

**District Attorney**  
**RECOMMENDED BUDGET • FY 2024-25**

**RECOMMENDED BUDGET**

The District Attorney’s Office Budget is recommended at \$17,805,753, which is an increase of \$1,324,189 (8.0%) when compared to the FY 2023-24 Adopted Budget. The General Fund provides 72.8% of the funding for the Department, and total General Fund support is increased by \$1,308,891 (11.2%) when compared to the FY 2023-24 Adopted Budget.

**DEPARTMENT BUDGET SUMMARY**

Description	FY 2022-23 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Fines & Penalties	6,950	4,000	5,000	1,000
IG Rev - State	2,373,918	2,426,895	2,381,527	(45,368)
IG Rev - Federal	1,092,141	1,501,111	1,315,097	(186,014)
Service Charges	22,281	20,050	20,050	0
Miscellaneous Rev	298	1,000	300	(700)
Other Fin Sources	1,000,377	879,505	1,125,885	246,380
<b>Total Revenue</b>	<b>4,495,965</b>	<b>4,832,561</b>	<b>4,847,859</b>	<b>15,298</b>
Salaries & Benefits	12,590,022	14,049,083	15,215,911	1,166,828
Services & Supplies	1,933,619	2,677,092	2,854,842	177,750
Other Charges	424,178	11,700	11,700	0
Fixed Assets	70,956	75,000	0	(75,000)
Other Fin Uses	106,008	37,400	15,000	(22,400)
Intrafund Transfers	4,553	7,825	8,300	475
Intrafund Abatement	(352,706)	(376,536)	(300,000)	76,536
<b>Total Appropriations</b>	<b>14,776,629</b>	<b>16,481,564</b>	<b>17,805,753</b>	<b>1,324,189</b>
<b>FUND 1000 GENERAL FUND TOTAL</b>	<b>10,280,664</b>	<b>11,649,003</b>	<b>12,957,894</b>	<b>1,308,891</b>

**MAJOR BUDGET CHANGES**

Revenues

*State Revenue*

- \$16,188      Increase in State Revenue due to increased Office of Traffic Safety grant funding.
- (\$11,786)    Decrease in State Revenue due to decreases in grant funding from the California Office of Emergency Services (CalOES).
- (\$49,770)    Decrease in Public Safety Sales Tax revenue due to reduced revenue in FY 2023-24 that will impact FY 2024-25.

*Federal Revenue*

- (\$186,014)    Decrease in Federal Revenues due primarily to the expiration of federal funding for the Sexual Assault Program passed through CalOES.

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### *Other Financing Sources*

\$246,380 Increase in Operating Transfers due to the drawing down of funds for one-time expenses to support the Racial Justice Act (RJA) project (\$150,000), the drawing down of Special Revenue Funds for the portion of the Sexual Assault Program that is no longer funded with federal grant funds (\$53,000), and an increase in funding used for the California Department of Insurance programs and Real Estate program (\$43,380).

### Appropriations

#### *Salaries and Benefits*

\$509,287 Increase in CalPERS employer's contribution, primarily due to increases to the County's unfunded accrued liability payment.

\$482,001 Increase in Salaries and Benefits expenses primarily due to Board-approved compensation increases and employee step increases.

\$224,710 Increase in Salaries and Benefits due to the addition of 1.0 FTE Limited Term Deputy District Attorney that is partially grant funded and 1.0 FTE Sr. Department Systems Analyst during FY 2023-24.

\$178,118 Increase in Workers' Compensation premium charge.

(\$51,762) Decrease in Salaries and Benefits due to the deletion of 1.0 FTE Limited Term Victim Witness Program Specialist.

(\$86,306) Decrease in Health Insurance costs due to the new methodology of budgeting vacancies with the cost of the Kaiser Family plan based on statistics on enrollment of current employees.

(\$89,220) Decrease in Retiree Health contribution due to a rate holiday to conserve General Fund costs.

#### *Services and Supplies*

\$67,306 Increase in Professional and Specialized Services due primarily to costs associated with the Racial Justice Act (RJA) project which are offset with special revenues.

\$58,005 Increase in General Liability insurance premium expense as the Department's share of overall County claims incurred has increased from prior years, increasing their Liability insurance premium expense, and increase in the General Liability premium charges.

\$32,872 Increase in Vehicle Rent & Lease expenses due to increased projections for Fleet mileage charges based on Department of Transportation analysis.

\$32,077 Increase in transportation and travel expenses due to overall increases in cost for hotels, airfare, and fuel.

\$21,351 Increase due to increases in fuel costs.

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\$13,425	Increase in Building Rent & Lease expenses due to established rate increases for the leased buildings on Pacific Street.
\$7,500	Increase in Special Department Expenses based on projected records requests.
(\$4,000)	Decrease in Utilities based on current year actuals.
(\$6,410)	Decrease due to adjustments across multiple objects to align the budget to actual costs.
(\$44,376)	Decrease in Computer Equipment costs due to one-time expenditures completed in FY 2023-24.

