

026 - DISTRICT ATTORNEY

Operational Summary

Mission:

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.

Strategic Goals:

- Protect the public from criminal activity.
- Create a sense of security in the community.

Key Outcome Indicators:

Performance Measure	2004 Business Plan	2005 Business Plan	How are we doing?
	Results	Target	
FELONY CONVICTION RATE What: Percentage of filed felony cases resulting in conviction. Why: Measures the Office's ability to effectively represent the People of the State of California.	Felony conviction rate exceeded 90%.	To meet or exceed 90% conviction rate.	The Office has maintained excellent conviction rates. However, conviction rate may decline if funding is further reduced below current level of service.
PUBLIC SURVEY ON FEELINGS OF SAFETY AND SECURITY What: An annual survey measuring public perception of safety and security. Why: Indicates achievement of the Office's goal of creating a sense of security in the community	On a 10-point scale with "1" representing a feeling of "extremely unsafe" and "10" representing a feeling of "complete safety," the most common response was 9 and the mean was 7.82. This favorable rating has been sustained from previous year's surveys.	To meet or exceed prior year response.	Survey responses indicated Orange County residents feel safe. Yet, if sufficient funding is not maintained, caseloads will continue to reach unmanageable levels, compromising our ability to adequately prosecute criminals and thereby, jeopardize public safety.

FY 2004-05 Key Project Accomplishments:

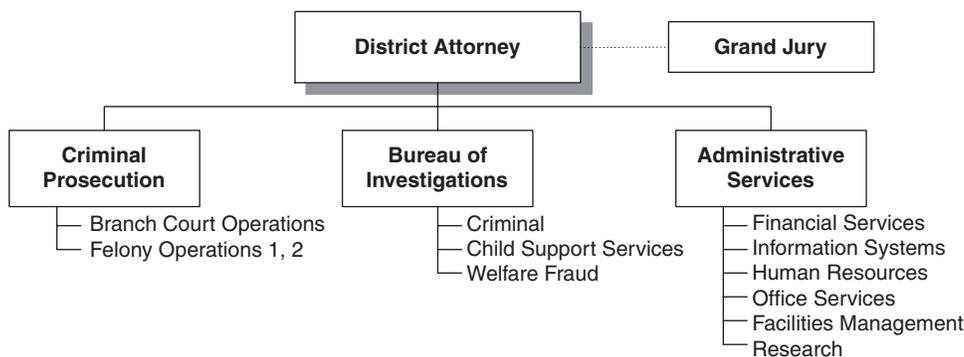
- In 2004, the District Attorney initiated prosecution on 8 cold-case homicides. The individuals believed responsible for these crimes were identified as a result of collaborative efforts of the Orange County law enforcement community, including the proactive efforts of the Office's TracKRS (Task Force Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit.
- The Office played a key role in implementing the California DNA Fingerprint Initiative (passed as Proposition 69 in November 2004). This requires certain persons to provide law enforcement with a DNA sample to add to State DNA databank. An Orange County prosecutor co-authored the initiative and Office's Bureau of Investigation is recognized statewide as having set in place a standard for DNA collection and advises other counties on establishing their protocols.

At a Glance:	
Total FY 2004-2005 Projected Expend + Encumb:	79,307,438
Total Recommended FY 2005-2006	80,824,345
Percent of County General Fund:	3.10%
Total Employees:	637.00



- The Office secured civil judgments against several major oil companies requiring them to clean up gasoline and MTBE contamination at over 300 gasoline stations, protecting the water supply of Orange County.
- A two-year investigation by the Office, with the assistance of the California Department of Insurance and the Franchise Tax Board, led to the filing of felony fraud charges against owners of an outpatient surgery center involved with recruiting thousands of healthy patients to have unnecessary surgeries and bilking more than \$14 million from insurance companies and employers.
- In 2004, the Office continued to integrate technology to maximize resource efficiency. The DA's Case Management System has been expanded to take full advantage of its web-based architecture, implementing electronic subpoena transmission to police officers and providing real-time case information to law enforcement partners and victim witness service providers. Began system design to automate over 500,000 annual case transactions between the DA and the Courts.

Organizational Summary



Administrative Services - This Division provides a myriad of support services including accounting, budgeting, human resources, information systems, office support services, facilities management, research, purchasing, and compliance review/audit.

Bureau Of Investigations - The Bureau consists of law enforcement personnel who provide investigative and other related technical services for the agency's prosecutors. 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 throughout the County.

