

## 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	2005 Business Plan	2006 Business Plan	How are we doing?
	Results	Target	
<b>FELONY CONVICTION RATE</b> <b>What:</b> Percentage of filed felony cases resulting in conviction. <b>Why:</b> 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% felony conviction rate.	The Office has maintained excellent conviction rates. However, conviction rate may decline if funding is reduced below current level of service.

#### FY 2005-06 Key Project Accomplishments:

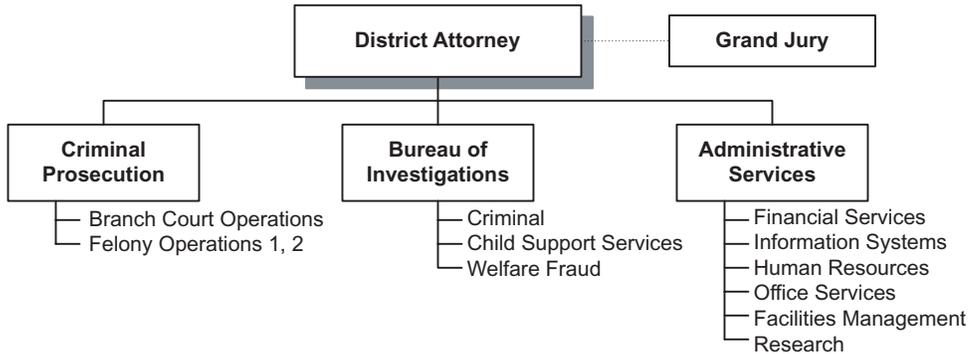
- The Office's accomplishments included continuing to sustain a felony conviction rate in excess of 90%. Ensuring justice to victims, their families, and the community at large remains our top priority. Having these violent offenders in prison and off the streets protects the public from further victimization.
- The Office's TracKRS (Taskforce Review Aimed at Catching Killers, Rapists, and Sex Offenders) Unit provided investigative and coordinating efforts to local Law Enforcement agencies resulting in successfully solving crimes and apprehending suspects. One case led to the filing of homicide charges resulting from a 1974 murder of 27-year-old woman in her Santa Ana apartment.
- Through successful collaboration, Orange County was a statewide leader in the implementation of Proposition 69 (The DNA Fingerprint Initiative).
- In January 2006, the Office established the White Collar Crime Prosecution Team (WCCPT). This team is comprised of prosecutors, investigators, and support staff. The WCCPT will prosecute embezzlement, larceny, computer crime, identity theft, and other fraud schemes. These types of cases are growing in number and complexity both in Orange County and nationwide.
- The Office obtained convictions in several multi-million dollar, high-profile embezzlement and medical fraud cases.

At a Glance:	
Total FY 2005-2006 Projected Expend + Encumb:	84,194,106
Total Recommended FY 2006-2007	89,156,571
Percent of County General Fund:	3.04%
Total Employees:	661.00



- The Office's diligence in prosecuting consumer crimes resulted in the Office returning 2 million dollars to the County General Fund.
- The Office expanded its website providing a "one-stop shop" for public safety resources and information targeted to Orange County residents.

## Organizational Summary



**Administrative Services** - This Division provides a full range 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 is comprised of law enforcement personnel who provide investigative, forensic computer 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. The Office's TrackRS Unit assists local law enforcement in the discovery, investigation, and apprehension of homicide and violent sexual offenders.

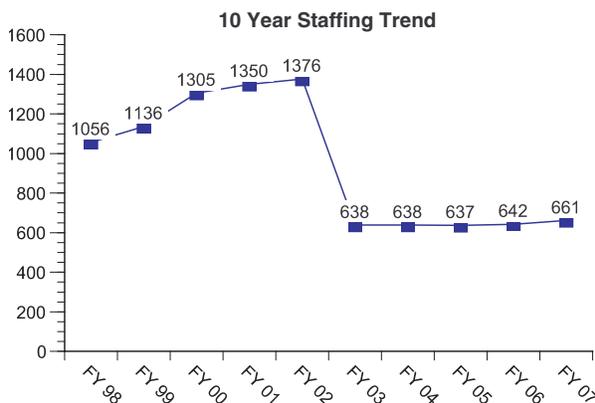
**Criminal Prosecution** - The Criminal Prosecution Division prosecutes felony and misdemeanor crimes.

