

District Attorney

RECOMMENDED BUDGET • FY 2022-23

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	FY 2020-21 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Fines & Penalties	4,700	6,500	3,000	(3,500)
IG Rev - State	1,938,979	2,098,870	2,396,523	297,653
IG Rev - Federal	1,141,859	1,269,681	1,142,954	(126,727)
Service Charges	25,445	23,150	18,150	(5,000)
Miscellaneous Rev	1,815	4,232	2,000	(2,232)
Other Fin Sources	640,808	777,174	781,184	4,010
Total Revenue	3,753,606	4,179,607	4,343,811	164,204
Salaries & Benefits	10,691,411	12,702,329	13,233,830	531,501
Services & Supplies	1,307,642	1,935,806	2,007,065	71,259
Other Charges	5,881	11,700	11,700	0
Fixed Assets	214,426	0	0	0
Other Fin Uses	0	34,000	84,000	50,000
Intrafund Transfers	263,983	312,897	420,395	107,498
Intrafund Abatement	(322,005)	(376,536)	(376,536)	0
Total Appropriations	12,161,338	14,620,196	15,380,454	760,258
FUND 1000 GENERAL FUND TOTAL	8,407,732	10,440,589	11,036,643	596,054

MAJOR BUDGET CHANGES

Revenues

State Revenue

\$297,653 Decreases in grant funding related to the California Victim Compensation Board program and CHP Cannabis program totaling \$373,174 are offset by anticipated growth in Public Safety Sales Tax (Proposition 172) is \$530,290. Total Proposition 172 revenue for the District Attorney is projected at \$1,672,122, which represents 2.4% growth over the estimated FY 2021-22 actual receipts. In addition, state revenue for the Victim Witness program is increasing by \$140,537, offset by a reduction in federal program revenue.

Federal Revenue

(\$126,727) Decrease due to the shift in funding sources for the Victim Witness program from federal to state.

District Attorney

RECOMMENDED BUDGET • FY 2022-23

Appropriations

Salaries and Benefits

\$531,501 The total net increase includes the reduction of \$262,670 for the deletion of 1.8 FTE allocations, which is factored into the numbers below.

Net increase in salaries and related benefits is due to Board-approved compensation adjustments (\$154,015). CalPERS retirement costs are increasing by \$219,544, and the Workers' Compensation premium payment is increasing by \$186,139 due to a resumption of premium charges after a rate holiday in FY 2021-22. Retiree health insurance premium is increasing by \$9,117. These increases are offset slightly by reductions in Extra Help (\$4,171), Tahoe Differential (\$4,800), Bilingual Pay (\$2,088), and health benefits (\$26,255).

Services and Supplies

\$71,259 Increase in employee training and travel (\$22,447) to bring activity back up to pre-pandemic levels. Increase in General Liability due to a rate reduction in FY 2021-22 (\$35,670). Rent is increasing by \$11,398 based on the lease agreement for the Placerville Office. The remainder of the increase (\$1,744) is due to anticipated cost increases across for services and supplies.

Other Financing Uses

\$50,000 Increase due to the purchase of a fleet vehicle to replace a vehicle that was not in the fleet.

Intrafund Transfers

\$107,498 Increase in Central Fiscal administrative charges to more closely align budgeted rates with actual charges.

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 cases (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 contracted 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 and awarded on an annual basis.

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, and prepare for and conduct trials, post-trial and sentencing hearings, and appeals.

Multi-Disciplinary Interview Center (MDIC) aka The Fausel House 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.

Child Abuse Treatment

The specialized 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 major felony cases.

During FY 2020-21, a new funding source was procured to extend services for the Child Abuse Treatment Program. The program now includes contracted psychotherapy services for children who have experienced abuse, as well as services for their families on how to cope with the trauma. Grant funds are received through the California Office of Emergency Services and applied for 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, or 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.

District Attorney

RECOMMENDED BUDGET • FY 2022-23

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 for 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.

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 Health & Human Services Agency 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 they can be identified. 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 1970s–1990s. 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, and Department of Transportation; California Department of Fish & Game; California Air Resources Board; California Attorney General's Office; California District Attorneys 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 the 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 the review and handling of 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 \$1.00 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 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, and notification of family and friends.

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

District Attorney

RECOMMENDED BUDGET • FY 2022-23

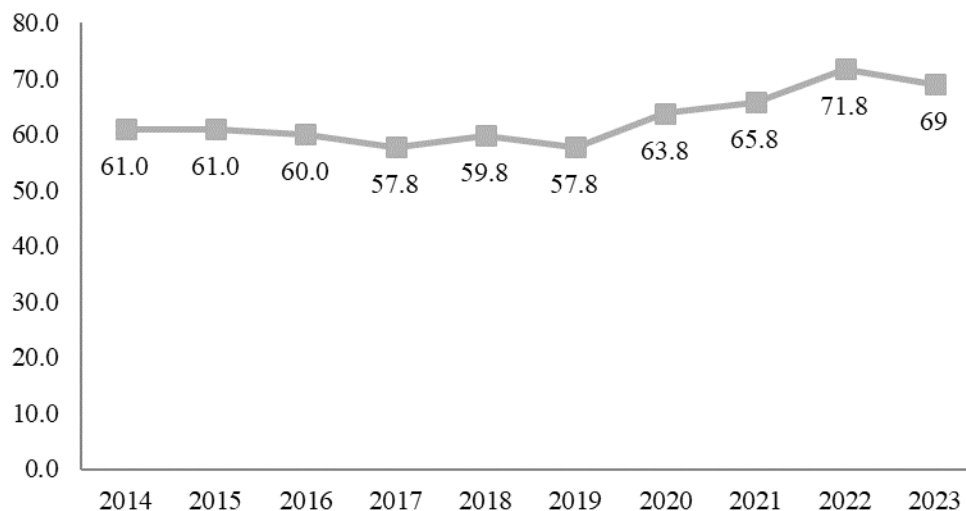
Workers' Compensation Insurance Fraud

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 professionals bill for services not rendered, misrepresent the service provided, or bill for unnecessary services. 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 2022-23 is 69 FTEs, a reduction of 1.8 FTEs from the current adjusted allocation, and 2.8 FTEs from the FY 2021-22 Adopted Budget. One allocation was deleted during FY 2021-22 with the reorganization of the Victim Witness Unit. The Department has requested the deletion in the Recommended Budget of 1.0 FTE Limited Term District Attorney Investigator and 0.8 FTE Sr. Office Assistant due to reductions in grant funding.



RECOMMENDED BUDGET

This Budget is recommended at \$15,380,454, which is an increase of \$760,258 (5.2%) when compared to the FY 2020-21 Adopted Budget. The General Fund provides 72% of the funding for the Department, and total General Fund support is increased by \$596,054 (5.7%) when compared to the FY 2020-21 Adopted Budget.

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 (\$1,141,832), and revenue transfers-in from special revenue funds for the Workers Compensation Fraud, Real Estate Fraud, and Environmental Crimes programs (\$745,184). The Department is drawing down \$36,000 in Public Safety Realignment funds, no change from FY 2021-22.

