

DISTRICT ATTORNEY

Mission

The District Attorney's office is dedicated, while recognizing the dignity of all individuals, to objectively and effectively investigate and prosecute matters under the Law to achieve justice and minimize trauma to victims.

Program Summaries

Criminal Division

Positions: 60.0 FTE

Total Appropriations: \$8,026,421

Net County Cost: \$5,843,355

The Criminal Division's basic functions include:

- Prosecute adult and juvenile offenders for criminal offenses
- Evaluate law enforcement reports and documents
- Assist in search warrant preparation
- Prepare and file legal briefs and memoranda relating to prosecution activities and appeals
- Conduct original and supplemental investigation of cases
- Prepare for trials, conduct trials, post trial and sentencing hearings and appeals

The Criminal Division receives funding from State and Federal sources for specialized programs including:

- Elder Abuse Vertical Prosecution
- Auto Insurance Fraud
- Workers' Compensation Insurance Fraud
- Welfare Fraud
- Child Abduction and Recovery
- Spousal Abuser Prosecution
- Proposition 64 (Environmental / Consumer Fraud)
- Real Estate Fraud
- \$1.00 license fee per registration for DUI/vehicular theft and vehicular manslaughter prosecutions

Grants Division

Positions: 6.20 FTE

Total Appropriations: \$437,135

Net County Cost: \$5,563

The Grants Division includes participation in:

- Elder Advocacy Program
- Victim Witness Assistance Program
- Victim Witness Claims processing

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Fiscal Year 2007-08 Major Accomplishments

Develop Collaborative Solutions
Reduce Crime

Angora Fire and the Worker's Compensation Insurance Fraud program:

This unfortunate natural disaster led to a significant joint effort with CDI and the CSLB in the creation of a fraud interdiction team to assist the many victims of the fire and to prosecute many unlicensed contractors for their attempts to further victimize those who lost their homes. Information designed by the CDI, the CSLB and the District Attorney provided victims with information about how to protect themselves from unscrupulous vendors. This information phase was conducted by direct contact with the victims of the fire. The overwhelming effect of the effort, as expressed by the victims, to the work undertaken by CDI, CSLB and the District Attorney demonstrated just how effective collaborative solutions can be in protecting citizens of the County.

Cold Homicide Task Force:

There are currently over 40 unsolved homicide cases in El Dorado County. In a cooperative effort with El Dorado County Sheriff's Department we are actively attempting to review and solve these cold cases. This success leads to prosecutions, which are complex and costly, but virtually necessary. Cold case homicides tend to be the work of the most dangerous and vicious murderers. Serial killers, who successfully avoid detection during the time of their killing sprees, commit many of these unsolved homicides. They left behind families desperate for knowledge of the circumstances of their loved one's murder and for closure. A recent survey of over 200 potential jurors in the prosecution of a 1971 homicide found that almost all believed resources should be devoted to these cases.

The complex nature of cold case prosecutions translates into high costs such as thousands of hours of attorney and investigator time in preparing cases, travel costs for witnesses, cost for investigators and prosecutors who must travel to interview potential witnesses, expert witness fees for a variety of different experts who may be needed to interpret evidence which is decades old to name a few.

In order to enhance the investigation of cold cases, the El Dorado County District Attorney and the El Dorado County Sheriff's Office have formed a Regional Cold Case Task Force. The Task Force brings together law enforcement agencies from surrounding counties who share information regarding their cold case investigations. The Task Force can then identify cases with common factors and hopefully identify common perpetrators. In recent weeks we have extradited a suspected serial murderer from the State of Washington on the 1989 murder of a 16 year old. It is our hope that justice delayed will not be justice denied, but justice finally realized.

Consumer Protection / Environmental Crimes:

Proposition 64 is designed to provide consumer protection for individuals victimized by hired experts, such as brokers, caregivers and other professionals. It also protects employers victimized by employees through embezzlement or fraud.

The District Attorney's office has committed itself to the investigation and prosecution of insurance brokers who sold annuities to the elderly, replacing existing annuities, only to

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generate additional commissions for the brokers. In addition, our office responded to caretakers who took advantage of their position to enhance their own financial situation by defrauding their elderly clients and contractors who diverted funds from a construction project for their own use.

With continued economic concern the District Attorney's office anticipated consumer fraud to be on the rise in future years. It is our responsibility to serve the people of this county with diligence in prosecuting those who prey upon those who cannot protect themselves.