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 (prosecutes white-collar crime, high tech crime, identity theft, and high-dollar fraud crimes); Consumer and Environmental Protection Unit (prosecutes auto insurance fraud, workers' compensation insurance fraud, 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 and conducts preliminary hearings 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. The Division handles over 48,000 misdemeanor cases annually, over 19,000 adult felony filings, and the vast majority of the 7,600 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 (SACPA) 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 Juvenile Justice Crime Prevention Act Truancy Program.
- In FY 2005-06, the Board of Supervisors approved the Office's augmentation request to add five paralegal positions to handle trial preparation, respond to court orders, and meet the specialty court requirements.

- During FY 2005-06, the Board of Supervisors approved the Office's request to add four Attorney positions and one Investigator position to handle increased felony case filings.
- During FY 2005-06, the Board of Supervisors approved the Office's request to add one Attorney position and one Attorney's Clerk II position to develop and implement the DUI Vertical Prosecution Program funded by State of California, Office of Traffic Safety.
- The Board of Supervisors approved the establishment of the District Attorney's White Collar Crime Prosecution Team (WCCPT) effective January 1, 2006, which comprises four Attorney positions, four Investigator positions, one Paralegal position, one Attorney's Clerk II position, one Investigative Auditor position, and one Investigative Assistant position, to investigate and prosecute complex fraud cases including embezzlement, larceny, computer crime, identity theft, as well as other fraud scams. The operating costs of this prosecution team are being funded by the DA Consumer Prosecution Fund 2AH.

**Budget Summary**

**Plan for Support of the County's Strategic Priorities:**

The Office is directly involved in two of the 2005 County Strategic Priorities that require funding. Pursuant to the Strategic Priority #7A, District Attorney High Tech Crime Unit Expansion, the Office will request an augmentation of \$711,398 to add eight (8) positions to implement this priority. Additionally, Prop 36 - State Backfill (Strategic Priority #31) will require funding of \$438,080 from the SACPA to fund the Office's continued participation in this statutorily mandated program.

**Changes Included in the Recommended Base Budget:**

There are no significant changes in base budget requirements. This budget represents continued operation at FY 2005-06 level of service.



For budget purposes, a 5% increase over FY 2005-06 projected sales tax revenue is budgeted for FY 2006-07. In addition, the base budget also includes \$438,080 in Proposition 36 revenue, which is slightly lower than the original allocation of \$452,477 from

the SACPA funding to the District Attorney in FY 2005-06, to fund the Office's continued participation in this statutorily mandated program. Any reduction in funding will require the District Attorney's Office to re-evaluate its ability to participate.

### Requested Budget Augmentations and Related Performance Results:

Unit Amount	Description	Performance Plan	BRASS Ser.
<b>Add 8 Positions and Associated Net County Cost for High Tech Crime Unit (Strategic Priority) Amount:\$ 711,398</b>	To provide funding to expand the DA High Tech Crime Unit to address growing caseloads.	To increase the amount of evidence collections for the growing High Tech Crime caseloads.	5598
<b>Add 5 Positions for Increased Felony Filings Amount:\$ 588,674</b>	To provide staffing to support the training of attorneys in the prosecution of cases.	To develop an enhanced training for new attorneys to increase their ability to prosecute cases.	5835

### Proposed Budget History:

Sources and Uses	FY 2004-2005	FY 2005-2006	FY 2005-2006	FY 2006-2007	Change from FY 2005-2006	
	Actual	Budget As of 3/31/06	Projected <sup>(1)</sup> At 6/30/06	Recommended	Amount	Percent
Total Positions	637	661	661	661	0	0.00
Total Revenues	61,419,766	60,045,189	61,481,627	65,762,718	4,281,091	6.96
Total Requirements	81,560,864	82,757,668	85,068,281	89,156,571	4,088,290	4.81
Net County Cost	20,141,099	22,712,479	23,586,654	23,393,853	(192,801)	-0.82

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2005-06 projected requirements included in "At a Glance" (Which exclude these).

Columns may not total correctly due to rounding.

Detailed budget by expense category and by activity is presented for agency: District Attorney in the Appendix on page A37

### Highlights of Key Trends:

- In recent years, the number of fraud cases with losses in excess of \$1 million has increased dramatically, with local businesses and citizens as the victim of increasingly sophisticated criminals. Complex issues such as

banking law, internet and computer crime methods, ring-based identity theft schemes and forensic accounting practices arise regularly.

- Central, Harbor (Newport Beach), North and West Justice Centers continue to experience significantly increased workloads resulting from the growing numbers of felony case filings.

