

District Attorney
RECOMMENDED BUDGET • FY 2019 -20

MISSION

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

DEPARTMENT BUDGET SUMMARY

Description	Prior Year Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Fines & Penalties	7,450	9,000	6,088	(2,912)
IG Rev - State	1,807,802	1,567,047	1,848,618	281,571
IG Rev - Federal	317,540	376,699	917,163	540,464
Service Charges	24,236	30,579	26,781	(3,798)
Miscellaneous Rev	5,199	2,250	3,008	758
Other Fin Sources	700,693	831,767	731,914	(99,853)
Total Revenue	2,862,921	2,817,342	3,533,572	716,230
Salaries & Benefits	8,849,985	9,270,629	10,813,565	1,542,936
Services & Supplies	1,198,206	1,068,257	1,333,074	264,817
Other Charges	6,984	2,420	7,000	4,580
Fixed Assets	27,187	150,000	0	(150,000)
Other Fin Uses	74,484	0	62,856	62,856
Intrafund Transfers	43,230	53,510	300,661	247,151
Intrafund Abatement	(435,979)	(373,761)	(372,715)	1,046
Total Appropriations	9,764,098	10,171,055	12,144,441	1,973,386
FUND 1000 GENERAL FUND TOTAL	6,901,177	7,353,713	8,610,869	1,257,156

MAJOR BUDGET CHANGES

Revenue

State

\$281,571 Public Safety Sales Tax (Proposition 172) revenue is increasing by \$232,635 based on the current trend. The State Office of Emergency Services Victim/Witness program grant funding is increased by \$41,000.

Federal

\$540,464 Increase in grant awards for the Violence Against Women vertical prosecution program and Automobile Insurance Fraud programs from the Federal Office of Emergency Services.

Operating Transfers

(\$99,853) Reduction due to one-time purchases for the Child Advocacy Center funded through a transfer in from the Asset Forfeiture fund in FY 2018-19.

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Appropriations

Salaries and Benefits

\$1,542,936 Increase due to the addition of allocations during FY 2018-19 related to grant awards, along with charter-mandated increases, negotiated salary increases, and increased costs for CalPERS and the County's share of health insurance premiums.

Services and Supplies

\$264,817 Increases are mainly related to grant-funded programs and are offset by revenue increases.

Fixed Assets

(\$150,000) Decrease due to budgeting in FY 2018-19 for the one-time purchase of a new records management system.

PROGRAM SUMMARIES

Automobile Insurance Fraud

The El Dorado County District Attorney's Auto Fraud Unit is made up of deputy district attorneys and district attorney investigators who work closely with the California Department of Insurance, California Department of Motor Vehicles, Insurance Investigators and the Arson Task force in the prevention, investigation and prosecution of various forms of automobile insurance fraud. The Auto Fraud Unit investigates not only the typical auto insurance fraud and perjury case (where an individual presents a false or fraudulent claim for non-existent injuries or damages) but also complex schemes involving car dealership fraud and conspiracy to defraud multiple customers relating to the sales, transfers, and loan payoffs concerning the purchase of new and used vehicles. This program is funded on an annual basis through a grant application to the State Department of Insurance.

Core Prosecution

Alcohol and Drug Impaired Vertical Prosecution Program

This program is made up of a specialized team of one deputy district attorney, one district attorney investigator and a part-time crime scene reconstruction expert who work closely together to prosecute alcohol and drug impaired driving cases.

A portion of this program is funded through an Office of Traffic Safety grant, which is applied for an awarded on an annual basis.

Child Abuse

The Special Investigator coordinates and conducts interviews of children involved in child abuse cases. This employee is also a vital part of the Multidisciplinary Interview Center as well as assisting with victim coordination on the major felony cases.

Core Prosecution

The main functions of this unit are to 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.

Multi-Disciplinary Interview Center (MDIC) aka The Fausel Hose Child Advocacy Center

The User Agencies comprised of the Sheriff, Placerville Police Department, Health & Human Services Agency and District Attorney work together toward the mutual goal of facilitating the investigation of child abuse cases in order to minimize the trauma to child victims and their families residing in the western portion of El Dorado County and to maximize the effectiveness of criminal prosecution.