Fiscal Year 2008-09 Goals and Objectives

Goal	Strategies	Key Performance Indicator(s)
<i>Develop Collaborative Solutions</i>	Continue to improve and enhance the Elder and Consumer Protection Unit.	Working with Human Services and County Counsel, utilize new and existing resources to improve elder protection as well as target fraud related activities including consumer and environmental protection, real estate fraud and workers' compensation insurance fraud.
	Participation in the Mentally Ill Offender Crime Reduction (MIOCR) grant Program.	Work with the Courts, Sheriff, Probation and Public Defender to provide services to mentally ill offenders.
	Develop Welfare Fraud Program Investigations within the District Attorney's office.	Collaborate with Human Services to consolidate Welfare Fraud programs.
<i>Reduce Crime</i>	Continue to improve and enhance the Elder and Consumer Protection Unit.	Working with Human Services and County Counsel, utilize new and existing resources to improve elder protection as well as target fraud related activities including consumer and environmental protection, real estate fraud and workers' compensation insurance fraud.
	Prepare for the case load impact once the Casino in Shingle Springs opens in the Fall 2008.	Investigation and caseloads are expected to increase for crimes resulting from the casino presence in El Dorado County.

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Goal	Strategies	Key Performance Indicator(s)
<i>Improve Technology Efficiencies</i>	Complete the Electronic Access Interface with the Sheriff's office which will electronically transmit crime information to the DAMION Case Management system via the county network.	Enhance the distribution of information, improve efficiency, and eliminate manual entries into the DAMION system.
<i>Recruit and Retain Skilled Workforce</i>	Work with Human Resources to recruit and retain staff. Decrease case load per attorney.	Select the best qualified candidates for open positions using departmental, Countywide and open recruitments. Reduce case load to less than 400 cases per attorney including the addition of new attorney positions added in March 2007. Longer term goal – case load per attorney should be approximately 250.
<i>Maximize Funding Opportunities</i>	Pursue new revenue sources including Grants from all viable sources.	Improve the department's revenue to maximize opportunities. Off-set General Fund growth and provide better service to the public.

Chief Administrative Office Comments

The Proposed Budget for the District Attorney's office is recommended at a Net County Cost of \$5,848,918, an increase of \$302,341.

Revenue for the District Attorney is increasing overall by \$196,494. The majority of this increase totaling \$225,370 is due to the department's use of funding from trust funds, totaling \$763,740 (shown in Class 20). The department's Proposed Budget includes the use of funding from their Auto Insurance Fraud fund, Worker's Compensation Insurance Fraud fund, Proposition 64, and Real Estate Fraud fund.

Revenue for Fines, Forfeiture & Penalties is decreasing by \$21,600. This is due to elimination of the in house Bad Check program. The program was reviewed during the FY 2007-08 mid year review and was eliminated to provide early budget reductions. One position was associated with the elimination of the program. The collection of bad checks has been referred to an outside collection agency.

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Revenue from State Intergovernmental sources is decreasing by \$24,089. The primary areas of reduction are for Vehicle Theft Allocation, \$9,391 and Office of Emergency Services, \$14,698.

Revenue from Charges for Services is increasing overall by \$16,555. The primary revenue source contributing to the increase is for blood draws.

Appropriations are increasing overall by \$498,835. The majority of this increase, totaling \$410,481, is in the area of salary and benefits. The increase is attributed to normal growth due to step increases and anticipated increases in health insurance and retirement. The increase also reflects full year salary for adjustments to position changes made in FY 2007-08 including a reclassification of 1.0 FTE Legal Office Assistant to a Fiscal Assistant, the add/delete of 1.0 FTE Sr. Administrative Analyst to a Fiscal Administrative Manager and the addition of 1.0 FTE District Attorney Investigator. Also reflected in this budget is the elimination by reduction in force of 1.0 FTE Investigative Assistant responsible for the Bad Check program which was eliminated in FY 2007-08 as noted above under revenue discussion. No additional positions were requested.

The budget includes a plan to offer a Golden Handshake to a long term employee. If this employee decides to accept the offer, the position of Legal Office Services Manager will be eliminated and replaced with a Fiscal Technician in the addenda. The savings is expected to be \$50,000 and has been removed from the District Attorney budget. Should the employee decide not to accept the offer, the position will remain unchanged, but the department will be responsible for absorbing the \$50,000 reduction throughout the year.

Also included in the budget is an increase in the use of extra help totaling \$50,803. Examples of extra help responsibilities include:

- 1.0 Deputy District Attorney and 1.0 Investigator are assigned duties to pursue Cold Case investigation and prosecution.
- 2.0 permanent Deputy District Attorney are on military leave. This workload has been maintained with the use of extra help.

