

# DISTRICT ATTORNEY

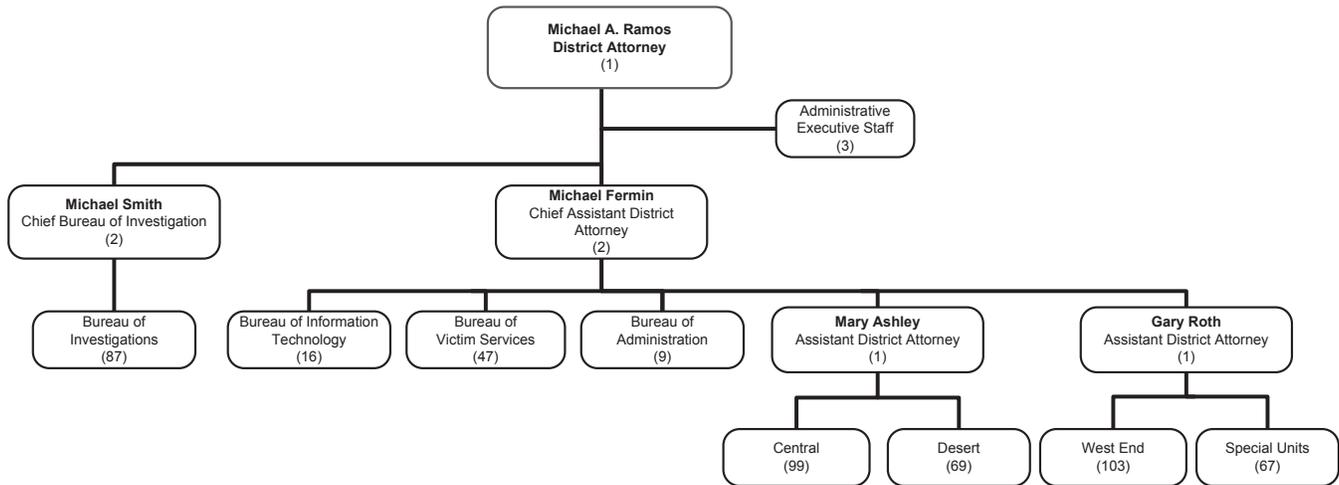
## Michael A. Ramos

### DEPARTMENT MISSION STATEMENT

*The San Bernardino County District Attorney's Office represents the interests of the people in the criminal justice system, as mandated by California State law. The District Attorney's Office serves the residents of San Bernardino County by: seeking the truth; protecting the innocent; holding the guilty accountable; preserving the dignity of victims and their families; and ensuring that justice is done while always maintaining the highest ethical standards.*



### ORGANIZATIONAL CHART



### 2015-16 SUMMARY OF BUDGET UNITS

	2015-16					Staffing
	Requirements	Sources	Net County Cost	Use of / (Contribution to) Fund Balance	Use of / (Contribution to) Net Position	
<b>General Fund</b>						
Criminal Prosecution	71,719,317	37,441,867	34,277,450			507
Total General Fund	71,719,317	37,441,867	34,277,450			507
<b>Special Revenue Funds</b>						
Special Revenue Funds - Consolidated	8,345,031	7,015,370		1,329,661		0
Total Special Revenue Funds	8,345,031	7,015,370		1,329,661		0
<b>Total - All Funds</b>	80,064,348	44,457,237	34,277,450	1,329,661	0	507



## 2014-15 MAJOR ACCOMPLISHMENTS

- Received 2014 Emmy Award nomination for Human Trafficking Documentary.
- Processed 3,211 victim services claims and paid out over \$2.9 million on behalf of crime victims.
- Partnered with the National Law Enforcement Center on Animal Abuse to promote enforcement of animal abuse laws.
- Assigned a District Attorney Investigator to the FBI Regional Computer Forensic Lab/Inland Empire Facility.
- Reached over 5,700 victims of crime through the Marsy's One Call Now Notification system informing them of their rights under Marsy's Law.
- Released a series of First Person Narratives during Domestic Violence month to inform victims of resources available on the Department's website.
- Created the Employee Certificate of Excellence Program.
- Made 221 arrests through the San Bernardino County Human Trafficking Joint Investigative Task Force for Stop the John Project.

