 350 • Portland, OR 97214

Exemplary service for a safe, livable community

MICHAEL REESE
SHERIFF

503 988-4300 PHONE
503 988-4500 TTY
www.mcso.us

August 2018

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Tina Kotek, Co-Chair
State Emergency Board
900 Court Street NE
H-178 State Capitol
Salem OR, 97301-4048

Re: Multnomah County Sheriff's Office_Preliminary Hearings

Dear Co-Chairpersons:

Please accept this letter as Multnomah County Sheriff's Office (MCSO) respectful request for State Emergency Board action.

Nature of the Request:

MCSO has reviewed Senate Bill 505, relating to the recording of grand jury proceedings, through a public safety lens. Impact analysis could not predict the consequences of this measure beyond causing District Attorney-review of the grand jury process, alternative options and choice of how to proceed. The new law is invoking fiscal impacts greater than provided for under legislation and are beyond our Agency's control. To safely accommodate preliminary hearings and meet its security mandate, MCSO [Court Services Unit] requests Emergency Board action as it reconsiders courtroom space, staffing and practices.

Agency Action:

I. Court Security Mandate

MCSO Court Services Unit has a duty to create a safe environment in courts. Court security is an integrated approach to the judicial process, which ensures the integrity and safety of the court system and its participants (e.g. Bench, Bar, staff, public); many variables inform pro-active security planning and management of threats directed to the courts in real time. Unit members are busy with a multitude of court matters each day between community court, felony and misdemeanor arraignments and hearings, managing both in custody and numerous defendants from the public. Additional Unit duties include transporting adults in custody between correctional facilities and courtrooms, supervision of courtrooms, compliance with court orders, and supplemental building security. To safely accommodate preliminary hearings and continue to meet its security mandate, the Court Services Unit is reconsidering courtroom space, staffing levels and practices accordingly.

II. Agency Preparations

The Multnomah County Sheriff's Office (MCSO) participates in a robust budget process, as led by the Chair's Office and our Board of Commissioners. MCSO meets monthly with the County's Budget Office, to prepare and administer our budget in accordance with applicable law and with an eye towards fiscal responsibility. However, Multnomah County's FY 2018 Budget was adopted in May 2017, before the Oregon State Legislature finalized action on Senate Bill 505; the measure was signed by the President of the Senate and the Speaker of the House on July 18 2017, before the Governor made the measure law effective upon her signature August 2, 2017.

In July 2017, Multnomah County's criminal justice system partners began meeting in anticipation of reinstating preliminary hearings, a historically abandoned practice. This addition in court procedure represents a massive change for Multnomah County, so a collaborative ramp-up process was necessary to understand how an adjustment to one partner affects another. As Sheriff, I enjoy a relationship of trust with the Presiding Judge, the District Attorney, the Executive Director at Metropolitan Public Defenders, and the Director of the Community Justice Department, established and fostered through our justice reinvestment efforts. Collectively, we understand preliminary hearings will further transparency and procedural justice in felony cases.

III. Agency Needs

a. FY 2018 Costs - Hearing Hour Methodology

During Legislative Days (November 2017), the Multnomah County District Attorney's Office testified that 3700 felony cases are filed within the County, with approximately 3,000 cases to be presented as preliminary hearings. The District Attorney's Office strategy is to process preliminary hearings for felony property cases (e.g. drug delivery, auto theft, burglary, felony possession of firearms), yet still utilize grand jury proceeding for serious cases that turn on victim needs (e.g. abuse within family) or complex cases with multiple parties and/or charges (e.g. organized retail theft).

After testifying in Salem, MCSO worked with the District Attorney's Office to estimate 'hearing hours,' as opposed to 'cases,' to best project preliminary hearing costs via budgeting methodology. In FY17, there were 6,168 hours of grand jury. This type of hearing is expected to decrease by 3,311 hours or 54%. Therefore, MCSO must still facilitate 2,857 hours of grand jury. Additionally, MCSO expects to accommodate 4,767 hours or 77% of preliminary hearings per year. When combined with remaining grand jury hours, MCSO will facilitate 7,624 hours of hearings between the two proceedings. This is an increase in workload of 1,456 hearings hours or 24%. Prorated hours starting November 1, 2017, equate to 971 hearing hours.

b. FY 2018 Costs - Personnel

The 2018 labor rate (including benefits) of an MCSO Corrections Deputy is \$63.71, for straight time and \$84.32, for overtime. At present, there are not dedicated members to assign to this post, therefore the assumed increase in hearing hours will be filled by overtime with existing staff costing \$81,847. The cost for double [corrections deputy] escorts at an overtime rate is \$90,166. Thus, MCSO is expecting an increase of \$172,013, in overtime costs through the end of this fiscal year.

c. FY 2018 Costs - Capital Improvement Project

Preliminary hearings are causing other administrative impacts to criminal justice system operations (e.g. case management system updates, subpoena form creation, party notification and advocate coordination, etc.), such as capital improvements. Previously, MCSO was providing Court Security to Multnomah County Justice Center, Room 1 (JC1), which was home to Community Court (livability-related violations) and the Permanent Stalking Docket. These high volume, high tension caseloads historically benefited from MCSO presence. As preliminary hearings were on-boarding in November 2017, Court Administration moved these dockets out of the Justice Center and to the Multnomah County Courthouse. Preliminary hearings were then assigned to JC1.

