

## 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:

- The District Attorney represents the People of the State of California in the criminal justice system. Performing this duty requires initiating criminal prosecutions and representing the People in some civil cases. Prosecuting those engaging in criminal conduct to ensure justice for the crime victims, their families and the community at large is essential to maintaining public safety.

#### Key Outcome Indicators:

Performance Measure	2015 Business Plan	2016 Business Plan	How are we doing?
	Results	Target	
<b>FELONY CONVICTION RATE</b> <b>What:</b> The conviction rate measures the percentage of filed adult felony cases resulting in conviction. <b>Why:</b> Measure the Office's ability to effectively represent the People of the State of California.	Adult Felony conviction rate exceeded 90%.	To meet or exceed 90% adult felony conviction rate.	The Office has maintained an excellent conviction rate.

#### FY 2015-16 Key Project Accomplishments:

##### ■ DNA

The Orange County District Attorney's Office (OCDA) continues to fully utilize forensic DNA technology to solve crime, exonerate the innocent, and prevent future victimization. Since 2010, the OCDA began searching crime scene suspect DNA profiles against individual DNA profiles in our local DNA database. By the end of March 2016, the OCDA has collected approximately 139,400 voluntary DNA samples from individuals, and the local DNA database contains over 8,000 crime scene suspect DNA profiles provided by accredited law enforcement crime labs. From weekly searches of the local DNA Database since 2010, over 700 persons to crime scene investigative leads have been provided to law enforcement. To preserve the statute of limitations, the OCDA files "John Doe" warrants in cases where a crime scene suspect with a DNA profile exists but a cold hit has yet to occur.

The OCDA has also implemented the county-wide Rapid DNA Program. This program features a validated Rapid DNA instrument that is capable of generating a crime scene suspect DNA profile, from certain types of evidence, in about two hours. The suspect DNA profile that is obtained can be immediately searched against the local OCDA DNA Database. This combination of advanced DNA technology coupled with the use of the local OCDA DNA Database can provide an investigative lead to law enforcement within a few hours from the commission of a crime. The OCDA is one of only a few agencies

in the nation utilizing Rapid DNA technology to solve crimes.

Further, in 2015, the OCDA, in cooperation with the Public Defender's Office, successfully submitted a federal grant proposal and was awarded \$250,000 over a two-year period to expand the outreach of the OCDA Innocence Review Panel Program. The grant funding enables members of the Public Defender's Office to examine the cases of convicted defendants to determine if they would qualify for the Innocence Review Panel Program. As the expansion progresses, qualifying cases that are identified for submission will be presented to the Innocence Review Panel Program Committee for consideration.

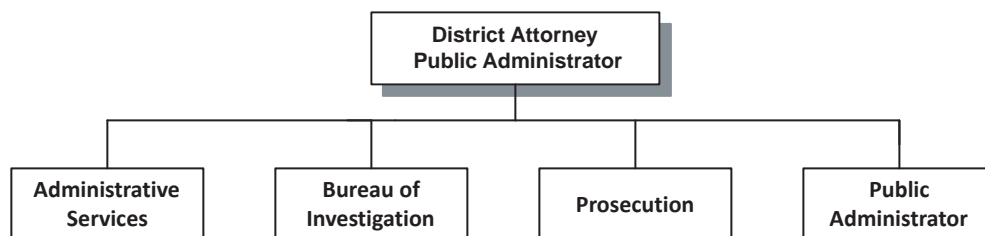
#### ■ GANG INJUNCTIONS

A gang injunction is a civil court order with narrowly tailored restrictions for gang members that prohibits specific gang behavior of the enjoined gang in a small area called the safety zone. In the 13 years since the inception of the program, 14 permanent injunctions have been issued throughout Orange County. These injunctions place restrictions on gang members from the County's most active criminal street gangs in the cities of Anaheim, Fullerton, Garden Grove, Orange, San Clemente, San Juan Capistrano, Santa Ana and Stanton. The injunctions prevent gang members from terrorizing their communities by prohibiting association with gang members, intimidation, drug use or sales, possession of guns or weapons, fighting, blocking free passage, writing graffiti, making gang hand signs, wearing gang clothing, possessing burglary tools, littering, trespassing, being in the presence of alcohol in public, and being out in public past a 10:00 p.m. curfew. Violent crime in the gang injunction safety zones has dramatically decreased since the injunctions were put into place.