## DEPARTMENT PERFORMANCE MEASURES

COUNTY GOAL: PROVIDE FOR THE SAFETY, HEALTH AND SOCIAL SERVICES NEEDS OF COUNTY RESIDENTS		Measure	2013-14 Actual	2014-15 Target	2014-15 Actual	2015-16 Target
OBJECTIVE	Partner with County and non-County agencies and maximize the use of Federal and State programs and funding to address the public health, safety and social service needs of County residents and move participants to self-sufficiency.	Number of victims provided victim services by the Department.	4,810	5,250	4,887	5,400
STRATEGY	Minimize impact of crime upon the lives of victims and provide assistance as they participate in the criminal justice system.					
COUNTY GOAL: PROVIDE FOR THE SAFETY, HEALTH AND SOCIAL SERVICES NEEDS OF COUNTY RESIDENTS		Measure	2013-14 Actual	2014-15 Target	2014-15 Actual	2015-16 Target
OBJECTIVE	Partner with County and non-County agencies and maximize the use of Federal and State programs and funding to address the public health, safety and social service needs of County residents and move participants to self-sufficiency.	Number of victims served at the Children's Assessment Center.	1,446	1,625	1,768	1,750
STRATEGY	Minimize impact of crime upon the lives of child victims by providing assistance at the Children's Assessment Center.					
COUNTY GOAL: IMPROVE COUNTY GOVERNMENT OPERATIONS		Measure	2013-14 Actual	2014-15 Target	2014-15 Actual	2015-16 Target
OBJECTIVE	Monitor and evaluate operations and implement strategies to continually improve efficiency, effectiveness, and collaboration.	Percentage of arrest reports reviewed within 90 days after initiation into the Department's case management system.	N/A	85%	92%	90%
STRATEGY	Respect the victim's Marsy's Law right to a speedy and prompt final conclusion of the case.					
STRATEGY	Hold the guilty accountable and protect the innocent.					



## Criminal Prosecution

### DESCRIPTION OF MAJOR SERVICES

The District Attorney is the public prosecutor and has the mandated responsibility to prosecute crimes committed within the County of San Bernardino, including all city jurisdictions, pursuant to Government Code 26500. Additionally, the District Attorney's Office: provides legal assistance for criminal investigations conducted by law enforcement agencies throughout the county; is the legal advisor to the Grand Jury and is authorized to submit evidence and seek indictments from that body; initiates civil commitment petitions to keep Mentally Disordered Offenders and Sexually Violent Predators in locked facilities; employs civil proceedings in asset forfeiture matters to seek the proceeds of criminal activity; and utilizes civil proceedings to seek sanctions and injunctive relief against businesses that pollute or create dangerous conditions for employees and citizens.

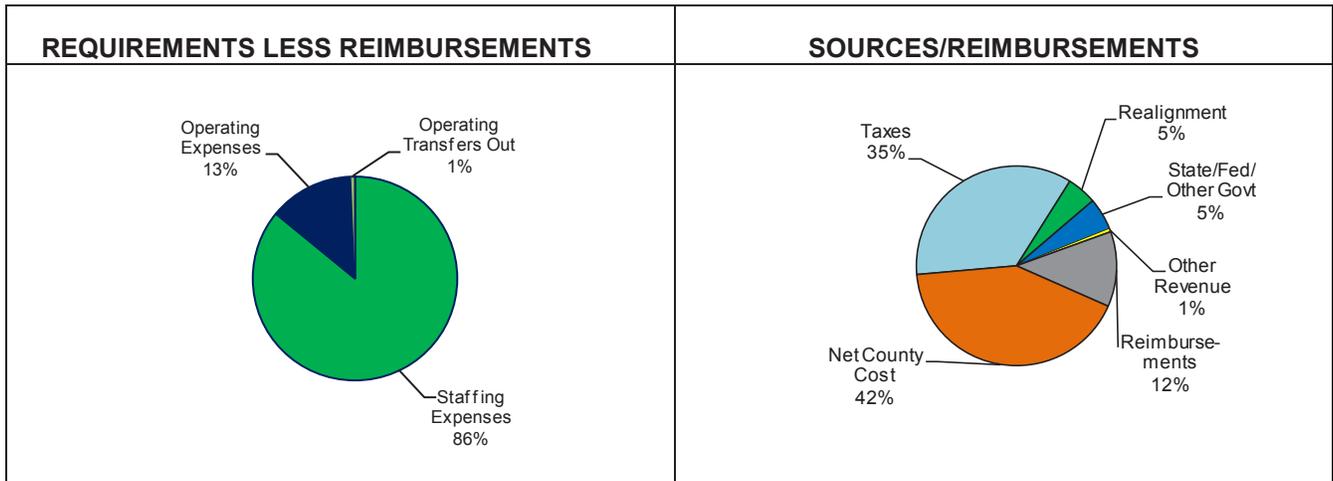
Budget at a Glance	
Requirements Less Reimbursements	\$81,652,011
Sources/Reimbursements	\$47,374,561
Net County Cost	\$34,277,450
Total Staff	507
Funded by Net County Cost	42%