Funding for the Child Advocacy Center program is received through the California Governor's Office of Emergency Services. This grant is applied for and awarded on an annual basis.

Elder Abuse Prosecution

Deputy District Attorneys and Investigators work with the Sheriff's Office, Adult Protective Services and Senior Legal Services to investigate and prosecute Elder Abuse Cases.

SB 90

As required by law, the District Attorney's office is mandated by the State of California to appear on behalf of the District Attorney's office for cases where defendants were convicted of a crime and classified as one of the following: Sexually Violent Predator, Mentally Disordered Offender, Not Guilty By Reason of Insanity. The Deputy District Attorney appears at recommitment hearings to insure that the offender is not released back into the community.

Another subset of the SB 90 program is Child Abduction and Recovery. In most instances these abductions involve a parent that does not have custody of the child(ren) and has taken them out of the county/state. The investigator works with families and law enforcement agencies to recover the child and return them to their legal guardian.

Special Victims Unit - Sexual Assault/Domestic Violence/Violence Against Women

This unit currently covers all of the adult sexual assault, child sexual assault, child pornography, child abuse, and sexual registrant violators or the entire county. This unit also handles all of the domestic violence cases on the Western Slope as well as specialized cases of violence against women.

These cases are vertically prosecuted due to their extremely sensitive nature. Deputy district attorneys spend a significant amount of time meeting with victims and their families. These cases are all extremely sensitive and involve substantial time outside of the courtroom preparing for trial and conducting follow up investigations. Most of these cases result in prison sentences. Many involve potential life sentences and end up going to trial.

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Funding for the Sexual Assault and Violence Against Women program components of the Special Victims Unit is received through the California Governor's Office of Emergency Services. These grants are applied for and awarded on an annual basis.

Welfare Fraud

Deputy District Attorneys and Investigators work with the HHS to pursue the prevention, detection, investigation and prosecution of fraud perpetrated in the course of public assistance benefit issuance.

Funding for this program is reviewed on an annual basis.

Cold Case Homicides

Currently, there are approximately 60 cold case homicides in El Dorado County. In addition, there are approximately 50 missing person cases and 7 sets of unidentified human remains that need to be subjected to DNA testing and Genetic Genealogy testing to see if we can determine who they are. Approximately 75% of the cold case homicides are from the Sheriff's Office jurisdiction and 25% are from the City of South Lake Tahoe. The vast majority of these cases are from the 1970's – 1990's. These figures do not include cold sexual assault cases.

One of the unique characteristics of cold homicide cases is that often the killer is a serial killer. In many cases there is evidence to indicate that the defendant(s) were responsible for other deaths that were never prosecuted. Due to increased technology in DNA testing the potential of bringing the killers to justice is now a possibility.

Environmental Crimes

This unit provides the investigation and prosecution of environmental cases. The El Dorado County District Attorney's Environmental Unit is made up of deputy district attorneys and district attorney investigators who work closely with various California and County Agencies including El Dorado County Environmental Management, Code Enforcement, Department of Transportation, California Department of Fish & Game, California Air Resources Board, California Attorney General's Office, California District Attorney Association, State Water Resources Control Board, Lahontan Regional Water Quality Control Board, California Department of Forestry, as well as statewide cases with various other District Attorney's Offices. This unit is responsible for review and filing of environmental cases throughout El Dorado County. This unit investigates various forms of environmental crimes, including Hazardous Waste & Underground Storage Tank (UST) violations, Hazardous Material Business Plan violations (which put our first responders at risk of hazardous waste exposure), and illegal/improper release of deleterious materials to state waters and rivers in El Dorado County. Moreover, the unit files both criminal and civil complaints against individuals and businesses who are committing violations of various environmental protection statutes - including civil Business and Professions Code section 17200 cases concerning unlawful business practices.

Funding for this program is achieved through the use of defendant judgments that are deposited into a trust fund. These funds are ongoing as cases are prosecuted on an annual basis. The total amount of judgments can vary depending on case load within the fiscal year.