#### ■ GRIP

The Orange County Gang Reduction and Intervention Partnership (GRIP) is a law enforcement partnership that identifies at-risk youth and aims to prevent minors from joining a criminal street gang. GRIP is operating in 19 cities and is run by the Orange County District Attorney's Office, Orange County Probation Department, Orange County Sheriff's Department, Buena Park Police Department, Costa Mesa Police Department, Garden Grove Police Department, Orange Police Department, Placentia Police Department, Santa Ana Police Department, Santa Ana Unified School District Police, and the Tustin Police Department. GRIP collaborates with over 500 community partners, including several Orange County School Districts, Orange County Health Care Agency, Orange County Department of Education, Los Angeles Angels of Anaheim, Ford Motor Company, Community Services Programs, Inc., Pepperdine Resource Youth Diversion and Education (PRYDE), and several faith-based groups on gang suppression, interventions for at-risk students, curfew and truancy sweeps, a Parent Greeter program, gang information forums, parent and faculty education, parent involvement meetings, and positive incentive programs. Each of the GRIP schools has seen dramatic decreases in truancy, suspensions and expulsions and on campus crime.

## Organizational Summary



**Administrative Services** - In addition to providing office services support to the prosecution and investigative units mentioned below, the Administrative Services Division pro-

vides a myriad of support services including: Accounting, Budgeting, Facilities, Human Resources, Information Technology, Purchasing, and Research.

**Bureau Of Investigation** - The Bureau consists of both sworn and non-sworn personnel responsible for providing investigative and other related technical services to support prosecution. Investigators provide trial support by conducting complex investigations as well as interviewing and subpoenaing witnesses and DNA Collection at the four adult justice centers and the Central Jail Arraignment Court (CJ-1). The Bureau conducts ground-up investigations in all categories of fraud and other serious offenses. Investigators also assist other County law enforcement agencies with complex investigations and cases involving multiple jurisdictions. Additionally, the Bureau operates four investigative units:

The Special Investigations Unit investigates all sensitive allegations of criminal misconduct by county and other government employees, including officer-involved shootings and in-custody deaths occurring in Orange County.

The Anti-Terrorism/Organized Crime/Public Integrity Unit works collaboratively with local, state, and federal agencies. It is the only countywide intelligence unit operating to monitor these types of offenses. 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 in the investigation of homicides and sexual assaults and participates in the multijurisdictional Orange County Cold Case Homicide Task Force.

Public Assistance Fraud investigative staff prevent, detect, and investigate various forms of Welfare Fraud, Section 8 Housing Fraud, and In-Home Support Services (IHSS) Fraud. These operations are funded by county, state and federal sources.

**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 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, a District Attorney Investigator, 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 Gang Injunction and GRIP Unit implements proactive gang crime prevention and gang prosecution initiatives with a goal of improving community safety. GRIP is a gang crime prevention initiative that aims to prevent juveniles from joining criminal gangs and being victims of or participants in gang crimes. The Gang Injunction component establishes safety zones in certain communities impacted by gang violence and issues a civil order that includes terms to curb intimidating or harassing behavior by restricting or prohibiting documented gang members from participating in specific acts or activities within the "Safety Zone."
- 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 four Justice Centers (Central Justice Center, Harbor Justice Center-Newport Beach, North Justice Center, and West Justice Center) and felony and misdemeanor juvenile petitions in the Lamoignon (Juvenile) Justice Center. In addition to misdemeanor prosecution, each of the four adult 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 a variety of general felonies and includes:

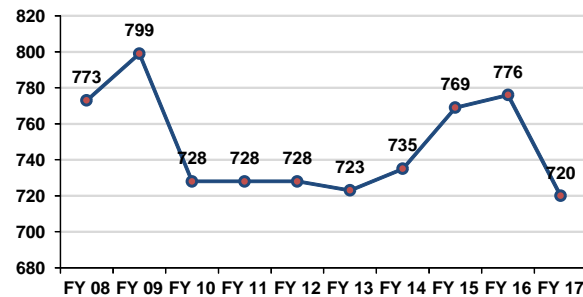
- The Felony Panel Unit prosecutes a variety of felony crimes and career criminals.
- The Family Protection Unit prosecutes violent assaults, attempted murders, felony domestic violence, child abuse, child abduction, stalking and elder abuse.
- The Human Exploitation And Trafficking (HEAT) Unit prosecutes perpetrators who sexually exploit and traffic women and underage girls for financial gain, including pimps, panderers and human traffickers.

- 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. The Insurance Fraud Unit prosecutes workers' compensation fraud, auto insurance fraud, medical and disability, and life and annuity fraud crimes. Additionally, this unit prosecutes cases arising out of the Office's Orange County Auto Theft Task Force (OCATT), primarily auto theft rings.
- The Major Fraud Unit prosecutes real estate fraud, high tech crime, identity theft, and high-dollar fraud crimes and includes the White Collar Crime Prosecution Team.
- The Major Narcotics Unit prosecutes major narcotic traffickers and illegal drug manufacturers. Additionally, the Narcotic Enforcement Team (NET) handles the distribution of forfeiture proceedings from illegal drug trade.
- 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.

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 Appellate & Training Unit conducts over 700 pre-trial motions, writs and appeals annually; acts as a legal advisor to prosecutors by responding to over 1500 requests for legal opinion and assistance annually; and develops and implements an annual training curriculum for District Attorney staff and law enforcement partners through both live training events and regular publications.

### Ten Year Staffing Trend:



### Ten Year Staffing Trend Highlights:

- In FY 2016-17 base budget includes a reduction of 67 positions in order to meet the Net County Cost limit. The District Attorney has requested full restoration of these positions.
- In FY 2015-16, 11 positions were added to comply with the Peace Officers and Supervising Peace Officers and the County General Unit MOUs' definition of extra help employee and to address the continuing workload demands in the Bureau of Investigation and Facilities Operations Units.
- In FY 2014-15, three positions were added to address increased workload demands and for the State-funded In-Home Supportive Services Program, 10 positions were added for increased workloads in Branch Courts and Violent Crimes Units, and seven positions were added to address increased workload demands and the State-funded Workers' Compensation Insurance Fraud program.
- In FY 2013-14, nine positions were added for the State funded Disability & Healthcare Insurance Fraud Program; eight positions were transferred from Funds 116 and 122 as a result of Board-approved consolidation of the District Attorney's budgeted positions; and four positions were added to handle increased CalWORKs cases.
- In FY 2012-13, seven positions were added to address increased workload in the Special Prosecutions and Special Assignments Units; four positions were added to handle the increase in Post Release Community Supervision (PRCS) resulting from the amended AB 109 program requirements; and one position was added for the final implementation phase of the amended AB 109 program requirements.

- In FY 2011-12, five positions were deleted as a result of the Vehicle License Fee (VLF) countywide budget reduction.
- In FY 2008-09, a total of 13 positions were deleted during the quarterly review process or as part of the vacant and limited term position review.
- In FY 2007-08, a total of 60 positions were added to various existing and new investigative units to handle increased demand and complexity in workload and to meet department-wide needs. In addition, there was a budgetary transfer of 52 existing public assistance fraud positions from the Social Services Agency and a deletion of two positions identified as a part of the County's Budget Reduction Plan.

Attaining these objectives requires, first and foremost, a safe community. Clearly, prosecuting those who commit criminal acts upon residents or visitors, as well as individuals who violate environmental protection laws is critical to ensuring community safety today and for generations to come.