### Budget Units Under Agency Control:

No.	Agency Name	Administrative Services	Bureau Of Investigations	Criminal Prosecution	Total
026	District Attorney	19,433,972	25,964,455	43,758,144	89,156,571
116	Narcotic Forfeiture and Seizure	0	0	492,051	492,051



**Budget Units Under Agency Control:**

No.	Agency Name	Administrative Services	Bureau Of Investigations	Criminal Prosecution	Total
122	Motor Vehicle Theft Task Force	0	0	3,696,473	3,696,473
12H	Proposition 64 - Consumer Protection	0	0	1,774,201	1,774,201
14H	DA's Supplemental Law Enforcement Service	0	0	922,377	922,377
	Total	19,433,972	25,964,455	50,643,246	96,041,673

## 026 - District Attorney

### Summary of Proposed Budget by Revenue and Expense Category:

Revenues/Appropriations	FY 2004-2005		FY 2005-2006		FY 2005-2006		Change from FY 2005-2006	
	Actual	Budget	As of 3/31/06	Projected <sup>(1)</sup>	At 6/30/06	Recommended	Projected	Percent
Fines, Forfeitures & Penalties	\$ 1,065,517	\$ 511,960	\$ 511,960	\$ 146,000	\$ 146,000	\$ 153,000	\$ 7,000	4.79%
Intergovernmental Revenues	58,484,643	55,340,044	55,340,044	58,571,344	58,571,344	59,737,379	1,166,035	1.99
Charges For Services	626,991	1,242,690	1,242,690	1,043,000	1,043,000	1,796,891	753,891	72.28
Miscellaneous Revenues	111,073	22,000	22,000	108,391	108,391	28,000	(80,391)	-74.17
Other Financing Sources	1,131,541	2,928,495	2,928,495	1,612,892	1,612,892	4,047,448	2,434,556	150.94
<b>Total Revenues</b>	<b>61,419,766</b>	<b>60,045,189</b>	<b>60,045,189</b>	<b>61,481,627</b>	<b>61,481,627</b>	<b>65,762,718</b>	<b>4,281,091</b>	<b>6.96</b>
Salaries & Benefits	67,937,690	72,849,903	72,849,903	73,465,047	73,465,047	78,512,052	5,047,005	6.87
Services & Supplies	7,101,938	10,829,370	10,829,370	9,832,826	9,832,826	11,348,001	1,515,175	15.41
Other Charges	1,372,387	1,644,200	1,644,200	1,644,200	1,644,200	1,694,430	50,230	3.05
Fixed Assets	203,024	1,044,195	1,044,195	1,130,526	1,130,526	1,128,170	(2,356)	-0.21
Other Financing Uses	8,408,967	0	0	2,205,683	2,205,683	0	(2,205,683)	-100.00
Intrafund Transfers	(3,463,142)	(3,610,000)	(3,610,000)	(3,210,000)	(3,210,000)	(3,526,082)	(316,082)	9.85
<b>Total Requirements</b>	<b>81,560,864</b>	<b>82,757,668</b>	<b>82,757,668</b>	<b>85,068,281</b>	<b>85,068,281</b>	<b>89,156,571</b>	<b>4,088,290</b>	<b>4.81</b>
<b>Net County Cost</b>	<b>\$ 20,141,099</b>	<b>\$ 22,712,479</b>	<b>\$ 22,712,479</b>	<b>\$ 23,586,654</b>	<b>\$ 23,586,654</b>	<b>\$ 23,393,853</b>	<b>\$ (192,801)</b>	<b>-0.82%</b>

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2005-06 projected requirements included in "At a Glance" (Which exclude these).

Columns may not total correctly due to rounding.

