

# OFFICE OF THE ORANGE COUNTY DISTRICT ATTORNEY



## **BUSINESS PLAN** **2007**

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**OFFICE OF THE DISTRICT ATTORNEY  
2007 BUSINESS PLAN**

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## I. EXECUTIVE SUMMARY

### MISSION

*The mission of the Office of the District Attorney is to enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.*

### Duty of the District Attorney

The District Attorney represents the People of the State of California in the justice system. Performing this duty requires initiating criminal prosecutions and representing the People in some civil cases.

### Mandated Responsibilities

#### District Attorney Prosecution Mandate

Government Code Section 26500 mandates that the District Attorney initiate and conduct, on behalf of the people, prosecutions for public offenses.

#### Local Government Funding Mandate

The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services. (California Constitution, Article 13, Section 35(a))

### Value to Community

Prosecuting criminal conduct is essential to maintaining public safety. The People of the State of California, in particular the residents of Orange County, rely on the Office of the District Attorney to bring those engaging in criminal activities to justice.

### 2006 Accomplishments

Our primary accomplishments require courageous crime victims and witnesses to come forward to report crime. Successful prosecution results from effective collaboration both among internal staff (prosecutors, investigators, and support staff) as well as with outside police agencies. Overall, 2006 Accomplishments focused on justice, community safety and leveraging technology to maximize effectiveness, examples include:

- **Justice for Crime Victims:** Ensuring justice for crime victims, their families, and the community at large remains a top

priority. In 2006, the Office sustained a felony conviction rate in excess 90%. Having violent offenders in prison and off the streets protects the public from further victimization.

- **Making Communities Safer:** Operation Safe Neighborhood, which enjoined a Santa Ana criminal street gang in July 2006, resulted in a 46% decrease in crime in the Safety Zone in the four months following the injunction compared to the four months leading up to it. In November 2006, a similar injunction was served on an Anaheim gang.
- **Leveraging Technology:** From the crime scene to the courtroom, the Office continues to leverage technology to bolster public safety. The importance of leveraging technology was acknowledged in 2006 by the County's adoption of two District Attorney technological initiatives as County Strategic Priorities in the December 2006 Strategic Financial Plan. The initiatives include: *TracKRS (Task Force Aimed at Catching Killers, Rapists and Sex Offenders) Unit Expansion* and *High Tech Crime Unit Expansion*. Two major technological initiatives implemented in 2006 include: partnering with local police agencies to expand the collection of DNA at crime scenes and implementing the electronic filing of criminal cases with the Superior Court and electronically receiving hearing data from the Court

## **Fiscal Year 2007/2007 Strategic Goal**

### **■ PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

Protecting the public from criminal activity is essential to fulfilling our mandate and mission. Prosecuting those suspected of criminal activity is essential to ensuring justice is served, the community is protected, and residents feel safe.

## **Resources: Staffing**

### **Workload Increases**

The number of cases filed continues to rise. Coupled with this is an increase in case complexity and handling procedures. The Office will continue to proactively address staffing requirements through workload assessments and redeploying and/or augmenting staff when required.

## **Organization**

The Office is organized into prosecution teams, or units, which are comprised of staff from each of the three major divisions:

- Legal
- Bureau of Investigation
- Administrative Services

Additionally, the Government and Community Relations Unit and Public Affairs Unit provide support services for the entire Office.

Our ability to work together, both within and between teams, as well as partner with other members of the law enforcement community are essential to attaining our goals and ensuring public safety.

Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improving our services. Our success affords Orange County residents and visitors the utmost in safety and security.

## **Resources: Funding**

In November 1993, the California voters approved Proposition 172. This measure earmarked a one-half cent state of sales tax generated in Orange County to be exclusively used to supplement funding for public safety activities. In January 1996, the Board of Supervisors adopted a policy regarding the use of this revenue and allocated 20% of this revenue to the Office of the District Attorney and 80% to the Sheriff's Department. This serves as the Office's primary source of revenue.

## **Challenges**

Challenges include aligning staffing levels with workload demands as well as ensuring the availability of office space required to perform core functions.

## II. VISION, MISSION & GOALS

### **Duty of the District Attorney**

The District Attorney represents the People of the State of California in the justice system. Performing this duty requires initiating criminal prosecutions and representing the People in some civil cases.

### **Value to Community**

Prosecuting criminal conduct is essential to maintaining public safety. The People of the State of California, in particular the residents of Orange County, rely on the Office of the District Attorney to bring those engaging in criminal activities to justice.

### ■ **VISION**

Enhance community safety through successful collaboration with both our criminal justice partners and the public at large while leveraging technology to maximize staff and resource effectiveness to deliver quality public safety services.

### ■ **MISSION**

The People of the State of California, in particular the residents of Orange County, rely on the Office of the District Attorney to bring criminals to justice.

*The mission of the Office of the District Attorney is to enhance public safety and welfare and create a sense of security in the community through the vigorous enforcement of criminal and civil laws in a just, honest, efficient and ethical manner.*

The core activities in support of the Office's mission include:

- Prosecuting felony and misdemeanor crimes.
- Investigating criminal activity through partnerships with various law enforcement agencies throughout the County.
- Processing juvenile petitions for wardship.
- Educating the public and fostering trust in the criminal justice system. Addressing cultural barriers and encouraging cooperation

with prosecutors, police, and the courts to ensure justice in the community.