Moreover, the work performed by the District Attorney's Office is essential to the County's mission of:

***Making Orange County a safe, healthy, and fulfilling place to live, work and play, today and for generations to come, by providing outstanding, cost-effective regional public services.***

The People of the State of California, in particular the residents of Orange County, rely on the OCDA to bring those engaging in criminal activities to justice.

## Budget Summary

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

Effective prosecution supports the County's strategic objectives of:

1. Promoting a Healthy Community
2. Building for the Future of our Community
3. Protecting our Community

### Changes Included in the Recommended Base Budget:

The FY 2016-17 base budget represents continued operation at the FY 2015-16 level of staffing. To meet the FY 2016-17 NCC limit, the OCDA submitted one augmentation request of \$9.1 million to reduce 67 positions including Deputy District Attorneys and Investigators responsible for prosecuting murderers, rapists, child molesters, child abusers, spouse abusers, and other felons to meet basic prosecution. The operations of the OCDA are integrated and interdependent. A restore augmentation of \$9.1M is requested to fund 67 existing positions vital to upholding public safety and to effectively represent the People of the State of California and provide Orange County residents and visitors with a safe community.

### Requested Budget Augmentations and Related Performance Results:

Unit Amount	Description	Performance Plan	PB Req. Code
<b>Restore Sixty-Seven Positions and Net County Cost to Maintain Current Level of Service</b> Amount: \$ 9,120,977	Funding for sixty-seven positions is critical to effectively and efficiently prosecute crime.	Restore funding to ensure adequate staffing to sustain core mandated functions.	7122
<b>Add Thirty Positions, Appropriations, and Net County Cost for Increased Evidentiary and Discovery Requirements</b> Amount: \$ 2,485,457	Add thirty positions to handle workload demands from growing evidentiary and discovery requirements.	Perform core mandated functions effectively and efficiently prosecute crime to protect the public.	7126
<b>Add Five Positions, Appropriations, and Net County Cost for Increased Administrative Workloads</b> Amount: \$ 464,869	Add five positions to handle increased workload demands in Administrative Services Division.	Perform the essential services required to support prosecution of crime to protect the public.	7127

## Recommended Budget History:

Sources and Uses	FY 2014-2015	FY 2015-2016	FY 2015-2016	FY 2016-2017	Change from FY 2015-2016	
	Actual	Budget As of 3/31/16	Projected <sup>(1)</sup> At 6/30/16	Recommended	Budget Amount	Percent
Total Positions	776	787	787	720	(67)	-8.51
Total Revenues	85,258,870	85,363,950	85,675,364	82,624,194	(2,739,756)	-3.21
Total Requirements	133,484,023	132,506,331	137,636,835	130,026,402	(2,479,929)	-1.87
Net County Cost	48,225,154	47,142,381	51,961,471	47,402,208	259,827	0.55

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2015-16 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 A38

## Highlights of Key Trends:

- Each year prosecutors review approximately 70,000 crime reports and file cases involving over 60,000 defendants. To avoid significant increases to the base budget, the OCDA continues cost cutting measures by deferring and reducing expenses in services, supplies, and equipment, and eliminating non-essential travel and training.
- The advance of DNA technology is bringing an unprecedented number of cold hit DNA cases into the criminal justice system. These cold hits often identify violent offenders and may implicate statute of limitations so that immediate attention is paramount for public safety. As DNA technology expands, the number of perpetrators identified by DNA cold hits will continue to increase. The DNA Unit is currently exploring the DNA paperless database project to scan all metadata, prints, photographs and currently stored documents to increase efficiency.
- Continue to evaluate staffing levels to ensure sufficient resources are available to address both the volume and complexity of caseloads. Caseload demands are managed through staff rotations and in some instances use of volunteer staff.
- Continue to exercise fiscal prudence and closely monitor revenues and expenses. The FY 2016-17 budget includes a transfer out of the District Attorney's entire estimated Obligated Fund Balance for Fund 14J, Excess Public Safety Sales Tax to fund existing operations.
- Continue to work collaboratively with CEO/Budget Office and highlight variances and issues, which may impact budget requirements.