Proposition 64

The El Dorado County District Attorney's Consumer Fraud Unit is made up of deputy district attorneys and district attorney investigators who work closely with various California and County Agencies including Amador, Sacramento and Yolo County District Attorney's Offices, the California Department of Corporations, California Department of Motor Vehicles, California Department of Weights & Measures, California Department of Forestry, California Department of Home Furnishings, California Bureau of Automotive Repair, and the El Dorado County Code Enforcement and Department of Agriculture, in the investigation and prosecution of various forms of consumer fraud and unlawful business practices. Further, this unit is involved with review and handling all of the District Attorney Fraud Hotline and Consumer Fraud Complaints, as well as community outreach and fraud alerts concerning current fraud schemes and tactics. This unit investigates unlawful business practices in various forms, including cases against companies who have been short-selling underweight product for years, and businesses that have been defrauding customers through false advertising and mislabeling of products. Moreover, the unit files both criminal and civil complaints against individuals and businesses who are committing violations of various consumer protection statutes - including civil Business and Professions Code section 17200 cases concerning unlawful business practices. This program is funded through the use of funds collected from defendant judgments.

Real Estate Fraud

This unit provides the investigation and prosecution of Real Estate Fraud. The funding for Real Estate Fraud is ongoing. As the real estate instruments specified under GC 27388 are recorded, a \$3.00 fee is assessed with 90% of the fee being deposited into a Special Revenue Account for use by the District Attorney's office for the investigation and prosecution of Real Estate Fraud. In addition to the recorded document fees, funding from a specialized grant referenced above will be utilized.

Victim Witness Assistance

The Victim Witness Assistance program serves as a resource to crime victims. The advocates funded under this grant are required to provide the following services: crisis intervention, emergency assistance, resource referral and assistance, direct counseling and therapy, claim assistance, property return, orientation, court escort, case status/ disposition, notification of family and friends.

A new component to the Victim Witness program in FY 2018-19 is mass victimization advocacy. Supplemental funding is being received in order to prepare Victim Witness Centers for participation in coordinated community responses to mass victimization/terrorism incidents.

Funding is received through the California Governor's Office of Emergency Services. This grant is applied for and awarded on an annual basis.

Victim Witness Claims

The Claims Specialist provide application intake, data entry, determine eligibility, and verify losses, including; medical, dental, wage loss, support loss, mental health counseling, funeral burial and relocation expenses. The benefit of having the claims processed in our county is that bills can be paid in a timely manner. The average processing time of claims done directly by the VCP Board is 3-6 months which causes ongoing stress to victims as providers will cut off services until payment is received. Funding is received through Cal-EMA (formerly Office of Emergency Services). This grant is applied for and awarded every three years.

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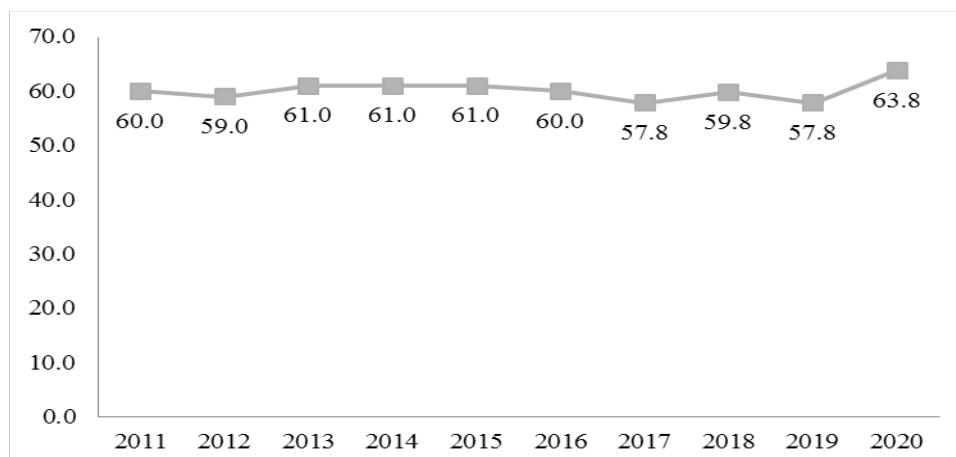
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Workers Compensation Insurance Fraud

The El Dorado County Workers Compensation Unit provides the investigation and prosecution of Workers Compensation Insurance Fraud in El Dorado County. This includes claimant, premium, uninsured employer and medical provider fraud. Claimant fraud includes employees making false or exaggerated claims. Premium fraud occurs when employers misstate the type of work and or work experience of their employees in order to pay a lower premium. Uninsured employers are those who don't protect their employees by failing to obtain required workers compensation coverage. Medical provider fraud can occur when medical professional's bill for services not rendered, misrepresent the service provided, bill for unnecessary services, etc. This program is funded on an annual basis through a grant application to the State Department of Insurance.