▪ **FISCAL YEAR 2007/2008 STRATEGIC GOAL**

**1. PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

Protecting the public from criminal activity is essential to fulfilling our mandate and mission. Prosecuting those suspected of criminal activity is essential to ensuring justice is served, the community is protected, and residents feel safe.

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▪ **KEY OUTCOME MEASURES**

**GOAL #1 PROTECT THE PUBLIC FROM CRIMINAL ACTIVITY**

▪ **KEY OUTCOME MEASURE: FELONY CONVICTION RATE**

**What is the Measurement?**

The conviction rate measures the percentage of filed adult felony cases resulting in conviction.

**Why Measurement is Important:**

This measure directly reflects on the Office's ability to effectively represent the People of the State of California. Furthermore, this measure is of paramount importance to the community since convicting criminals brings justice to the victim and the community at large. Finally, convictions remove dangerous criminals from the community.

**How are we doing?**

The Office has maintained an excellent conviction rate. The felony conviction rate for 2006 exceeded 90%.

### III. OPERATIONAL PLAN FOR STRATEGIC GOAL

The Office has developed a number of strategies to achieve the 2007/2008 strategic goals among these are two county strategic priorities: *High Tech Crime Unit Expansion* and *Task Force Review Aimed at Catching Killers, Rapists and Sex Offender (TrackRS) Unit Expansion*.

The overall operational plan requires sufficient staff to perform core functions. These core functions consist of covering basic operations, renewing successful initiatives, and leveraging technology to maximize public safety.

The ability to work with and communicate with Law & Justice partners, including the Court, police agencies, the Probation Department, the Public Defender, as well as county, state and federal agencies which refer cases for prosecution are critical to the success of the Office.

A key initiative facilitating partner communication is the Integrated Law and Justice System for Orange County (ILAJOC).

This project represents an unprecedented level of collaboration between all members of the Orange County Law and Justice Community. Police agencies in the County are receiving automated electronic subpoenas from the District Attorney's Case Management System. Building upon the September 2006 success of automating the annual filing cases (which number over 70,000), the next phases will encompass the remaining 500,000 annual transactions between the District Attorney and the Superior Court to include all case activity through final case disposition.

The next major initiative is in the planning stages and features the development of a secured data exchange protocol and schema to support electronic transmission of police reports and related documentation from police agencies to the District Attorney for criminal case filing consideration.

With each step along the way, the efficiency and effectiveness of the justice system is improved.

Clearly the success of integrating systems relies on a team of dedicated law enforcement managers, IT professionals, and support staff willing to both test and learn new systems. A continuation of collaboration is required to successfully implement the vision of a fully Integrated Law and Justice System.

## COUNTY STRATEGIC PRIORITIES

The County's Strategic Financial Plan presented to the Board of Supervisors in December 2006 included the County's "Top 10 Strategic Priorities." The Office of the District Attorney is responsible for two of these county priorities. *The Task Force Review Aimed at Catching Killers, Rapists and Sex Offender (TrackRS) Unit Expansion* to integrate DNA technology was added as a new Strategic Priority in 2006. *The DA High Tech Crime Unit* was again identified as a County Priority.

### **Expansion of TrackRS: Local DNA Database**

Formed in 1996, The TrackRS (Task Force Review Aimed at Catching Killers, Rapists, and Sex Offenders) Program utilizes the most recent advances in science and computer technology to assist law enforcement agencies in resolving open cases, specializing in unsolved homicide and violent sexual assault cases. A cornerstone of the TrackRS Unit is the SciLas (Samples Collected Indexed Location, Activity and Status) DNA database. This database is accessed by approved law enforcement personnel via a secured web-based intranet connection.

The SciLas DNA Database positioned Orange County to be in the forefront of the implementation of the "DNA Fingerprint Initiative" passed in November 2004 as Proposition 69. This proposition requires law enforcement to collect DNA samples from eligible offenders. Prior to its implementation, specifically from 1998-2004, a total of 8,192 DNA offender samples were entered into the SciLas database. Currently, the number of DNA offender samples tracked in the SciLas database totals over 42,000.

Building upon the success of the TrackRS framework and furthering leveraging computer technology, this priority would enhance the effectiveness of the TrackRS program by expanding the DNA database to include DNA profiles. It is anticipated that implementation of this database expansion would significantly enhance public safety.

DNA is both an emerging technology and a powerful tool to detect potential suspects and exonerate those innocent of crime. The table below (Table 1) lists the United Kingdom's experience in detecting a suspect in various crime types with and without utilizing DNA evidence at the crime scene. Clearly, collecting and analyzing DNA from a crime scene significantly increases the ability of law enforcement to detect a suspect.

**Table 1:**  
**U.K. Experience: Detection Rates with and without DNA Samples**

<b>Crime Category</b>	<b>National Detection Rate 04/05</b>	<b>DNA Detection Rate 04/05</b>
All recorded Crime	26%	40%
Domestic burglary	16%	41%
Non-domestic burglary	11%	50%
Theft of Vehicle	15%	24%
Theft from Vehicle	8%	63%
Criminal Damage	14%	51%

Source: Parliamentary Office of Science and Technology (2006)

A critical component of TrackRS success is the collaborative nature of the project. Police officers throughout Orange County collect and access TrackRS data. Adding a DNA profile component to the database will further bolster the ability of this secured data tool to more readily identify suspects, get them off the streets, and bring justice to the victim and the community.

