

1. Program Title: Miscellaneous

Program Description:

The District Attorney’s [DA] Office is responsible for representing the people of the County in all criminal actions arising within the County. Ultimate responsibility includes investigation, gathering of evidence, and case preparation with the active coordination and cooperation of law enforcement agencies in the County. It also involves providing victim advocates to assist the victims of crime, criminalists to analyze the seized evidence, and other staff, as necessary, to comply with the constitutional rights of victims as established by Prop 9 in 2008. The DA’s Office also represents the interests of the citizens of the County in consumer and environmental protection.

The DA, an elected official, prosecutes violators of state and local laws, serves as legal counsel for the Grand Jury on criminal matters, and operates the Laboratory of Forensic Services (Crime Lab).

Specialized programs within the DA’s Office are organized within the following operational teams: Felony Prosecution, Adult Sexual Assault, Sexual Assault and Child Abuse [includes Elder Abuse], Homicides, Gang & Hate Crimes, TARGET [recidivists who use guns], Career Criminal, Vehicle Theft, Major Narcotics Vendor Prosecution, Misdemeanor and related prosecution teams, State Targeted Offenses Prosecution, other specialized prosecution teams, and Administration.

	Base	Unfunded	Funded Base	Percentage
Appropriations	\$77,259,772	\$1,944,618	\$75,315,154	2.6%
Reimbursements (-)	-1,668,854	0	-1,668,854	0.0%
Net Appropriations	75,590,918	1,944,618	73,646,300	4.3%
Revenues:				
Federal	3,558,265	0	3,558,265	0.0%
State	6,313,989	0	6,313,989	0.0%
Realignment	642,529	0	642,529	0.0%
Prop 172	11,615,728	0	11,615,728	0.0%
Fees	1,175,771	0	1,175,771	0.0%
Other	6,908,820	0	6,908,820	0.0%
Total Revenues	30,215,102	0	30,215,102	0.0%
Carryover				
Net Cost	\$45,375,816	\$1,944,618	\$43,431,198	4.48%
Fulltime Equivalent Positions	391.0	0.0	391.0	0.0%

Program Impact:

If additional staffing reductions occur, the DA cannot prosecute and hold criminals accountable for the crimes committed in Sacramento County. She cannot fulfill her constitutional responsibilities to prosecute criminals and to victims of crime entitled to rights now listed in the California Constitution. Without adequate resources, arrests will not result in prosecutions and convictions of those being arrested.

The DA is the chief law enforcement official in the County and responsible for the prosecution of all crimes which occur within the boundaries of this county. As such the DA's Office is a countywide operation whose costs are a "county charge" as defined by Government Code section 29600. The DA receives cases from 46 law enforcement agencies, including the Sheriff's Department which represents 19% of the cases reviewed by the DA's Office. Over 80% of the cases brought to the DA's Office are from law enforcement agencies which have not had cuts in the number of officers on the street and many are now hiring additional officers which will increase the DA's caseload. As of today's date we have been informed that the Sacramento Police Department will be hiring 60 - 70 new officers during FY 2013-14.

Since FY 2009-10, the DA's Office has seen a 19% reduction in staff (484.6 to 391.0 positions). Such cuts have already impacted the DA's Office's ability to successfully prosecute cases. But for the successful resolution of a large environmental case, the cuts would have been even greater. By next year, all of money from that case will be exhausted. This reduction in staffing has impacted the ability of the DA's Office to file cases brought to it by law enforcement agencies. The DA's Office has changed its filing requirements and now does not file felony and misdemeanor cases which would have been filed in the past. But even with changes in filing standards and fewer police officers in the City of Sacramento, in 2012 the DA's Office still reviewed 40,229 cases or only 2.9% less than the previous fiscal year. In both years, the Office filed 60% of the cases reviewed. At the present time, the DA's Office is also hard pressed to meet the constitutional mandates regarding victims of crime.

With additional cuts, the DA's Office cannot fully prosecute those who commit violent crimes because we will not have enough prosecutors to handle the cases or investigators to do necessary investigation which is not done by the law enforcement agencies. We already do not have a sufficient number of prosecutors to prosecute many misdemeanor crimes.

As a result, it will be impossible for the DA's Office to achieve the County's Strategic Objectives C1 (Develop and sustain livable and attractive neighborhoods and communities), CJ (Ensure a fair and just criminal justice system), EG (Promote a healthy and growing regional economy and county revenue base through business growth and workforce employability), HS2 (Minimize the impact of substance abuse and mental illness on neighborhoods and families), PS1 (Protect the community from criminal activity, abuse and violence), and PS2 (Keep the community safe from environmental hazards and natural disasters).

Potential Impact on other Departments/Program Partners:

- Fewer prosecutors to handle caseloads resulting in court delays, overcrowding in jail and higher caseloads for the Public Defender's Office and the Conflict Criminal Defenders. In the case of the latter agency, it means more court appearances and increased costs for representation.
- Fewer prosecutors resulting in criminals receiving plea bargains for less time than if there were sufficient prosecutors to take the cases to trial.
- Local law enforcement agencies are being asked to perform additional investigative work necessary for successful prosecution or the work will go undone if the agencies cannot perform the work.
- Many misdemeanors will either be treated as infractions or not prosecuted at all.
- A continuing perception in the public that the DA's inability to investigate officer involved shootings and deaths in custody has resulted in unanswered questions about these deaths. This has been the subject of a Sacramento Bee editorial recommending that the DA resume these investigations.