

# ROLES IN THE OREGON CRIMINAL JUSTICE SYSTEM

## INFLUENCERS



### STATE / GOVERNOR

District attorneys represent the state government in the criminal justice system. The governor appoints a new district attorney or judge if a sitting district attorney or judge leaves before the end of their term. **20 out of Oregon's 36 district attorneys were originally appointed by the governor.**



### LOCAL LAW ENFORCEMENT

City, county, and state police funnel defendants into the system through arrest, collect evidence, and provide testimony in court cases. They also sometimes arrest and detain crime victims and witnesses. **District attorneys can prosecute police for crimes they commit, but rarely choose to do so.**

### U.S. IMMIGRATION + CUSTOMS ENFORCEMENT (ICE)

ICE enforces federal laws governing border control, customs, trade, and immigration. Non-citizens face serious immigration consequences if arrested or convicted of any criminal offense. **District attorneys can decide whether or not to share arrest reports with ICE, including names and countries of origin for crime victims and witnesses.**

## PROSECUTORS



### DISTRICT ATTORNEYS

Voters elect one district attorney (DA) per county in Oregon (36 total). DAs oversee and dictate the culture of prosecution in their district. They set the rules and tell their staff how they want things done. **DA offices are immune from prosecution if their prosecutors break the law pursuing a case.**

### DA OFFICE STAFF: ASSISTANT + DEPUTY DAs

Assistant and deputy DAs negotiate and prosecute criminal cases. They are usually instructed that their job is to prove that the defendant is guilty, regardless of context. **Individual prosecutors are immune from prosecution if they break the law pursuing a case.**

### OREGON DISTRICT ATTORNEY ASSOCIATION (ODAA)

Professional organization of all of Oregon's district attorneys and their staff. The ODAA dictates the DA culture for the entire state, and holds an incredible amount of influence, power, and funding. **The ODAA is a huge impediment to reform in the criminal justice system.**

## COURT



### JUDGES

Voters elect 14 Washington County Circuit Court judges to oversee court proceedings, and instruct juries, prosecutors, and defense attorneys. If the defendant waves a jury trial, the judge rules on their innocence or guilt. **District attorneys can refuse to try cases in front of specific judges.**



### JURIES

Members of the public, selected by the court, prosecutors, and defense. If a criminal case goes to jury trial, the members of the jury rule on the defendant's innocence or guilt. **In Oregon, some jury decisions do not have to be unanimous.**

### GRAND JURY

Members of the public, the grand jury decides whether there is enough evidence to indict a defendant (aka charge them with a crime). **District attorneys decide whether to try for indictment, and what evidence to show (and not show) the grand jury.**

## DEFENSE



### DEFENDANT

Person being accused of or charged with a crime. Under Oregon's measure 11, some charges have mandatory minimum sentences, and determine whether youth 15-17 will be charged as adults, regardless of specific circumstances of the case. **DAs choose what charges to bring, which can also determine the minimum sentence.**



### DEFENSE TEAM

Attorneys and investigators representing the defendant, and trying to show reasonable doubt of the defendant's guilt. Under the Brady Rule, prosecutors must share with the defense any evidence that could be favorable to the defendant—but there is no practical enforcement of this rule. **Prosecutors are the ones who hold the evidence and choose what to share with the defense.**