#### **Expansion of High Tech Crime Unit**

A second County Strategic Priority included in the County's 2006 Strategic Financial Plan is the expansion of the high tech crime unit. The high tech crime lab is a key component of the County's High Tech Crime Strategic Priority. This team specializes in seizing digital evidence from computers, cell phones, smart phones, PDAs, digital cameras, and other digital storage devices. They also utilize internet tracking tools to identify online predators, identity thieves and others who remotely access computers in homes and workplaces. There is a countywide increase in the number of search warrants that involve the seizure and search of computers and other devices with memory capacity. In addition to economic crimes, digital forensic examination is required to prosecute a growing number of crimes including homicides, child molestation, and gang crime to detect evidence of criminal activity. To ensure admissibility in Court, this evidence must be processed in accordance with specific guidelines.

The amount of computer data analyzed by the high tech crime unit for criminal case review has grown approximately ten-fold since 2004.

#### **GANG INJUNCTIONS**

In 2006, to thwart terrorism and intimidation caused by gangs, the Office began issuing civic injunctions against gangs. An injunction is a civil order

that restricts or prohibits someone from participating in specific acts or activities that may not inherently be criminal. The goal is to curb intimidating or harassing behavior. If a gang member violates the terms of the injunction, they will be arrested and face misdemeanor prosecution for disobeying a court order or felony prosecution if the violation was for the benefit of the gang. The defendant can be placed on gang probation terms or be sent to state prison for up to three years. In 2006, gang injunctions were issued in Santa Ana and Anaheim.

### **Santa Ana: Operation Safe Neighborhood**

The Santa Ana Gang Injunction, named *Operation Safe Neighborhood*, was the result of a successful collaboration of the Office along with the City of Santa Ana, both Santa Ana and Garden Grove Police Departments, along with 13 other law enforcement agencies that dedicated time and services to this project. *Operation Safe Neighborhood* enjoined a Santa Ana criminal street gang that operates within a three-quarter square mile territory in Santa Ana and Garden Grove. The injunction identified this area as the "Safety Zone." Within this safety zone there are five schools, a park, and a golf course. Within the first four months of issuing the injunction, the Safety Zone experienced a 46% decrease in crime. In this four-month period, 12 gang members were arrested in the Safety Zone for violating terms. Of those, ten are being prosecuted and two received jail time.

In a survey conducted by the Santa Ana Police Department of 72 random homes, businesses, and schools in the Safety Zone, two-thirds of survey participants said they have seen a decrease in crime since the signing of the Santa Ana injunction.

### **Anaheim Gang Injunction**

In November 2006, a similar injunction was served on an Anaheim Gang. This 1.63 square mile Safety Zone, primarily in Anaheim but crossing into Orange and Garden Grove, consists of the residential Wakefield/Leatrice neighborhood and a park called Ponderosa Park, which includes a community center with meeting rooms, offices, and a playground for children. After serving these injunctions, Anaheim experienced a decline in crime similar to that of Santa Ana.

The issuance and management of gang injunctions requires additional prosecutorial and investigative efforts. These injunctions are also labor intensive for the police departments. To expand these injunctions to other areas will require additional staff. The Office's FY2007-08 budget request will request positions to facilitate partnership with additional police agencies to expand this successful program to other cities.

## ■ CLIENTS

The Office of the District Attorney represents the People of the State of California. Therefore, the broadest group of clients are the over three million Orange County residents. In addition to residents, according to the Anaheim/Orange County Visitor & Convention Bureau over 44 million people visit the Orange County region each year. Having residents and visitors feel an adequate level of safety and security is a key component of the mission of the Office.

- **The Community:** Change in the overall population is important as an indicator of the size and diversity of the community we serve. Assessing particular community needs assists in identifying effective strategies and allocating scarce resources designed to achieve our goals.

Another noteworthy demographic characteristic involves ethnic and cultural groups. Many of these residents were raised in cultures with far different relationships between individuals and the criminal justice system. The need for outreach and education activities remains critical to the recent immigrant communities. The increases in Hispanic and Asian populations (particularly Vietnamese and Korean) indicate the need for bilingual services and multicultural educational services will continue to increase.

## ■ STAFFING

As of January 2007, the Office has 689 budgeted positions. Staff are organized into prosecution teams or units, which are comprised of staff from each of the three major divisions (Legal, Bureau of Investigation, and Administrative Services.) Additionally, the Government and Community Relations Unit and Public Affairs Unit provide support services for the entire Office.

Our ability to work together, both within and between teams, as well as partner with other members of the law enforcement community is essential to our successfully fulfilling our mission. Teamwork is integral to the success of the Office. Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improve our services to provide Orange County residents and visitors the protection, sense of security, and safety they deserve.

## Organization

The Office is organized into prosecution teams, or units, which are comprised of staff from each of the three major divisions:

- Legal
- Bureau of Investigation
- Administrative Services

Additionally, the Government and Community Relations Unit and Public Affairs Unit provide support services for the entire Office. Please see *Appendix A* for a detailed staff organization chart.

