

1. Program Title: Miscellaneous

Program Description:

The District Attorney's [DA] Office is responsible for representing the people of the County in all criminal actions arising within the County. Ultimate responsibility includes investigation, gathering of evidence, and case preparation with the active coordination and cooperation of law enforcement agencies in the County. It also involves providing victim advocates to assist the victims of crime, criminalists to analyze the seized evidence, and other staff, as necessary, to comply with the constitutional rights of victims as established by Prop 9 in 2008. The DA's Office also represents the interests of the citizens of the County in consumer and environmental protection.

The DA, an elected official, prosecutes violators of state and local laws, serves as legal counsel for the Grand Jury on criminal matters, and operates the Laboratory of Forensic Services.

Specialized programs within the DA's Office are organized within the following operational teams: Felony Prosecution, Adult Sexual Assault, Sexual Assault and Child Abuse [includes Elder Abuse], Homicides, Gang & Hate Crimes, TARGET [recidivists who use guns], Career Criminal, Vehicle Theft, Major Narcotics Vendor Prosecution, Misdemeanor and related prosecution teams, State Targeted Offenses Prosecution, other specialized prosecution teams, and Administration.

	Base	Unfunded	Funded Base	Percentage
Appropriations	73,811,568	2,157,710	71,653,858	2.9%
Reimbursements (-)	1,539,396	0	1,539,396	0
Net Appropriations	72,272,172	2,157,710	70,114,462	3.0%
Revenues:				
Federal	3,406,465	0	3,406,465	0
State	6,724,118	0	6,724,118	0
Realignment	788,776	0	788,776	0
Prop 172	10,446,776	0	10,446,776	0
Fees	1,047,340	0	1,047,340	0
Other	6,515,545	0	6,515,545	0
Total Revenues	28,929,020	0	28,929,020	0
Carryover	110,537	0	110,537	0
Net Cost	43,232,615	2,157,710	41,074,905	5.0%
Fulltime Equivalent Positions	394.0	Unknown	Unknown	

Program Impact:

If additional staffing reductions occur, the DA cannot prosecute and hold criminals accountable for the crimes committed in Sacramento County. She cannot fulfill her constitutional responsibilities to prosecute criminals and to victims of crime entitled to rights now listed in the

California Constitution. Without adequate resources, arrests will not result in prosecutions and convictions of those being arrested.

The DA is the chief law enforcement official in the County and responsible for the prosecution of all crimes which occur within the boundaries of this county. As such the DA's Office is a countywide operation whose costs are a "county charge" as defined by Government Code section 29600. The DA receives cases from 46 law enforcement agencies, including the Sheriff's Department which represents 19% of the cases reviewed by the DA's Office. Over 80% of the cases brought to the DA's Office are from law enforcement agencies which have not had cuts in the number of officers on the street [although Sacramento Police Department is facing layoffs].

Since FY 09/10, the DA's Office has seen a 19% reduction in staff (484.6 to 394.0 positions). Such cuts have already impacted the DA's Office's ability to successfully prosecute cases. It has also impacted the ability of the DA's Office to file cases brought to it by law enforcement agencies. At the end of FY 09/10, the DA's Office filed 64.6% of the criminal cases presented by law enforcement. In the first 6 months of FY 11/12, the DA's Office's filing rate dropped to 52.4%. The DA's Office has changed its filing requirements and now does not file felony and misdemeanor cases which would have been filed in the past. At the present time, the DA's Office is also hard pressed to meet the constitutional mandates regarding victims of crime.

With additional cuts, the DA's Office cannot fully prosecute those who commit violent crimes because we will not have enough prosecutors to handle the cases or investigators to do necessary investigation which is not done by the law enforcement agencies. We already do not have a sufficient number of prosecutors to prosecute many misdemeanor crimes.

The DA's Laboratory of Forensic Services [Crime Lab] is taking longer to analyze evidence causing criminal cases to be in the system longer and causing bigger caseloads for the Courts, the Public Defender and Conflict Criminal Defender [the criminal justice system works best and with less cost the faster cases move through the system]. It is common for misdemeanor driving under the influence cases to be continued 4-5 months when lab results are not available when the defendants first appear in court. Many felony drug cases do not resolve for months because the DA's Lab cannot analyze drugs in a timely manner. We are still trying to analyze cases where the arrests were made prior to October 2011.

As a result, it will be impossible for the DA's Office to achieve the County's Strategic Objectives C1 (Develop and sustain livable and attractive neighborhoods and communities), CJ (Ensure a fair and just criminal justice system), EG (Promote a healthy and growing regional economy and county revenue base through business growth and workforce employability), HS2 (Minimize the impact of substance abuse and mental illness on neighborhoods and families), PS1 (Protect the community from criminal activity, abuse and violence), and PS2 (Keep the community safe from environmental hazards and natural disasters).

Potential Impact on other Departments/Program Partners:

Impacts have been and continue to be:

- Fewer prosecutors to handle caseloads resulting in court delays, overcrowding in jail and higher caseloads for the Public Defender's Office and the Conflict Criminal Defenders. In

the case of the latter agency, it means more court appearances and increased costs for representation.

- Fewer prosecutors resulting in criminals receiving plea bargains for less time than if there were sufficient prosecutors to take the cases to trial.
- Crime Lab is not able to provide lab results in a timely fashion thereby causing delays in court and overcrowding in jail. Delays can result in offenders committing new crimes because the analysis which could lead to arrests [especially in the case of DNA analysis] will be delayed. That results in more victims.
- Delays in Crime Lab analyses also have resulted in delays in Toxicology work performed for the Coroner's Office resulting in delays in autopsy reports.
- Local law enforcement agencies are being asked to perform additional investigative work necessary for successful prosecution or the work will go undone if the agencies cannot perform the work.
- Many misdemeanors will either be treated as infractions or not prosecuted at all.
- The number of specialized teams will be reduced due to staff reductions, resulting in less specialized handling of the cases from those teams.
- A continuing perception in the public that the DA's inability to investigate officer involved shootings and deaths in custody has resulted in unanswered questions about these deaths. This has been the subject of a Sacramento Bee editorial recommending that the DA resume these investigations.