MCSO had to repurpose JC1 as a result of this change in room assignment. Because preliminary hearings are mini trials offering evidence, cross examination and judicial determinations of probable cause, the defendant is required to sit next to defense counsel. To conduct preliminary hearings using the least amount of staff resource and defendant restraints necessary to maintain order, MCSO completed \$52,086 worth of capital improvements in JC1, which provided a see-through barrier between the courtroom and the gallery, as well as additional emergency alarm functions to prevent an escape during in-custody matters.

IV. Mitigation Efforts

As noted, MCSO practices public stewardship and embraces its duty to be fiscally responsible. During the FY 2019 budget process, MCSO discussed the on-going impact of preliminary hearings with the Board of Commissioners and will continue to do so as the new Multnomah County Courthouse opens.

MCSO is also functioning as the lead coordinator of a potential LEAN analysis over courthouse operations. LEAN is an innovative set of tools used by all sectors to improve processes by removing waste and increasing efficiency. In January 2018, a consultant reviewed documentation, conducted site visits, and held interviews with each of Multnomah County's criminal justice system partners. Based on the experience a Request for Information (RFI) will be developed in FY 2019 for a full LEAN Report.

Action Requested:

The full impacts of SB 505 in Multnomah County, or across the state, are not fully known. The criminal justice system has high standards, yet limited resources. MCSO is respectfully requesting \$224,099, to cover unfunded liability during the first half of the 2017-2019 biennium, which aligns to Multnomah County's fiscal year through June 30, 2018. This number includes the cost of the capital improvement project, in conjunction with the estimated increase in hearing hours' members must safely facilitate.

MCSO also respectfully requests \$274,310, to cover projected, unfunded liability at the end of the 2017-2019 biennium, which aligns to Multnomah County's fiscal year, July 1, 2018 – June 30, 2019. This number reflects the cost of estimated increase in hearing hours' dedicated members must safely facilitate against the labor rate within a newly ratified Multnomah County Corrections Deputy Association (MCCDA) bargaining agreement.

MCSO understands further discussion will occur regarding the legislative, operational and fiscal impacts of SB 505, in planning for the next biennium. MCSO will continue to vet its projected and actual needs against mitigation efforts to best deliver service mandates and remains open to discussing its experiences in this regard.

Legislation Affected:

MCSO is not requesting amendments to SB 505, or subsequent legislation, at this time.

Thank you for your consideration of our circumstances.

Sincerely,



Michael Reese
SHERIFF

CC: John Borden, Legislative Fiscal Office, Senior Legislative Analyst
Michelle Lisper, Department of Administrative Services, Policy and Budget Analyst
Steven Bushong, Multnomah County Presiding Judge
Deborah Kafoury, Multnomah County Chair
Rod Underhill, Multnomah County District Attorney
Ed Jones, Metropolitan Public Defenders Interim Executive Director
Tim Colahan, Oregon District Attorneys Association Executive Director

Appendix A - Grand Jury Recordation Expense Projections (MCDA)

DATA used in calculations

	<u>FY18</u>	<u>FY19</u>
GJ Cases Recorded	654	1,956
GJ Min/case - Before Recordation	40	40
GJ Min/case - After Recordation	57	57
Deputy District Attorney 3 (DDA3) Salary + Benefits	\$ 161,273	\$ 169,764
Protective Orders/Month	0.50	0.50
DDA Hrs/Protective Order	1.00	1.00
Juror Trainings per GJ Session	2	2
Hrs/GJ Juror Training	2.00	2.00
GJ Sessions	5	13
Juror Trainer Time per Training Hr	1.2	1.2
Staff GJ Prep Min/Day	20	20
Office Assistant Senior (OASr) Salary + Benefits	\$ 83,164	\$ 86,402
DDA Recording Review Hrs per Recorded Hr	1.00	1.00
Staff Recording Review Minutes per Case Recorded	10	10
PH cases/yr	420	1,260
PH Min/case - Before Recordation in GJ	40	40
PH Min/case - After Recordation in PH	24	24
Deputy District Attorney 2 (DDA2) Salary + Benefits	\$ 148,326	\$ 156,714
% of GJ Recorded Hrs Requiring Transcription	0%	20%
% of PH Recorded Hrs Requiring Transcription	0%	10%
Transcription Cost per Minute Recorded	\$ 3.34	\$ 3.34
Staff Review Hrs per Hr of Transcription	1.2	1.2
Add'l DDA Review Time as % of Hearing Time	100%	100%
Months of Project Management @ 1.5 FTE	5	0