## Prosecution:

Prosecution operations are divided into the following four areas:

**Vertical Prosecutions/Violent Crimes:** Prosecutes the majority of violent felony crimes. Units in this area include:

- The **Homicide** Unit prosecutes non-gang related homicides, including those with special circumstances.
- The **Sexual Assault** Unit prosecutes rapists, sexually violent predators, child molesters and other violent sexual assaults.
- The **Family Protection** Unit prosecutes violent assaults, attempted murders, felony domestic violence, child abuse, child abduction, stalking and elder abuse.
- The **Gang** Unit prosecutes crimes committed by gang members, including murders and attempted murders
- The **TARGET** Unit is comprised of anti-gang teams which include a police officer, a probation officer, and a prosecutor. These teams are housed in police departments throughout the county. TARGET prosecution is focused on the eradication of gang crime and violence by targeting the gang's "serious offenders."
- The **DNA** Unit is comprised of specialists in the use of DNA evidence in prosecution.

**Branch Court Operations:** Prosecutes adult misdemeanor crimes in each of the five Justice Centers (**Central Justice Center, Harbor Justice Center – Laguna Niguel, Harbor Justice Center – Newport**

**Beach, North Justice Center, West Justice Center)** and felony and misdemeanor juvenile petitions in the Lamoreaux **(Juvenile) Justice Center**. In addition to misdemeanor prosecution, each of the five Justice Centers includes a Felony Charging Unit. The Felony Charging prosecutors review potential felony cases presented by police agencies to the justice centers for filing consideration.

**General Felonies/Economic Crimes:** Prosecutes variety of general felonies and includes:

- The **Felony Panel** Unit prosecutes a variety of felony crimes not handled by specialized felony units.
- The **Consumer/Environmental and Insurance Fraud** Unit prosecutes complex cases involving environmental crimes and also companies and individuals that engage in fraudulent or unlawful business practices affecting large groups of people. Additionally, this unit prosecutes workers' compensation fraud, auto insurance fraud, medical and disability fraud crimes.
- The **Economic Crimes** Unit prosecutes high tech crime, identity theft, high-dollar fraud crimes and includes the White Collar Crime Prosecution Team.
- The **Narcotic Enforcement Team (NET)** Unit prosecutes major narcotic traffickers and illegal drug manufacturers. Additionally, the NET Unit conducts distribution of forfeitures proceedings from illegal drug trade.
- The **Career Criminal Unit** prosecutes dangerous repeat offenders. Many of these cases involve potential life sentences.
- The **Public Assistance Fraud** Unit prevents, detects and prosecutes crimes related to fraudulent receipt of public assistance. This unit is funded by the Social Services Agency.
- Cases arising out of the Office's Orange County Auto Theft Task Force (**OCATT**), specifically auto theft rings.

**Special Projects:** Oversees for special projects, coordination of high profile cases, and two prosecution units:

- The **Special Prosecutions Unit** prosecutes a variety of specialized felonies (arson, hate crimes, political corruption,

and cases dealing with Mentally Disordered Offenders). Additionally, this Unit investigates Officer Involved Shootings.

- The **Law and Motion** Unit conducts over 700 Felony Pretrial Motions, Writs and Appeals annually. The Unit also provides prosecutors legal research assistance and training.

**Bureau of Investigations:** The Bureau consists of both sworn and non-sworn personnel responsible for providing investigative and other related technical services to support criminal prosecution. Investigators provide trial support by conducting complex criminal investigations as well as interviewing and subpoenaing witnesses. Investigators also assist other County law enforcement agencies with complex investigations, cases involving multiple jurisdictions, and investigation of officer-involved shootings and in-custody deaths occurring in Orange County. Additionally, the Bureau operates two investigative units:

- The **Anti-Terrorism/Organized Crime** Unit is the only countywide intelligence unit operating in the surveillance of organized crime. Investigations conducted by this unit have resulted in prosecution of serious crimes, including murder.
- The **TracKRS** (Taskforce review aimed at catching Killers, Rapists and Sexual Offenders) unit provides a variety of resources to assist peace officers in the investigation of homicides and sexual assaults.

The Bureau of Investigation provides contract criminal investigation services on a cost reimbursement basis to three County agencies:

- **Social Services Agency:** Investigative staff prevent, detect, and investigate various forms of Welfare Fraud. Additionally, legal staff conduct welfare fraud prosecutions.
- **Department of Child Support Services:** Investigative staff locate and serve subpoenas to non-custodial parents who do not comply with support orders.
- **Housing and Community Development:** Investigative staff identify and investigate individuals suspected of Section 8 Housing Fraud.

Each agency reimburses the Office the cost of investigative support to staff these operations.

**Administrative Services:** In addition to providing office services support to the prosecution and investigative units mentioned above, the Administrative Services Division provides a myriad of support services including: Accounting, Budgeting, Facilities, Human Resources, Information Systems, Purchasing, and Research.

Each staff member plays a critical role in performing the tasks required to bring criminals to justice. We are committed to continuously improving our services. Our success affords Orange County residents and visitors the utmost in safety and security.