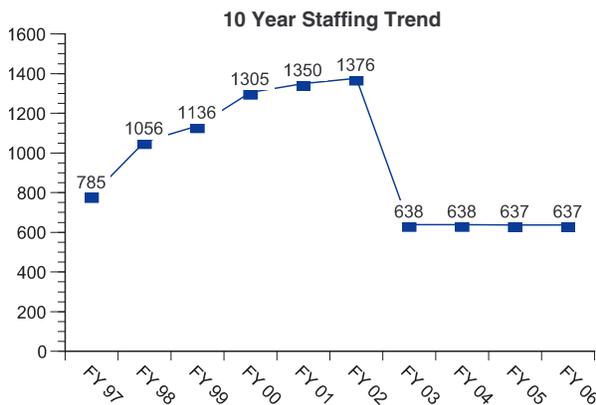
Criminal Prosecution - The Criminal Prosecution Division prosecutes of felony and misdemeanor crimes.

Felony Operations 1: Prosecutes the majority of violent felony crimes. Units in this area include: Homicide, Sexual Assault, Family Protection, Gangs, TARGET, and Felony Panel (prosecutes a variety of felony crimes not handled by specialized felony units).

Felony Operations 2: Contains vertical and non-vertical prosecution units. The units include: Economic Crimes (auto theft, auto insurance fraud, workers' compensation insurance fraud, high tech crime, identity theft, and high-dollar fraud crimes); Consumer and Environmental Protection Unit (prosecutes improper usage or dumping of hazardous materials and companies and individuals that engage in fraudulent business practices); Narcotic Enforcement Team (prosecutes major narcotic traffickers and illegal drug manufacturers); Career Criminal (prosecutes dangerous repeat offenders); Welfare Fraud Criminal Prosecution Unit; Law and Motions Unit (researches and presents writs and appeals and other court motions); and the Felony Projects/Special Assignment Unit (prosecutes a variety of specialized felonies (arson, hate crimes, political corruptions, and cases dealing with Mentally Disordered Offenders) and investigates Officer Involved Shootings).

Branch Court Operations: Prosecutes adult misdemeanor crimes in each of the five Justice Centers and handles felony and misdemeanor petitions in the Juvenile Justice Center. In addition, each of the five Justice Centers includes a Felony Charging Unit designed to make the filing of felony cases more efficient and consistent. Between new filings and the completion of existing cases, the Division handles over 50,000 misdemeanor cases annually, over 16,000 felony filings, and the vast majority of the 11,000 juvenile petitions presented to the Office each year.

Ten Year Staffing Trend:



Ten Year Staffing Trend Highlights:

- Each year since FY 2001-02, the Board of Supervisors has approved funding for five Attorney III positions to provide prosecution support to implement Proposition 36, Substance Abuse Crime Prevention Act approved by voters in November 2000.
- During FY 2002-03, the Office deleted six positions funded by the Regional Gang Enforcement Team (RGET) federal grant program, which ended on December 31, 2002.
- In FY 2003-04, the Board of Supervisors approved the Office's augmentation request converting six long-term extra-help positions to regular status to comply with Memorandum of Understanding requirements. During this fiscal year, the Office deleted one position for the JJCPA Truancy Program.

Budget Summary

Plan for Support of the County's Strategic Priorities:

The Office is directly involved in four of the 2005 County Strategic Priorities that require funding: District Attorney High Tech Crime Unit (Strategic Priority 3A); Identity Theft (Strategic Priority #3B); Soil and Groundwater Contamination Prosecution (Strategic Priority #15); and Proposition 36 Underfunding (Strategic Priority #19). As funding allows, the Office will endeavor to support these priorities.

Changes Included in the Recommended Base Budget:

There are no significant changes in base budget requirements. FY 2005-06 budget represents continued operation at current fiscal year's level of service.

For budget purposes, a 5.34% increase over FY 2004-05 projected sales tax revenue is budgeted for FY 2005-06. In addition, the base budget also includes \$452,477 in Proposition 36 revenue to fund the Office's continued participation in this statutorily mandated program. This funding amount represents the SACPA funding level allocated to the District Attorney in FY 2004-05. Any reduction in funding will require the Office to re-evaluate its ability to participate.

For FY 2005-06, the departmental budget includes funding for equipment supporting the Identity Theft/High Tech Crime priority. In addition, the Office is submitting one augmentation request to add five paralegal positions without requirement from County general fund. To accommodate an immediate need for paralegals, the Office temporarily reclassified five attorney positions in the Fall of 2004. Our Office can no longer continue the temporary reclassification of the attorney positions and must restore attorney staffing to the budgeted levels to meet workload demands.