The remainder of the budget is increasing overall by \$88,354. The budget includes numerous line item increases and decreases. This budget, as proposed, covers only the cost of operations. Significant changes are as follows:

- Insurance Premium is increasing by \$21,248. This charge is not controlled by the department.
- Professional and Specialized Services is increasing by \$10,000. This funding will be used to investigate and prosecute Cold Case and special circumstance cases.
- Special Department Expense is increasing by \$12,916. This funding will also be used in the prosecution of cases.
- Rent & Lease of Vehicles is increasing by \$12,268 for the use of fleet vehicles rather than the department purchasing department owned vehicles.
- Reduction include Postage of \$2,155, Special Projects of \$8,216, Medical & Sobriety Exams of \$5,836 and Psychiatric Medical Exams of \$1,350 to name a few.

Other Charges are reduced by \$4,185 which is associated with cost applied charges and Fixed Assets have been reduced by \$11,200. Increases to Intrafund Transfers and Intrafund Abatements are also associated with cost applied charges and are not within the department's control.

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Personnel Allocations

Fiscal Year 2008-09 BOS Approved Personnel Allocation	2007-08 Adjusted Allocation	2008-09 Dept Request	2008-09 CAO Recm'd	Diff from Adjusted
District Attorney	1.00	1.00	1.00	0.00
Accountant/Auditor	1.00	1.00	1.00	0.00
Assistant District Attorney	2.00	2.00	2.00	0.00
Chief Assistant District Attorney	1.00	1.00	1.00	0.00
Chief Investigator (D.A.)	1.00	1.00	1.00	0.00
Child Abuse Prevention Coordinator I/II	1.00	1.00	1.00	0.00
Deputy District Attorney I-IV	20.00	20.00	20.00	0.00
Fiscal Administrative Manager	1.00	1.00	1.00	0.00
Fiscal Assistant I/II	1.00	1.00	1.00	0.00
Information Technology Department Coordinator	1.00	1.00	1.00	0.00
Investigative Assistant	1.00	1.00	1.00	0.00
Investigator (D.A.)	10.00	10.00	10.00	0.00
Legal Office Assistant I/II	4.00	4.00	4.00	0.00
Legal Office Services Manager	1.00	1.00	1.00	0.00
Legal Secretarial Services Supervisor	1.00	1.00	1.00	0.00
Legal Secretary I/II	8.00	8.00	8.00	0.00
Office Assistant I/II	1.00	1.00	1.00	0.00
Sr. Investigator (D.A.)	2.00	2.00	2.00	0.00
Sr. Legal Secretary	2.00	2.00	2.00	0.00
Victim Witness Claims Specialist I/II	2.20	2.20	2.20	0.00
Victim Witness Program Coordinator	1.00	1.00	1.00	0.00
Victim Witness Program Specialist	3.00	3.00	3.00	0.00
Department Total	66.20	66.20	66.20	0.00