## Budget Units Under Department Control:

No.	Agency Name	DA/Public Administrator	Administrative Services	Bureau Of Investigation	Prosecution	Total
026	District Attorney	0	22,660,443	40,616,477	66,749,482	130,026,402
029	District Attorney-Public Administrator	2,585,173	0	0	0	2,585,173
116	Narcotic Forfeiture & Seizure	0	0	0	452,520	452,520
122	Motor Vehicle Theft Task Force	0	0	0	3,051,800	3,051,800
12G	Real Estate Prosecution Fund	0	0	0	1,652,950	1,652,950
12H	Proposition 64 - Consumer Protection	0	0	0	3,653,800	3,653,800
14H	DA's Supplemental Law Enforcement Services	0	0	0	1,027,325	1,027,325
	Total	2,585,173	22,660,443	40,616,477	76,587,877	142,449,970



## 026 - District Attorney

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

Revenues/Appropriations	FY 2014-2015		FY 2015-2016		FY 2015-2016		FY 2016-2017		Change from FY 2015-2016	
	Actual		Budget		Projected <sup>(1)</sup>		Recommended		Budget	
			As of 3/31/16		At 6/30/16				Amount	Percent
Fines, Forfeitures & Penalties	\$	870,261	\$	77,500	\$	81,950	\$	66,000	\$ (11,500)	-14.84%
Intergovernmental Revenues		70,187,959		71,880,561		71,064,286		72,693,024	812,463	1.13
Charges For Services		3,777,028		2,520,931		2,756,248		2,789,469	268,538	10.65
Miscellaneous Revenues		246,334		850		163,796		25,111	24,261	2,854.24
Other Financing Sources		10,177,288		10,884,108		11,609,084		7,050,590	(3,833,518)	-35.22
<b>Total Revenues</b>		85,258,870		85,363,950		85,675,364		82,624,194	(2,739,756)	-3.21
Salaries & Benefits		121,741,634		123,733,241		126,474,594		120,596,817	(3,136,424)	-2.53
Services & Supplies		15,766,907		13,600,037		15,555,917		14,095,646	495,609	3.64
Other Charges		2,008,968		2,034,334		2,034,334		2,069,845	35,511	1.75
Equipment		420,074		929,000		982,953		929,000	0	0.00
Other Financing Uses		317,555		18,800		0		144,175	125,375	666.89
Intrafund Transfers		(6,771,114)		(7,809,081)		(7,410,963)		(7,809,081)	0	0.00
<b>Total Requirements</b>		133,484,023		132,506,331		137,636,835		130,026,402	(2,479,929)	-1.87
<b>Net County Cost</b>	\$	48,225,154	\$	47,142,381	\$	51,961,471	\$	47,402,208	\$ 259,827	0.55%

(1) Requirements include prior year encumbrance and expenditures. Therefore, the above totals may not match FY 2015-16 projected requirements included in "At a Glance" (Which exclude these).

Columns may not total correctly due to rounding.

### Recommended Budget Summary of Administrative Services:

Revenues/Appropriations	FY 2014-2015		FY 2015-2016		FY 2015-2016		FY 2016-2017		Change from FY 2015-2016	
	Actual		Budget		Projected <sup>(1)</sup>		Recommended		Budget	
			As of 3/31/16		At 6/30/16				Amount	Percent
Intergovernmental Revenues	\$	19,483,796	\$	19,804,343	\$	19,604,747	\$	20,290,913	\$ 486,570	2.46%
Charges For Services		154,659		164,967		146,723		172,495	7,528	4.56
Miscellaneous Revenues		122,716		500		145,977		500	0	0.00
Other Financing Sources		332		0		20		0	0	0.00
<b>Total Revenues</b>		19,761,503		19,969,810		19,897,467		20,463,908	494,098	2.47
Salaries & Benefits		13,792,301		15,005,636		14,808,538		14,308,286	(697,350)	-4.65
Services & Supplies		6,569,266		6,558,591		7,609,559		6,938,539	379,948	5.79
Other Charges		2,008,968		2,034,334		2,034,334		2,069,845	35,511	1.75
Equipment		372,261		834,000		934,401		869,000	35,000	4.20
Other Financing Uses		317,555		0		0		80,000	80,000	0.00
Intrafund Transfers		(1,485,273)		(1,605,227)		(1,442,437)		(1,605,227)	0	0.00
<b>Total Requirements</b>		21,575,078		22,827,334		23,944,395		22,660,443	(166,891)	-0.73
<b>Net County Cost</b>	\$	1,813,575	\$	2,857,524	\$	4,046,928	\$	2,196,535	\$ (660,989)	-23.13%