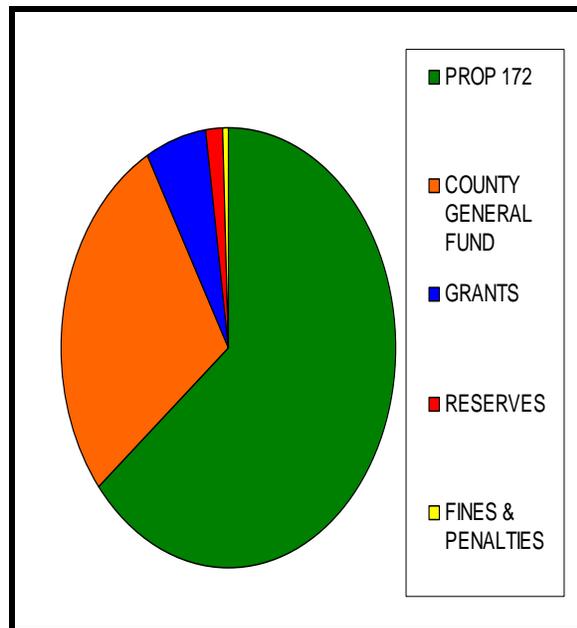
### Staff Development

Professional development is encouraged for staff at all levels of classification. Given the budget constraints, an emphasis will be placed on staff participation in no-cost or low cost training, including: in-house training programs, cross-training, formal County training programs, skill development, and training to keep pace with legal requirements and technical advancements.

### ■ FUNDING

The Office's Fiscal Year 2006/2007 operating budget totaled over \$90 million. As Chart 1 indicates, Proposition 172 revenue serves as the Office's primary revenue source. This revenue is projected to total \$57.3 million in Fiscal Year 2006/07. Proposition 172, approved by California voters in November 1993 specifically earmarks one-half cent of Orange County's state sales tax exclusively to supplement funding for public safety activities. In January 1996, the Board of Supervisors adopted a policy to allocate 20% of this revenue to the Office of the District Attorney and 80% to the Sheriff's Department.

Chart 1: Revenue Sources



To mitigate the demand on County General Funds and meet prosecution demands, the Office annually allocates DA Reserve funds as a dedicated revenue source. These reserves are comprised of unspent funds carried forward from prior year Office budgets and provide the Office and County with a budget stabilization mechanism.

## ■ FACILITIES

The majority of staff are located in the Main Office at 401 Civic Center, Santa Ana. Office staff are also stationed in the County's six justice centers (North, West, Central, Harbor-Newport Beach, and Harbor-Laguna Niguel (South), and Juvenile). In addition to Branch Court Operations (primarily responsible for prosecuting misdemeanors as well as filing felony cases), felony cases conducted in the branch courts require teams of staff from the Felony Panel Unit, Family Protection Unit, and Sexual Assault to be located in or near the five adult justice centers. These staff teams are comprised of prosecutors, investigators, and support staff.

In 2006, the Office leased additional office spaces at 900 Broadway, Santa Ana which is adjacent to the Main Office location to address space shortages. Additional office space is leased in office complexes adjacent to the North and West Justice Centers to house staff assigned to felony cases at these branch court locations.

The Social Services Agency, the Department of Child Support Services, and Housing and Community Development rely on our Office to provide the investigative services related to various types of Public Assistance Fraud, as well as Child Support and Housing Assistance Fraud. Staff assigned to support the Social Services Agency (SSA) and Department of Child Support Services (CSS), and Housing and Community Development (H&CD) are assigned to SSA district offices throughout the County and in the CSS and H&CD buildings.

## ■ CHALLENGES

### **Caseload Increases and Complexity**

In addition to caseload increases, changes in the way the Orange County Superior Court handles some types of cases require enhanced prosecution staffing at Justice Centers. In addition to having more felony cases tried in the branch courts, there is an increase in specialty courts that tend to calendar more review hearings and/or progress report dates than the general court. These additional hearings result in the further compounding prosecutor workloads.

Finally, the type of evidence seized that requires high tech analysis continues grown in complexity. Our high tech staff face increased demands to review digitized data, various communication, video, and computing devices for gang, homicide, sexual assault, as well as traditional high tech crimes such as identify theft cases. Moreover, the influx of complex fraud cases requires additional highly skilled forensic accountants to review complex records to detect fraud or analyze cash-flows.

**Recommended Solution:** We will continue to evaluate staffing levels to ensure sufficient resources are available to address both the volume and complexity of caseloads. The Office has successfully utilized volunteer attorneys through the Trial Attorney Partnership program whereby experienced private attorneys are trained and deputized to prosecute certain types of misdemeanor cases while temporarily assigned to the Office.

Caseload demands are managed through staff rotations and in some instances use of volunteer staff. When required, the Office will request Board of Supervisors to add staff positions to meet workload demands. In these scenarios, the Office will continue to evaluate all available resource options.

### **Uncertain Funding**

As stated in prior year Business Plans, sales tax revenue is not a reliable source of revenue. As mentioned earlier, sales tax revenue provides the majority of Office's annual operating revenue.

Relying on consumer spending to fund criminal prosecution is tenuous as it is subject to unforeseen economic influences. In the past, actual sales tax revenue received has both fallen significantly short of budget projections as well as exceeded budget projections. Managing this variable and uncertain revenue flow requires astute budget management to balance resources and prosecution demands. In years where sales tax revenue exceeds projections, the Office's reserve fund grows. Conversely, when sales tax revenue falls short of projections, the Office's reserve fund may be used to makeup the difference.