FY18 = Mar17-Jun17 (Actual);
 FY19 = FY18 Monthly AVG X 12
 1/1/17 to 10/30/17
 3/1/18 to 7/30/18
 Low MCDA buget for JCN
 FY18 Actual
 MCDA Estimate
 MCDA GJ Schedule
 MCDA Estimate
 MCDA GJ Schedule
 MCDA Estimate
 MCDA Estimate
 Average MCDA budget for JCN
 MCDA Estimate
 MCDA Estimate
 FY18 March to June (Actual);
 FY19 = March to June Actual AVG
 X 12
 1/1/17 to 10/30/17
 3/1/18 to 7/30/18
 Average MCDA budget for Job
 Classification
 MCDA Estimate
 MCDA Estimate
 Vendor (SpeakWrite) Rate
 MCDA Estimate
 MCDA Estimate
 MCDA Estimate

CALCULATIONS

Additional DDA Case time Grand Jury after 3/1/18

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	
Recorded Months in FY	4	12	16	
Cases/mo	164	164		
Cases/yr	654	1962	2,616	
GJ Min/case - Before Recordation	40	40		Note 2
GJ Min/case - After Recordation	57	57		Note 2
Increase in GJ Minutes/case when recorded	17	17		
GJ Total Minutes - Without Recordation	26,160	78,480	104,640	Note 1
GJ Total Minutes - With Recordation	37,278	111,834	149,112	Note 1
GJ Min Increase	11,118	33,354	44,472	Note 1
GJ Hours Increase	185	556	741	Note 1
FTE/Yr (2080 Hrs/Yr/FTE)	0.09	0.27		
Deputy District Attorney 3 (DDA3) Salary + Benefits	\$ 161,273	\$ 169,764		
Increased Case Time (DDA3)	\$ 14,367	\$ 45,371	\$ 59,738	Note 2

Preparation of Protective Orders

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	
Months	4	12		
Protective Orders/mo	0.50	0.50		
Review Hrs/Protective Order	1.00	1.00		
DDA Protective Order Prep Hrs/yr	2	6		
DDA Protective Order Prep FTE/yr	0.001	0.003		
Deputy District Attorney 3 (DDA3) Salary + Benefits	\$ 161,273	\$ 169,764		
DDA Protective Order Prep	\$ 155	\$ 490	\$ 645	Note 3

Juror training & Daily Staff Prep

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total
Trainings per Grand Jury session	2	2	2
Hrs/training	2	2	2
GJ sessions in FY	5	13	18
Training Hrs/Year	20	52	72
Trainer Time per Training Hr	1.2	1.2	2
Trainer Time per Year (Hrs)	24	62	86
Trainer Time per Year (FTE)	0.01	0.03	0.04
Staff Prep Minutes/Day	20	20	
Staff Prep Hrs/Day	0.33	0.33	
Staff Prep Hrs/Yr	83	83	
Staff Prep Hrs/Mo	6.94	6.94	
Staff Prep Hrs/FY	27.78	83.33	
Staff Prep FTE	0.01	0.04	
Trainer (OASr) Salary + Benefits/Yr	\$ 83,164	\$ 86,402	
Juror Training & Case Prep Cost/Yr	\$ 2,070.21	\$ 6,053.68	\$ 8,124 Note 5

DDA Review of Grand Jury Recordings

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total
Months	4	12	
Grand Jury Minutes Recorded	37,278	111,834	149,112
Add'l DDA Time to Recorded Time Ratio	1.0	1.0	
DDA Review of Recorded Material (Min/Yr)	37,278	111,834	
DDA Review of Recorded Material (Hrs/Yr)	621	1,864	2,485
FTE/Yr (2080 Hrs/Yr/FTE)	0.30	0.90	
Deputy District Attorney 3 (DDA3) Salary + Benefits	\$ 161,273	\$ 169,764	
Grand Jury Recording Review (DDA)	\$ 48,173	\$ 152,126	\$ 200,299 Note 6

Staff Review of Grand Jury Recordings

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	
GJ Cases Recorded	654	1956		
Staff Review Time (Min/Case)	10	10		
Staff Review Time (Min)	6,540	19,560	2610	
Staff Review Time (Hrs)	109	326	435	
FTE/Yr (2080 Hrs/Yr/FTE)	0.05	0.16		
Office Assistant Senior (OASr) Salary + Benefits	\$ 83,164	86402		
Grand Jury Recording Review (Staff)	\$ 4,358	\$ 13,542	\$ 17,900	Note 6
DDA + Staff Review of GJ Recordings	\$ 52,531	\$ 165,668	\$ 218,199	Note 6