*Fixed Assets*

(\$75,000)	Decrease in Fixed Assets due to no anticipated purchases in FY 2024-25.
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*Other Financing Uses*

(\$22,400)	Decrease in Transfers Out to Fleet due to no new vehicles being requested in FY 2024-25.
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*Intrafund Abatements*

\$76,536	Decrease in Abatements (shown as negative expenses) due to a reduction in competitive grant funding for the HHSA Elder Abuse program.
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**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.

**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 California Department of Insurance.

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### Core Prosecution

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#### *Alcohol and Drug Impaired Vertical Prosecution Program*

This program is made up of a specialized team of one Deputy District Attorney, one part-time 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's Office, Placerville Police Department, Health & Human Services Agency, and District Attorney's Office 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 MDIC 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 ensure 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 who 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 this program is traditionally received through the California Governor's Office of Emergency Services, however, federal funding for this grant will no longer be administered after the grant cycle ending September 30, 2024. The remaining expenditures for FY 2024-25 are recommended to be funded by District Attorney Special Revenue Funds due to the effectiveness of the program and the significant victim-based services it provides.

*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.

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### 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 the caseload 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 that have been short-selling underweight products 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. Historically, as the real estate instruments specified under GC 27388 are recorded, a \$2.00 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. Following FY 2021-22, the Real Estate Fraud Committee approved the suspension of the recording fee for a period of three years based on the health of the Real Estate Fraud Prosecution Fund balance.

### Victim Witness Assistance

The Victim Witness Assistance program serves as a resource for 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.

### 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 California Department of Insurance.

## STAFFING TREND

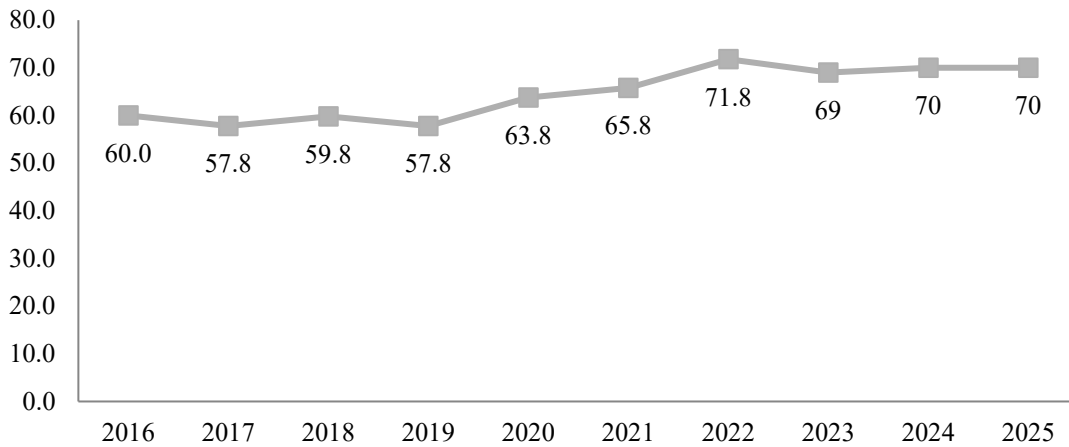
Staffing for the District Attorney's Office has remained fairly stable over the last decade. The recommended staff allocation for FY 2024-25 is 70 FTEs, which is the same as the FY 2023-24 Adopted Budget personnel allocation. After the adoption of the FY 2023-24 Budget, the Board approved the addition of 1.0 Deputy District Attorney I-IV, Limited Term and 1.0 FTE Sr. Department Systems Analyst on February 27, 2024 (Legistar #24-0292). 2.0 FTE Victim Witness Program Specialists (1.0 FTE is Limited Term) are being deleted with the FY 2024-25 Recommended Budget. The Limited Term allocation is being deleted due to the termination of funding and the Permanent allocation is being deleted due to it being unfunded in a prior year, but the allocation was never deleted.

Two vacant Sr. Office Assistants were alternately filled during FY 2023-24 with Legal Secretaries due to changing programmatic needs. Also, one vacant Sr. Paralegal was alternately filled during FY 2023-24 with a Paralegal I/II due to difficulties in recruiting the senior allocation. Finally, one vacant Sr. Victim/Witness Program Specialist was alternately filled during FY 2023-24 with a Victim/Witness Program Coordinator due to changing programmatic needs. The Recommended Budget revises the allocations to match the current classification of the allocations.

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### SOURCES & USES OF FUNDS

The District Attorney's Office is primarily funded through discretionary General Fund revenue; however, several State and Federal grants provide funding for various programs within the office. The Office also receives a portion of the Public Safety Sales Tax (\$1,630,713), and revenue transfers-in from special revenue funds for Workers' Compensation Fraud, Automobile Fraud, Real Estate Fraud, and Environmental Crimes programs (\$1,119,885). The Department is drawing down \$6,000 in Public Safety Realignment funds.