Failure to adequately staff the Office would impact our ability to adequately prosecute crime. The prosecution of non-violent as well as violent crime would be impacted.

The extent of any reductions would depend upon the amount of the funding shortfall. Clearly, failure to provide adequate funding will result in the People not being adequately represented and in turn:

- Jeopardize public safety
- Reduce the number of cases filed for prosecution
- Reduce the conviction rate

**Recommended Solution:** Continue to exercise fiscal prudence and monitor revenues and expenses. Work collaboratively with CEO/Budget

Office and highlight variances and issues which may impact budget requirements.

### **Office Space**

Ensuring sufficient office space is available to perform core functions continues to be a challenge. In addition to housing staff, space is required to store case files. As laws change, the demand to retain more case files increases.

**Recommended Solution:** Maximize usage of existing office and storage spaces. Where additional office space is required, negotiate leases to ensure terms favorable to County and efficiently and effectively meet core requirements. Implement digital archiving of paper documents to reduce the requirement of leased space for these files.

### ■ **STRATEGIES TO ACCOMPLISH GOAL**

Overall the strategies to achieve our goal fall into four main categories:

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.
2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY.
3. MAXIMIZE RESOURCES BY PARTNERING WITH OTHER AGENCIES AND SUPPORTING OUTREACH EFFORTS TO EDUCATE UNDERSERVED COMMUNITY ON CRIMINAL JUSTICE SYSTEM.
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.

**The service plans to support these strategies are detailed below:**

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.

### **SERVICE PLANS:**

- Maintain staffing levels to support the effective and efficient prosecution of crime.
- Continue to leverage technology to maximize resource effectiveness and efficiency.

- Continue to evaluate filing procedures for consistency.
  - Continue training law enforcement personnel to improve quality of cases presented.
  - Continue to expand on success of September 2006 electronic data exchange implementation with the Superior Court.
  - Continue to ensure the High Tech Unit has sufficient resources to ensure the integrity of evidence collection, preservation, and presentation in court is maintained from investigation through arrest and subsequent criminal proceedings.
  - Expand digitized discovery to more effectively and efficiently store and transmit discovery documents.
  - Continue to enhance trial skills by training attorneys and investigators in effective techniques.
  - Continue to integrate technology and provide associated training to maximize efficiency and effectiveness.
  - Continuously update all databases to provide access to up-to-date information.
2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY OCCURRING IN ORANGE COUNTY.

**SERVICE PLANS:**

- Expand TrackRS database to include local DNA database.
- Continue support of the TrackRS (Task Force Review Aimed at Catching Killers, Rapists, and Sex Offenders) program, particularly the expanded use of the SciLas (Samples Collected Indexed Location, Activity And Status) DNA database.
- Continue providing leadership in implementation of Proposition 69 statewide DNA collection initiative.
- Continue Due Diligence Program to solve open homicide cases and bring murderers to justice.
- Continue active participation in the multi-agency narcotics enforcement efforts.
- Continue to make best efforts to effectively implement Proposition 36.
- Continue to evaluate the various public assistance fraud investigation programs to enhance communication with Social Services Agency personnel.

3. EDUCATE PUBLIC THROUGH COMMUNITY OUTREACH EFFORTS BY PARTICIPATING IN COMMUNITY CULTURAL EVENTS, WORKSHOPS, AND DISSEMINATING BILINGUAL RESOURCE AND EDUCATIONAL MATERIALS.

**SERVICE PLANS:**

- Continue to collaborate with law enforcement agencies, non-profit organizations, local businesses, faith communities, educational organizations and other agencies to implement outreach efforts.
  - Continue to facilitate Hispanic, Vietnamese, and Korean Advisory Commissions.
  - Develop and disseminate multilingual resource materials.
  - Continue to conduct criminal justice workshops and town hall meetings and to staff outreach booths at local cultural events.
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.

**SERVICE PLANS:**

- Encourage staff and supervisors to effectively use performance planning to strategically direct staff toward goals.
- Encourage all staff to participate in the variety of in-house training offered to legal, investigative, and administrative staff.
- Maintain adequate staffing levels to ensure effective and efficient prosecution of crime.
- Continue training law enforcement personnel to improve quality of cases presented.
- Continue to enhance trial skills by training attorneys and investigators in effective techniques.
- Continue to encourage staff to participate in Office and County hosted training programs.
- Encourage the application of computer skills in the work environment to enhance efficiency and effectiveness.
- Continue support of County's Integrated Law & Justice System.

■ TRAINING AND DEVELOPMENT:

**LEGAL:** Emphasis for attorney training is on Mandatory Continuing Legal Education (MCLE).

**INVESTIGATIVE:** The majority of Investigators training is funded through Peace Officers Standards and Training (POST) program.

**ADMINISTRATIVE STAFF:** Emphasis on Case Management System and related Integrated Law & Justice System training. Staff are also encouraged to pursue County training opportunities as well as professional development opportunities.