Transcribe Grand Jury Recordings

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	
Recorded Grand Jury (Min/Yr)	37,278	111,834	149,112	
% to be transcribed	0%	20%		Note 7
Recordings to be Transcribed (Min)	0	22,367		
Transcription Cost/Minute	\$ 3.34	\$ 3.34		
Grand Jury Transcription Cost/Year	\$ -	\$ 74,705	\$ 74,705	

Decrease in DDA Case time GJ to Preliminary Hearings after 3/1/18

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	

DDA Review of Preliminary Hearing Recordings

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total	
Months	4	12		
Cases/yr	420	1,260	1,680	
PH Min/case - After Recordation in PH	24	24		Note 10
Recorded Preliminary Hearing Minutes	10,080	30,240	40,320	
Add'l DDA Time to Recorded Time Ratio	1.0	1.0		
DDA Review of Recorded Material Minutes	10,080	30,240	40,320	
DDA Review of Recorded Material Hours	168	504		
FTE/Yr (2080 Hrs/Yr/FTE)	0.08	0.24		
Deputy District Attorney 2 (DDA2) Salary + Benefits	\$ 148,326	\$ 156,714		
PH Recording Review (DDA)	\$ 11,980	\$ 37,973	\$ 49,953	Note 11

Transcribe Preliminary Hearing Recordings

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total
PH Cases	420	1,260	
Recorded Preliminary Hearing Minutes	10,080	30,240	
% to be transcribed	0%	10%	
Recordings to be Transcribed (Minutes)	0	3,024	
Transcription Cost/Minute	\$ 3.34	\$ 3.34	
PH Transcription Cost/Year	\$ -	\$ 10,100	\$ 10,100 Note 11
			\$ 60,053

Staff Review of Recording to Transcript

GJ Recordings Transcribed (Minutes)	-	22,367	
GJ Recordings Transcribed (Hours)	-	373	
PH Recordings Transcribed (Minutes)	-	3,024	
PH Recordings Transcribed (Hrs)	-	50	
GJ + PH Recordings (Hrs)	-	423	
Staff Review Hrs per Hr of Transcription	1.2	1.2	
Staff Review of Recording to Transcript (Hrs)	-	508	
FTE	-	0.24	
Office Assistant Senior (OASr) Salary + Benefits	\$ 83,164	\$ 86,402	
Staff Review of Recording to Transcript	\$ -	\$ 21,094	\$ 21,094 Note 12

IT Staff (0.10 FTE) to administer FTR + Software Maintenance & Support

	FY18 March 2018 to June 2018	FY19 July 2018 to June 2019	2-Yr Total
Months	4	12	
IT - System's Administrator salary + benefits / yr	\$ 155,196	\$ 161,656	
FTE	0.10	0.10	
IT - System's Administrator support	\$ 5,173	\$ 16,166	21,339
Software Maintenance & Support	\$ 2,085	\$ 2,085	4170
			\$ 25,509 Note 13

SUMMARY

	FY18	FY19	
	Nov 2017 to June 2018	July 2018 to June 2019	2-Yr Total
<u>One-Time Only</u>			
Computer Hardware & Software	-	-	-
Recording Equipment	-	-	-
Data Line Installations (3 X \$900)	2,700	-	2,700
			0
Project Management - DDA (\$2,740/mo X 5 mos)	13,700	-	13,700
Project Management - Support Staff (\$71,112/mo X 5 mos)	35,560	-	35,560
Project Management - Management (\$1,851/mo X 5 mos)	9,258	-	9,258
	49,260		49,260
			-
One-Time Only Sub-Total	61,218	-	61,218
			Note 14
<u>On-Going Costs</u>			
	FY18	FY19	
	March 2018 to June 2018	July 2018 to June 2019	2-Yr Total
<u>Personnel</u>			
Increased Case Time (DDA3)	14,367	45,371	59,738
DDA Protective Order Prep	155	490	645
Juror Training & Case Prep Cost/Yr	2,070	6,054	8,124
Grand Jury Recording Review (DDA)	48,173	152,126	200,299
Grand Jury Recording Review (Staff)	4,358	13,542	17,900
PH Recording Review (DDA)	11,980	37,973	49,953
Staff Review of Recording to Transcript	-	21,094	21,094
IT - System's Administrator support	5,173	16,166	21,339
	86,277	292,816	379,092
Grand Jury Transcription Cost/Year	-	74,705	74,705
PH Transcription Cost/Year	-	10,100	10,100
	-	84,805	84,805
Software Maintenance & Support	2,085	2,085	4,170
On-Going Sub-Total	\$ 88,362	\$ 379,706	\$ 468,068
TOTAL	\$ 149,580	\$ 379,706	\$ 529,286