



Budget Cuts:

- 18 – Welfare Fraud Investigators Laid Off in 2009
- 13 - Furlough Days for Prosecutors, Support Staff and Managers (FY 09-10)
- 9 - Temporarily Layoff Days for Investigators and Supervising Investigators (FY09-10)
- 71 – Vacant Position Deleted (July 2009)
- Hiring Freeze – Last New Hire 2008



Operational Changes:

Implemented structural changes to mitigate negative impact of reduced resources:

- Deferred Entry of Judgment Program
- Strike Team
- Fast Track
- Felony Panel Reorganization
- Expanded TAP to leverage volunteer attorney workforce

Other changes:

Unable to personally appear at the majority of Lifer Parole Hearings.

Eliminate non-Essential Travel/Training/Supplies/Equip.





District Attorney Branch Court Operations

Branch Court Operations

Five Offices:

CENTRAL, HARBOR, WEST, NORTH and
JUVENILE

- 60,000 Misdemeanor Cases
- 15,000 Felony Cases
- 8,000 Juvenile Cases

Specialty units handle the other 15% of felonies



Branch Court Operations(cont.)

Frontline Prosecutions

25% reduction per branch from 25 prosecutors to 18 prosecutors per branch.

Courtrooms to be staffed

- Arraignment
- Pre-Trial
- Motions
- Calendar Courts
- Preliminary Hearings
- Jury Trials
- Specialty Courts



Branch Court Operations (cont.)

Struggle to Handle 80,000 Cases

- Courtroom Coverage
- Volume of Filings

Loss of Frontline Prosecutors

- 45 Lost Since 2008



Innovative Steps

- Deferred Entry of Judgment
- Felony Strike Team
- Reduced Felony Panel by 30%
- More Volunteer Attorneys



Cost Saving Measures

- Furloughed Attorneys
- Cancelled Promotions
- Reduction of Annual Leave Payments
- Freeze on Hiring Attorneys
- Eliminated Travel for Training Purposes



Further Reductions

- NOT SUSTAINABLE





Special Projects

Two Units: Law and Motion
Special Prosecutions

Law and Motion

- 700-800 motions & Writs per year
- L&M attorneys also, assist trial attorneys, parole hearings, research/draft legal updates & training
- **9 attorneys** = 25% less than CEO recommended level



Special Prosecutions

10 attorneys handle: Arson, Hate Crimes, Police Shootings and Misconduct, Professional Crimes (i.e. lawyers, doctors, etc.), Demands for Speedy Trial, Extraditions, Brown Act Violations, Govt. Misconduct, Mentally Disordered Offenders, High Profile Cases, Grand Jury Proceedings and Investigations, Subpoenas served on the OCDA, Public Records Requests & Petitions for Rehabilitation



Special Prosecutions (cont)

- **Federal Extraditions: Labor Intensive: Requires:**
 - Translation of all documents (costs are *very* high)
 - Coordination with local, state, federal and international authorities
 - Must be filed in Washington DC
- Increase from Mexico
- Interstate Extraditions 10-20 per week
- Position Currently Vacant



Special Prosecutions (cont)

- **Inmate Trial Demands** (Pen. Code 1381)
- From wanted felons in custody elsewhere
- 1,300-1,600 per year
- *Strict* time limits and deadlines apply
 - **Must** be brought to trial within 90 days
 - Failure to meet time limit results in dismissal
 - Position Now Vacant



Special Prosecutions (cont)

- **Parole hearings** for felons serving “Life”
- 300 hearings per year and increasing (3 strikers)
- Personal attendance more effective but costly
- Now a 60% reduction in hearings attended



Special Prosecutions (cont)

Public Records Requests:

- Time limits and deadlines for response & penalties for failure to meet
- 5-10 *per* week
- Require retrieval and review of records, legal research, written response-*no* cost recovery except 15 cents per page copied



Special Prosecutions (cont)

Brown Act—Govt. Misconduct—Labor Intensive

- Involve investigations into alleged violations of Open Meeting laws by local govt. agencies.
- Specialized knowledge, legal research needed
- Multiple investigators usually required
- Position Currently Vacant



Special Prosecutions (cont)

- **Mentally disordered offenders (MDOs)**
 - Consist of :
 - Criminally insane (guilty but found NGI)
 - Mentally disordered sex offenders (MDSO)
 - Mentally disordered offenders (MDO)
- Requires action by DA within *strict* time limits or inmate released.
- Now includes sexually violent predators (SVP)



Special Prosecutions-MDO

- There is NO grace period and NO exceptions
- Each offender entitled to full jury trial on issue of mental status (i.e. if still a public threat)
- Case-load is at 150+



Special Prosecutions-MDO

- Great majority of caseload is composed of Homicide, repeat or serial rapists or child molesters. Rest are other violent felons.
- Requires experienced attorney with specialized knowledge to contend with complicated psychiatric and psychological evidence including expert witnesses
- Formerly handled by 3+ attorneys



Special Prosecutions -MDO

- Case load now “coordinated” by **1 attorney** to assure meeting time deadlines.
- Trial dates determined by Offender attorney, not DA.
- Insufficient funds to Retain Needed Expert Witnesses for Trial





VIOLENT CRIMES / VERTICAL PROSECUTIONS

WHAT WE SHOULD BE PROUD OF:

1. Highly Successful Prosecutions
2. 24/7 Dedication and Professionalism
3. Law Enforcement Expertise and Work
4. Community Support



WHAT WE SHOULD BE CONCERNED ABOUT:

1. Office Shortages Impacting Prosecution of Violent Crimes
2. Reducing Prosecutors in Vertical Units
3. High Caseloads
4. Less Support Staff Internally
5. Less Support from Police Departments
6. More Time to Complete Investigation and Preparation for Trial
7. Less Equipment / Resources
8. Drastically Reduced Professional Training, DDA Training Position Vacant



Homicide Unit

- 2009 – Filed against 97 defendants
- Sophisticated defenses with numerous experts and mental issues
- Complex trials involving weeks/months



Gang / Target Units

- 2009 – Filed against 1200 gang members
- Approx. 100 homicide cases in the unit
- Majority of cases involve violent and serious felonies
- Typical trial involves multiple defendants
- Civilian witnesses are uncooperative and/or fearful for their lives



Gang / Target Units

- Target concept threatened
- Gang Injunctions threatened
- GRIP threatened



Sexual Assault Unit

- 2009 – Filed against 300 defendants
- Majority of defendants are child-molesters
- Cases involve young, child victims
- Traumatized rape victims
- The Sexually Violent Predator

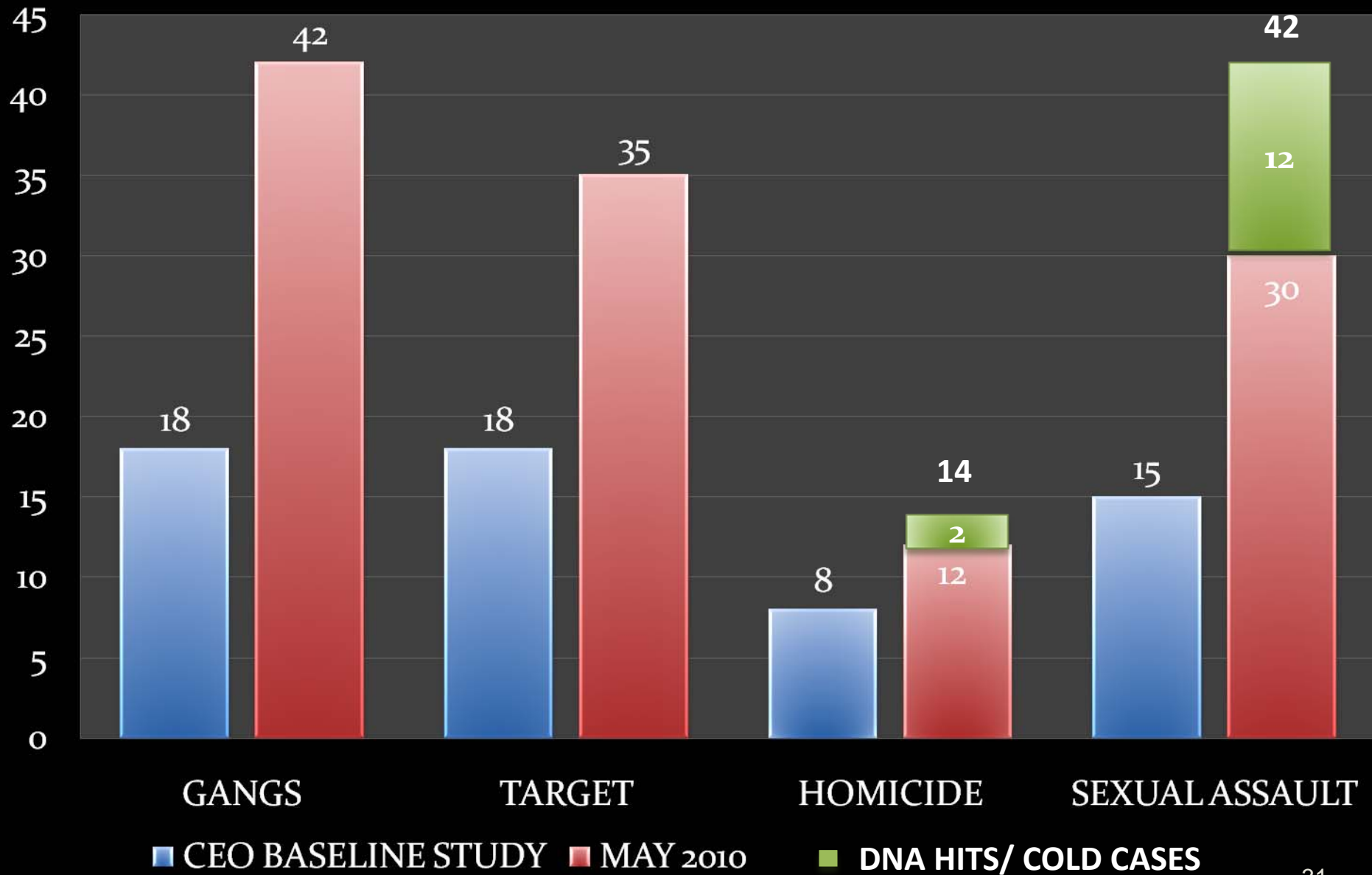


DNA COLD HITS

- From 3 to 700 HITS (2000-2009)
- Required Resources to Respond
- Local DNA Database hits increasing
- Statute of Limitations



VIOLENT CRIMES/VERTICAL PROSECUTION PROSECUTOR CASELOAD (MAY, 2010)







Bureau of Investigations

- DA's Constitutional Mandate
 - Investigate and Prosecute
- District Attorney Investigators
 - INVESTIGATIVE and ENFORCEMENT ARM of DA's Office
- Cases FILED still require additional Investigation prior to trial
- Decreased ratio of DAs to Investigators
- RISK to Public Safety
 - Perpetrator released back into our communities