■ **OUTCOME INDICATORS**

1. PROSECUTE CRIMINAL VIOLATIONS IN A VIGOROUS, EFFICIENT, JUST AND ETHICAL MANNER.

- **Measure:** Responses to surveys of criminal justice partners regarding the professionalism and efficiency of Office personnel.
- **Survey Responses Received in 2006:** Professionalism, Efficiency, Responsiveness and Respectfulness were rated by criminal justice partners on a 5 point scale. Both Prosecutors and Investigators averaged a 4.0+ rating on all areas rated.
- **How we are doing:** Ratings over 4.0 indicate we are serving our criminal justice partners will.

2. ENHANCE PUBLIC SAFETY BY PROACTIVELY AND COLLABORATIVELY INVESTIGATING AND DETERRING CRIMINAL ACTIVITY OCCURRING IN ORANGE COUNTY.

- **Measure:** Conduct collaborate programs to investigate and deter criminal activity occurring in Orange County
- **Results:** In 2005-2006 the Office maintained proactive and collaborative investigation of criminal activity.
- **How are we doing:** Achieving a felony conviction rate exceeding 90% is an excellent measure of our success in collaborating with investigating and deterring criminal activity.

3. EDUCATE PUBLIC THROUGH COMMUNITY OUTREACH EFFORTS BY PARTICIPATING IN COMMUNITY CULTURAL EVENTS, WORKSHOPS, AND DISSEMINATING BILINGUAL RESOURCE AND EDUCATIONAL MATERIALS.

- **Measure:** Number of outreach activities.
- **Results:** In 2005-2006, participated in 154 outreach activities

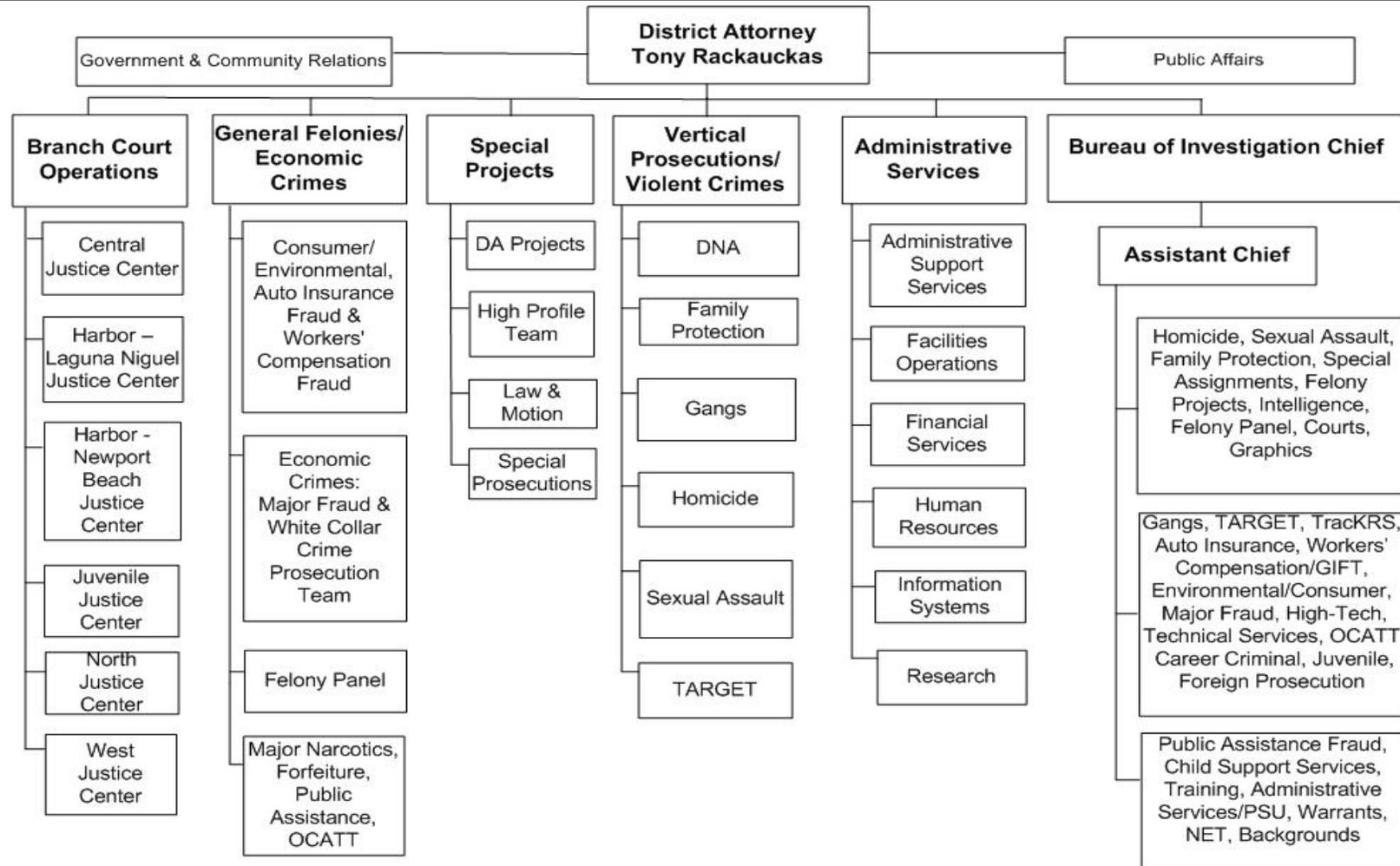
4. SUPPORT AND MAINTAIN A WORK ENVIRONMENT THAT ENCOURAGES EXCELLENCE.