### Proposed Budget Summary of Administrative Services:

Revenues/Appropriations	FY 2004-2005		FY 2005-2006		FY 2005-2006		Change from FY 2005-2006	
	Actual	Budget	As of 3/31/06	Projected <sup>(1)</sup>	At 6/30/06	Recommended	Projected	Percent
Intergovernmental Revenues	\$ 16,823,389	\$ 16,895,000	\$ 16,895,000	\$ 17,513,600	\$ 17,513,600	\$ 18,339,520	\$ 825,920	4.72%
Charges For Services	94,795	85,000	85,000	85,000	85,000	116,530	31,530	37.09
Miscellaneous Revenues	99,682	22,000	22,000	88,906	88,906	28,000	(60,906)	-68.51
Other Financing Sources	156,166	90,000	90,000	90,000	90,000	90,000	0	0.00
<b>Total Revenues</b>	<b>17,174,032</b>	<b>17,092,000</b>	<b>17,092,000</b>	<b>17,777,506</b>	<b>17,777,506</b>	<b>18,574,050</b>	<b>796,544</b>	<b>4.48</b>
Salaries & Benefits	10,397,396	10,873,935	10,873,935	10,223,117	10,223,117	11,289,444	1,066,327	10.43
Services & Supplies	4,784,234	6,117,728	6,117,728	5,810,083	5,810,083	6,553,463	743,380	12.79
Other Charges	1,372,387	1,644,200	1,644,200	1,644,200	1,644,200	1,694,430	50,230	3.05
Fixed Assets	164,816	606,195	606,195	581,356	581,356	850,100	268,744	46.23
Other Financing Uses	8,408,967	0	0	0	0	0	0	0.00
Intrafund Transfers	(572,847)	(945,000)	(945,000)	(350,000)	(350,000)	(953,465)	(603,465)	172.42
<b>Total Requirements</b>	<b>24,554,954</b>	<b>18,297,058</b>	<b>18,297,058</b>	<b>17,908,756</b>	<b>17,908,756</b>	<b>19,433,972</b>	<b>1,525,216</b>	<b>8.52</b>
<b>Net County Cost</b>	<b>\$ 7,380,922</b>	<b>\$ 1,205,058</b>	<b>\$ 1,205,058</b>	<b>\$ 131,250</b>	<b>\$ 131,250</b>	<b>\$ 859,922</b>	<b>\$ 728,672</b>	<b>555.18%</b>

## Proposed Budget Summary of Bureau Of Investigations:

Revenues/Appropriations	FY 2004-2005	FY 2005-2006	FY 2005-2006	FY 2006-2007	Change from FY 2005-2006	
	Actual	Budget As of 3/31/06	Projected <sup>(1)</sup> At 6/30/06	Recommended	Projected Amount	Projected Percent
Intergovernmental Revenues	\$ 18,337,245	\$ 17,952,000	\$ 19,262,399	\$ 19,485,740	\$ 223,341	1.16%
Charges For Services	250,094	232,000	268,000	228,507	(39,493)	-14.74
Miscellaneous Revenues	8,672	0	14,000	0	(14,000)	-100.00
<b>Total Revenues</b>	18,596,011	18,184,000	19,544,399	19,714,247	169,848	0.87
Salaries & Benefits	21,284,551	22,863,989	24,031,135	25,157,938	1,126,803	4.69
Services & Supplies	922,422	2,265,354	1,988,658	2,339,704	351,046	17.65
Fixed Assets	38,208	438,000	549,170	278,070	(271,100)	-49.37
Intrafund Transfers	(1,958,059)	(1,880,000)	(2,010,000)	(1,811,257)	198,743	-9.89
<b>Total Requirements</b>	20,287,122	23,687,343	24,558,963	25,964,455	1,405,492	5.72
<b>Net County Cost</b>	\$ 1,691,111	\$ 5,503,343	\$ 5,014,564	\$ 6,250,208	\$ 1,235,644	24.64%

## Proposed Budget Summary of Criminal Prosecution:

Revenues/Appropriations	FY 2004-2005	FY 2005-2006	FY 2005-2006	FY 2006-2007	Change from FY 2005-2006	
	Actual	Budget As of 3/31/06	Projected <sup>(1)</sup> At 6/30/06	Recommended	Projected Amount	Projected Percent
Fines, Forfeitures & Penalties	\$ 1,065,517	\$ 511,960	\$ 146,000	\$ 153,000	\$ 7,000	4.79%
Intergovernmental Revenues	23,324,009	20,493,044	21,795,345	21,912,119	116,774	0.54
Charges For Services	282,103	925,690	690,000	1,451,854	761,854	110.41
Miscellaneous Revenues	2,719	0	5,485	0	(5,485)	-100.00
Other Financing Sources	975,375	2,838,495	1,522,892	3,957,448	2,434,556	159.86
<b>Total Revenues</b>	25,649,723	24,769,189	24,159,722	27,474,421	3,314,699	13.72
Salaries & Benefits	36,257,439	39,111,979	39,210,795	42,064,670	2,853,875	7.28
Services & Supplies	1,394,285	2,446,288	2,034,085	2,454,834	420,749	20.68
Other Financing Uses	0	0	2,205,683	0	(2,205,683)	-100.00
Intrafund Transfers	(932,236)	(785,000)	(850,000)	(761,360)	88,640	-10.43
<b>Total Requirements</b>	36,719,487	40,773,267	42,600,563	43,758,144	1,157,581	2.72
<b>Net County Cost</b>	\$ 11,069,764	\$ 16,004,078	\$ 18,440,841	\$ 16,283,723	\$ (2,157,118)	-11.70%