## Recommended Budget Summary of Bureau Of Investigation:

Revenues/Appropriations	FY 2014-2015		FY 2015-2016		FY 2015-2016		FY 2016-2017		Change from FY 2015-2016	
	Actual		Budget		Projected <sup>(1)</sup>		Recommended		Budget	
			As of 3/31/16		At 6/30/16				Amount	Percent
Intergovernmental Revenues	\$ 20,707,657		\$ 21,050,116		\$ 20,846,868		\$ 21,567,095		\$ 516,979	2.46%
Charges For Services	682,161		565,142		644,706		577,824		12,682	2.24
Miscellaneous Revenues	49,052		300		8		0		(300)	-100.00
<b>Total Revenues</b>	21,438,870		21,615,558		21,491,582		22,144,919		529,361	2.45
Salaries & Benefits	40,531,181		43,980,517		44,116,797		43,692,916		(287,601)	-0.65
Services & Supplies	1,842,380		2,241,538		2,448,182		2,079,077		(162,461)	-7.25
Equipment	47,813		60,000		48,552		60,000		0	0.00
Other Financing Uses	0		18,800		0		64,175		45,375	241.36
Intrafund Transfers	(4,526,892)		(5,279,691)		(5,047,246)		(5,279,691)		0	0.00
<b>Total Requirements</b>	37,894,482		41,021,164		41,566,285		40,616,477		(404,687)	-0.99
<b>Net County Cost</b>	\$ 16,455,612		\$ 19,405,606		\$ 20,074,703		\$ 18,471,558		\$ (934,048)	-4.81%

## Recommended Budget Summary of Prosecution:

Revenues/Appropriations	FY 2014-2015		FY 2015-2016		FY 2015-2016		FY 2016-2017		Change from FY 2015-2016	
	Actual		Budget		Projected <sup>(1)</sup>		Recommended		Budget	
			As of 3/31/16		At 6/30/16				Amount	Percent
Fines, Forfeitures & Penalties	\$ 870,261		\$ 77,500		\$ 81,950		\$ 66,000		\$ (11,500)	-14.84%
Intergovernmental Revenues	29,996,506		31,026,102		30,612,671		30,835,016		(191,086)	-0.62
Charges For Services	2,940,208		1,790,822		1,964,819		2,039,150		248,328	13.87
Miscellaneous Revenues	74,566		50		17,811		24,611		24,561	49,122.00
Other Financing Sources	10,176,956		10,884,108		11,609,064		7,050,590		(3,833,518)	-35.22
<b>Total Revenues</b>	44,058,497		43,778,582		44,286,315		40,015,367		(3,763,215)	-8.60
Salaries & Benefits	67,418,152		64,747,088		67,549,259		62,595,615		(2,151,473)	-3.32
Services & Supplies	7,355,260		4,799,908		5,498,176		5,078,030		278,122	5.79
Equipment	0		35,000		0		0		(35,000)	-100.00
Intrafund Transfers	(758,949)		(924,163)		(921,280)		(924,163)		0	0.00
<b>Total Requirements</b>	74,014,463		68,657,833		72,126,155		66,749,482		(1,908,351)	-2.78
<b>Net County Cost</b>	\$ 29,955,966		\$ 24,879,251		\$ 27,839,840		\$ 26,734,115		\$ 1,854,864	7.46%