- **Measure:** Staff Participation in Training Programs
- **Results:** Staff participated in both in-house and appropriate professional conference training opportunities throughout the year as budget and workload allowed.
- **How are we doing:** We continue to support training for staff at all levels.

# APPENDIX A ORGANIZATION CHART



OFFICE OF THE DISTRICT ATTORNEY  
STAFF ORGANIZATION  
MARCH 2007



## APPENDIX B

### 2006 ACCOMPLISHMENTS

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Our primary accomplishments require courageous crime victims and witnesses to come forward to report crime. Successful prosecution results from effective collaboration both among internal staff (prosecutors, investigators, and support staff) as well as with outside police agencies. Overall, 2006 Accomplishments focused on justice, community safety and leveraging technology to maximize effectiveness, examples include:

- **Justice for Crime Victims:** Ensuring justice for crime victims, their families, and the community at large remains a top priority. In 2006, the Office sustained a felony conviction rate in excess 90%. Having violent offenders in prison and off the streets protects the public from further victimization.
- **Making Communities Safer:** Operation Safe Neighborhood, which enjoined a Santa Ana criminal street gang in July 2006, resulted in a 46% decrease in crime in the Safety Zone in the four months following the injunction compared to the four months leading up to it. In November 2006, a similar injunction was served on an Anaheim gang.
- **Leveraging Technology:** From the crime scene to the courtroom, the Office continues to leverage technology to bolster public safety. The importance of leveraging technology was acknowledged in 2006 by the County's adoption of two District Attorney technological initiatives as County Strategic Priorities in the December 2006 Strategic Financial Plan. The initiatives include: *TrackRS (Task Force Aimed at Catching Killers, Rapists and Sex Offenders) Unit Expansion* and *High Tech Crime Unit Expansion*. Two major technological initiatives implemented in 2006 include: partnering with local police agencies to expand the collection of DNA at crime scenes and implementing the electronic filing of criminal cases with the Superior Court and electronically receiving hearing data from the Court.

Additionally, specific programs and training accomplishments achieved by our staff in 2006 include the following:

#### Programs

- Successfully collaborated with Santa Ana Police Department and Anaheim Police Department to implement Gang Injunctions in Santa Ana and Anaheim.

- Staffed the Anaheim Family Justice Center (AFJC) which opened in October 2006 and serves as a one-stop center to handle crimes against the family, including domestic violence, child abuse and elder abuse. Both prosecutors and investigators from the Sexual Assault Unit and Family Protection Unit handle their caseloads from offices at the AFJC.
- Continue to build, maintain and provide quality control of the TrackRS database consisting of all Orange County homicides and felony sexual assaults, solved and unsolved and to provide database access to appropriate law enforcement officers.
- At the West Justice Center, implemented a grant funded program to vertically prosecute misdemeanor DUI cases, with an emphasis on repeat offenders. The DUI unit trains law enforcement and fosters community awareness about DUI issues. A similar DUI prosecution program is also operated at the Harbor Justice Center in Newport Beach.
- As part of the Juvenile Justice Education Together (JJET) program, prosecutors in the Juvenile Unit offer tours every week of DA's Office, Juvenile Hall, and Juvenile Court to 5<sup>th</sup> to 8<sup>th</sup> grade students. The feedback has been tremendous and appears to be having the intended impact of educating our youth as to the pitfalls of committing crimes and becoming involved in the juvenile system.

## Training

- Developed and produced a series of training programs consisting of experienced prosecutors giving 3-5 minute presentations on key legal topics of specific interest to police officers. The programs were distributed on digital video disks (DVD) and provided to police agencies to show at roll call meetings.
- January 2006: DA hosted first Fraud Summit. The purpose of the summit was to improve Orange County law enforcement's level of service to fraud victims, representatives from virtually every municipal law enforcement agency in the county participated.
- Provide ongoing training for local law enforcement in the use of the TrackRS and SciLas Programs.
- Adult Branch Courts provided training to law enforcement on recurring issues such as Driving Under the Influence and Domestic Violence cases.
- DA Juvenile Unit conducted training to approximately 100 officers on issues ranging from graffiti cases to violent juvenile direct file cases.

- DA Juvenile Unit emails monthly updates to juvenile units of police agencies.
- Office implemented DNA pilot project with Santa Ana PD and Anaheim PD to expand use of DNA crime scene. Training emphasized identification of best forensic opportunities in these case types.

## APPENDIX C

### 2007 LABOR MANAGEMENT COMMITTEE

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#### ***Co-Chairs***

Linda Darrah  
Claudette LeBlue

#### ***OCEA Members***

Dena Basham  
Sheryl Frank  
Ralph Klimek  
Kathy Little  
Ramona Macias  
Maribel Nava  
Kim Vega

#### ***Management Members***

Naomi Brown  
Walt Schwarm  
Maurice Sebastian  
Antoine Williams

#### ***OCEA Representatives***

Aaron Peardon  
Marisol Daniels

#### ***Facilitator***

Lisa Bohan-Johnston