Requested Budget Augmentations and Related Performance Results:

Unit Amount	Description	Performance Plan	Brass Ser.
ADD 5 PARALEGAL POSITIONS Amount:\$ 273,850	5 paralegal positions for trial preparation, respond to court orders, and assist specialty courts.	Meet caseload demands and new court requirements.	2250



Proposed Budget History:

Sources and Uses	FY 2003-2004	FY 2004-2005	FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual	Budget As of 3/31/05	Projected ⁽¹⁾ At 6/30/05	Recommended	Projected Amount	Projected Percent
Total Positions	-	637	637	637	0	0.00
Total Revenues	54,681,065	58,893,869	57,318,734	58,111,866	793,132	1.38
Total Requirements	77,057,000	80,882,573	80,432,519	80,824,345	391,826	0.48
Net County Cost	22,375,935	21,988,704	23,113,785	22,712,479	(401,306)	-1.73

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2004-05 projected requirements included in "At a Glance" (Which exclude these).

Detailed budget by expense category and by activity is presented for agency: District Attorney in the Appendix on page page 490

Highlights of Key Trends:

- In 2004, felony filings, which are the more complex, serious, and violent crimes, increased by 11% over 2003. This is the third consecutive year the Office has experienced a significant increase in felony filings.

Budget Units Under Agency Control:

No.	Agency Name	Administrative Services	Bureau Of Investigations	Criminal Prosecution	Total
026	District Attorney	18,297,058	23,563,723	38,963,564	80,824,345
116	Narcotic Forfeiture and Seizure	0	0	997,687	997,687
122	Motor Vehicle Theft Task Force	0	0	3,617,245	3,617,245
12H	Proposition 64 - Consumer Protection	0	0	909,550	909,550
14H	DA's Supplemental Law Enforcement Service	0	0	878,348	878,348
	Total	18,297,058	23,563,723	45,366,394	87,227,175

026 - District Attorney

Summary of Proposed Budget by Revenue and Expense Category:

Revenues/Appropriations	FY 2003-2004		FY 2004-2005		Change from FY 2004-2005	
	Actual	Budget	Projected ⁽¹⁾	FY 2005-2006	Projected	Percent
Fines, Forfeitures & Penalties	\$ 1,383,629	\$ 528,160	\$ 972,960	\$ 511,960	\$ (461,000)	-47.38%
Intergovernmental Revenues	51,466,937	50,993,178	54,621,870	55,792,521	1,170,651	2.14
Charges For Services	542,188	441,971	549,623	472,000	(77,623)	-14.12
Miscellaneous Revenues	144,366	10,000	73,781	22,000	(51,781)	-70.18
Other Financing Sources	1,143,945	6,920,560	1,100,500	1,313,385	212,885	19.34
Total Revenues	54,681,065	58,893,869	57,318,734	58,111,866	793,132	1.38
Salaries & Benefits	65,182,969	70,579,219	68,325,397	70,922,980	2,597,583	3.80
Services & Supplies	6,636,529	12,131,267	9,520,571	10,822,970	1,302,399	13.67
Other Charges	1,178,592	1,372,887	1,372,487	1,644,200	271,713	19.79
Fixed Assets	149,082	468,417	438,813	1,044,195	605,382	137.95
Other Financing Uses	7,761,464	0	4,235,252	0	(4,235,252)	-100.00
Intrafund Transfers	(3,851,637)	(3,669,217)	(3,460,000)	(3,610,000)	(150,000)	4.33
Total Requirements	77,057,000	80,882,573	80,432,519	80,824,345	391,826	0.48
Net County Cost	\$ 22,375,935	\$ 21,988,704	\$ 23,113,785	\$ 22,712,479	\$ (401,306)	-1.73%

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2004-05 projected requirements included in "At a Glance" (Which exclude these).

Proposed Budget Summary of Administrative Services:

Revenues/Appropriations	FY 2003-2004		FY 2004-2005		Change from FY 2004-2005	
	Actual	Budget	Projected ⁽¹⁾	FY 2005-2006	Projected	Percent
Intergovernmental Revenues	\$ 15,219,664	\$ 15,188,000	\$ 16,040,000	\$ 16,895,000	\$ 855,000	5.33%
Charges For Services	88,678	78,034	85,000	85,000	0	0.00
Miscellaneous Revenues	77,179	10,000	66,806	22,000	(44,806)	-67.06
Other Financing Sources	116,477	76,000	90,000	90,000	0	0.00
Total Revenues	15,501,998	15,352,034	16,281,806	17,092,000	810,194	4.97
Salaries & Benefits	10,253,761	10,564,930	10,629,834	10,873,935	244,101	2.29
Services & Supplies	4,397,546	5,952,617	5,820,323	6,117,728	297,405	5.10
Other Charges	1,178,592	1,372,887	1,372,487	1,644,200	271,713	19.79
Fixed Assets	149,082	182,570	167,363	606,195	438,832	262.20
Other Financing Uses	7,761,464	0	1,806,216	0	(1,806,216)	-100.00
Intrafund Transfers	(807,186)	(1,009,287)	(875,000)	(945,000)	(70,000)	8.00
Total Requirements	22,933,259	17,063,717	18,921,223	18,297,058	(624,165)	-3.29
Net County Cost	\$ 7,431,261	\$ 1,711,683	\$ 2,639,417	\$ 1,205,058	\$ (1,434,359)	-54.34%



Proposed Budget Summary of Bureau Of Investigations:

Revenues/Appropriations	FY 2003-2004	FY 2004-2005		FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual	Budget As of 3/31/05	Projected ⁽¹⁾ As of 6/30/05	Projected ⁽¹⁾ As of 6/30/05	Recommended	Projected Amount	Projected Percent
Intergovernmental Revenues	\$ 16,987,207	\$ 19,475,000	\$ 17,527,100	\$ 17,527,100	\$ 17,952,000	\$ 424,900	2.42%
Charges For Services	241,325	208,937	258,623	258,623	232,000	(26,623)	-10.29
Miscellaneous Revenues	59,426	0	6,975	6,975	0	(6,975)	-100.00
Total Revenues	17,287,958	19,683,937	17,792,698	17,792,698	18,184,000	391,302	2.19
Salaries & Benefits	20,072,493	22,893,117	21,208,893	21,208,893	22,740,769	1,531,876	7.22
Services & Supplies	1,131,357	2,059,450	1,756,909	1,756,909	2,264,954	508,045	28.91
Fixed Assets	0	265,928	265,000	265,000	438,000	173,000	65.28
Other Financing Uses	0	0	78,039	78,039	0	(78,039)	-100.00
Intrafund Transfers	(2,002,959)	(1,901,624)	(1,830,000)	(1,830,000)	(1,880,000)	(50,000)	2.73
Total Requirements	19,200,890	23,316,871	21,478,841	21,478,841	23,563,723	2,084,882	9.70
Net County Cost	\$ 1,912,932	\$ 3,632,934	\$ 3,686,143	\$ 3,686,143	\$ 5,379,723	\$ 1,693,580	45.94%

Proposed Budget Summary of Criminal Prosecution:

Revenues/Appropriations	FY 2003-2004	FY 2004-2005		FY 2004-2005	FY 2005-2006	Change from FY 2004-2005	
	Actual	Budget As of 3/31/05	Projected ⁽¹⁾ As of 6/30/05	Projected ⁽¹⁾ As of 6/30/05	Recommended	Projected Amount	Projected Percent
Fines, Forfeitures & Penalties	\$ 1,383,629	\$ 528,160	\$ 972,960	\$ 972,960	\$ 511,960	\$ (461,000)	-47.38%
Intergovernmental Revenues	19,260,066	16,330,178	21,054,770	21,054,770	20,945,521	(109,249)	-0.51
Charges For Services	212,185	155,000	206,000	206,000	155,000	(51,000)	-24.75
Miscellaneous Revenues	7,760	0	0	0	0	0	0.00
Other Financing Sources	1,027,468	6,844,560	1,010,500	1,010,500	1,223,385	212,885	21.06
Total Revenues	21,891,108	23,857,898	23,244,230	23,244,230	22,835,866	(408,364)	-1.75
Salaries & Benefits	34,856,715	37,121,172	36,486,670	36,486,670	37,308,276	821,606	2.25
Services & Supplies	1,107,588	4,119,200	1,943,339	1,943,339	2,440,288	496,949	25.57
Fixed Assets	0	19,919	6,450	6,450	0	(6,450)	-100.00
Other Financing Uses	0	0	2,350,997	2,350,997	0	(2,350,997)	-100.00
Intrafund Transfers	(1,041,492)	(758,306)	(755,000)	(755,000)	(785,000)	(30,000)	3.97
Total Requirements	34,922,812	40,501,985	40,032,456	40,032,456	38,963,564	(1,068,892)	-2.67
Net County Cost	\$ 13,031,704	\$ 16,644,087	\$ 16,788,226	\$ 16,788,226	\$ 16,127,698	\$ (660,528)	-3.93%