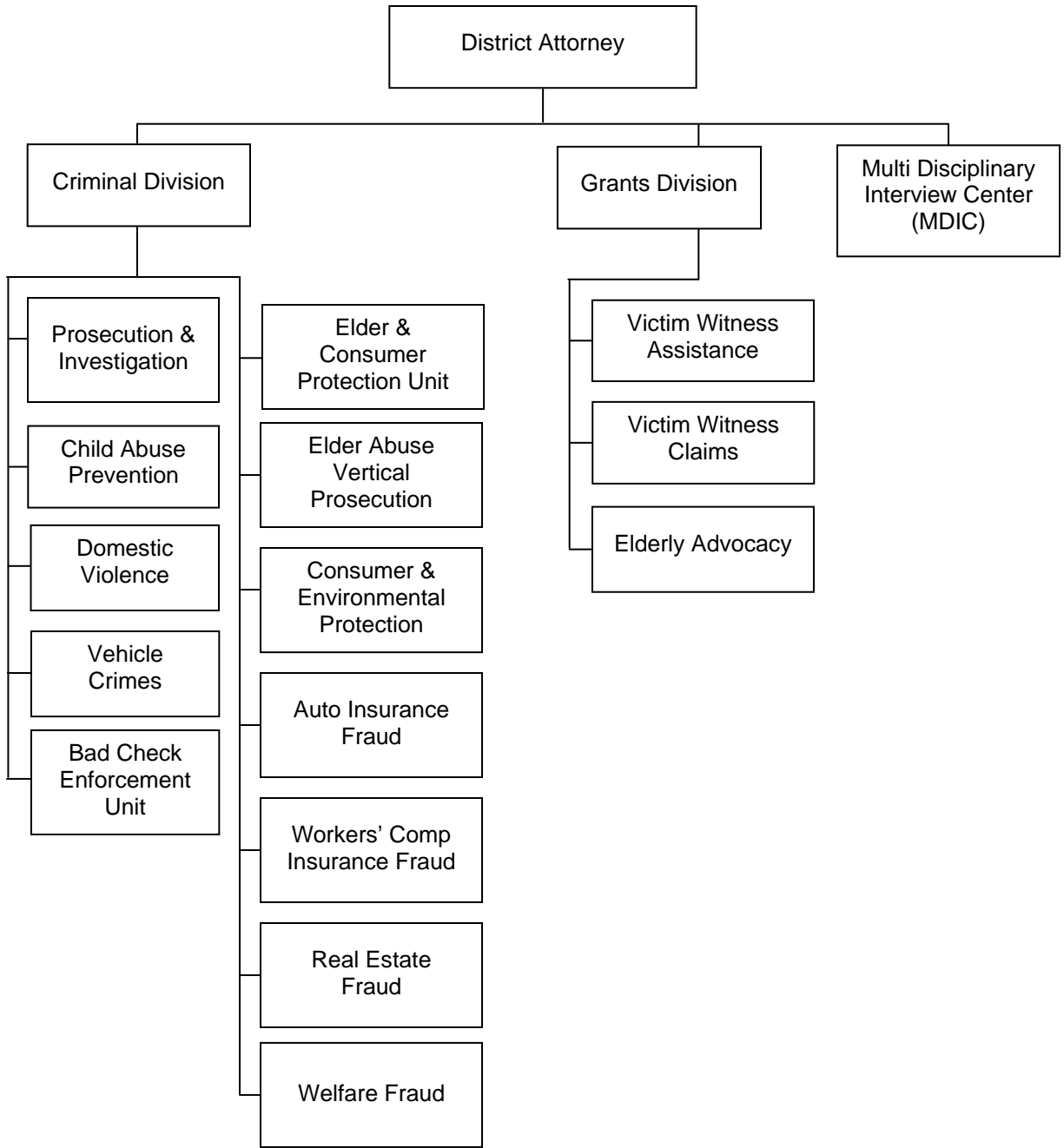
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Financial Information by Fund Type

FUND TYPE: 10 GENERAL FUND
 DEPARTMENT: 22 DISTRICT ATTORNEY

		PRIOR YR ACTUAL	CURRENT YR APPROVED BUDGET	DEPARTMENT REQUEST	CAO RECOMMENDED BUDGET	DIFFERENCE
TYPE: R REVENUE						
CLASS	CLASS TITLE					
03	REV: FINE, FORFEITURE & PENALTIES	77,173	41,600	20,000	20,000	-21,600
04	REV: USE OF MONEY & PROPERTY	56	0	0	0	0
05	REV: STATE INTERGOVERNMENTAL	1,510,436	1,534,901	1,440,148	1,510,812	-24,089
10	REV: FEDERAL INTERGOVERNMENTAL	199,317	90,000	90,000	90,000	0
12	REV: OTHER GOVERNMENTAL AGENCIES	2,105	170,678	169,486	169,486	-1,192
13	REV: CHARGE FOR SERVICES	28,991	34,045	50,600	50,600	16,555
19	REV: MISCELLANEOUS	10,975	8,550	10,000	10,000	1,450
20	REV: OTHER FINANCING SOURCES	222,244	538,370	763,740	763,740	225,370
TYPE: R SUBTOTAL		2,051,296	2,418,144	2,543,974	2,614,638	196,494
TYPE: E EXPENDITURE						
CLASS	CLASS TITLE					
30	SALARY & EMPLOYEE BENEFITS	6,081,642	7,177,487	7,683,862	7,587,968	410,481
40	SERVICE & SUPPLIES	600,335	588,877	678,261	659,721	70,844
50	OTHER CHARGES	1,355	4,185	4,185	0	-4,185
60	FIXED ASSETS	57,381	29,800	22,100	18,600	-11,200
70	OTHER FINANCING USES	15,709	0	0	0	0
72	INTRAFUND TRANSFERS	138,784	171,606	174,136	197,267	25,661
73	INTRAFUND ABATEMENT	0	-7,234	0	0	7,234
90	LABOR & COSTS	0	0	0	0	0
TYPE: E SUBTOTAL		6,895,205	7,964,721	8,562,544	8,463,556	498,835
FUND TYPE: 10	SUBTOTAL	4,843,909	5,546,577	6,018,570	5,848,918	302,342
DEPARTMENT: 22	SUBTOTAL	4,843,909	5,546,577	6,018,570	5,848,918	302,342

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Positions: 66.2