STAFFING TREND

Staffing for the District Attorney's Office has remained fairly stable over the last decade. The reduction in FY 2016-17 was related to the transfer of administrative staff to the CAO Central Fiscal Division. The recommended staff allocation for FY 2019-20 is 63.8 FTEs, which includes four allocations that were added during FY 2018-19 when grant funds were awarded two allocations that were added late in the fiscal year related to a reorganization of duties within the Office. It is anticipated that once those allocations have been filled, the District Attorney will identify two allocations to be deleted, bringing the total allocation to 61.8.



RECOMMENDED BUDGET

This Budget is recommended at \$12,144,441, which is an increase of \$1,973,386 (19.4%) when compared to the FY 2018-19 Adopted Budget. The General Fund provides 70.9% of the funding for the department, and total General Fund support is increased by \$1,257,156 (17%) when compared to the FY 2018-19 Adopted Budget.

The Recommended Budget includes an increase of \$1,257,156 in General Fund support for the Department. This is attributable to charter-mandated and negotiated salary increases, and increased costs for CalPERS and the County's share of health insurance premiums. Salary and Benefits are increasing by \$1,542,936 in total; however, approximately \$500,000 of this increase is offset by increases in grant revenue. Intrafund Transfers are increasing by \$247,151, to cover the charges from the CAO Central Fiscal Division for administrative and fiscal support provided to the District Attorney.

CAO Adjustments

The Recommended Budget for Salary and Benefits reflects a reduction of \$219,000 to the Department's request.

The Department's request included an increase in Extra Help of \$219,000, primarily to work on cold cases. This has been reduced to \$150,000, equal to the amount budgeted in FY 2018-19.

Sources & Uses of Funds

The District Attorney's Office is primarily funded through discretionary General Fund revenue; however, several State grants provide funding for various programs within the office. The Office also receives a portion of the Public Safety Sales Tax (\$1,187,319), and transfers in revenue from special revenue funds for the Auto Fraud (\$270,728), Workers Compensation Fraud (\$322,428), Proposition 64 (\$11,439), Real Estate Fraud (\$68,225), and Environmental Crimes programs (\$6,356), and Public Safety Realignment Law Enforcement Services fund (\$6,000).

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PERSONNEL ALLOCATION

Classification Title	2018-19 Adjusted Allocation	2019-20 Dept Request	2019-20 CAO Recm'd	Diff from Adjusted
District Attorney	1.00	1.00	1.00	-
Administrative Analyst I/II	1.00	1.00	1.00	-
Administrative Technician	1.00	1.00	1.00	-
Assistant District Attorney	2.00	2.00	2.00	-
Chief Assistant District Attorney	1.00	1.00	1.00	-
Chief Investigator (District Attorney)	1.00	1.00	1.00	-
Crime Analyst	1.00	1.00	1.00	-
Deputy District Attorney I-IV	18.00	18.00	18.00	-
Deputy District Attorney I-IV - Limited Term	3.00	3.00	3.00	-
Executive Assistant - Law & Justice	1.00	1.00	1.00	-
Investigative Assistant	1.00	1.00	1.00	-
Investigator (District Attorney)	13.00	13.00	13.00	-
Office Assistant I/II	0.80	0.80	0.80	-
Paralegal I/II	4.00	4.00	4.00	-
Special Investigator (District Attorney)	2.00	2.00	2.00	-
Sr. Office Assistant	3.00	3.00	3.00	-
Sr. Office Assistant - Limited Term	1.00	1.00	1.00	-
Supervising Investigator (District Attorney)	2.00	2.00	2.00	-
Victim Witness Program Coordinator	1.00	1.00	1.00	-
Victim Witness Program Specialist	5.00	5.00	5.00	-
Victim Witness Program Specialist - Limited Term	1.00	1.00	1.00	-
Department Total	63.80	63.80	63.80	-

ORGANIZATIONAL CHART