The District Attorney also has a duty to investigate crimes. District Attorney Investigators work to prepare cases for trials and initiate special criminal investigations. The Office also administers several state grants and other state revenues that fund prosecutors and investigators who handle Real Estate Fraud, Auto Insurance Fraud, Workers' Compensation Fraud, and other special areas of prosecution.

The District Attorney has an ethical and legal responsibility to the victims of crime. The Office seeks restitution for victims and provides emotional and financial support for victims and their families.

Finally, as the public prosecutor who handles all cases in the name of the People, the District Attorney has a responsibility to keep the citizens of this County informed through regular interaction with the media and the public.

### 2015-16 ADOPTED BUDGET



## ANALYSIS OF 2015-16 ADOPTED BUDGET

GROUP: Law and Justice  
DEPARTMENT: District Attorney  
FUND: General

BUDGET UNIT: AAA DAT  
FUNCTION: Public Protection  
ACTIVITY: Judicial

	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2014-15 Final Budget	2015-16 Adopted Budget	Change From 2014-15 Final Budget
<b>Requirements</b>							
Staffing Expenses	61,514,896	62,613,082	63,065,056	63,244,732	66,352,008	70,092,325	3,740,317
Operating Expenses	7,436,066	7,429,839	7,988,767	9,614,909	9,863,947	10,979,686	1,115,739
Capital Expenditures	16,880	0	38,805	0	0	85,000	85,000
Total Exp Authority	68,967,842	70,042,921	71,092,628	72,859,641	76,215,955	81,157,011	4,941,056
Reimbursements	(8,198,605)	(8,515,366)	(7,980,105)	(8,529,214)	(9,698,676)	(9,932,694)	(234,018)
Total Appropriation	60,769,237	61,527,555	63,112,523	64,330,427	66,517,279	71,224,317	4,707,038
Operating Transfers Out	72,394	158,819	74,510	465,238	809,425	495,000	(314,425)
Total Requirements	60,841,631	61,686,374	63,187,033	64,795,665	67,326,704	71,719,317	4,392,613
<b>Sources</b>							
Taxes	22,242,500	25,790,117	26,532,500	27,300,000	27,300,000	28,840,000	1,540,000
Realignment	1,357,451	1,960,000	3,458,126	3,618,924	3,618,924	3,910,518	291,594
State, Fed or Gov't Aid	4,286,561	4,295,930	3,769,570	5,751,365	3,850,732	4,261,595	410,863
Fee/Rate	0	0	0	(177)	0	0	0
Other Revenue	428,834	532,238	427,252	464,425	405,173	429,754	24,581
Total Revenue	28,315,346	32,578,285	34,187,448	37,134,537	35,174,829	37,441,867	2,267,038
Operating Transfers In	0	0	38,096	0	0	0	0
Total Financing Sources	28,315,346	32,578,285	34,225,544	37,134,537	35,174,829	37,441,867	2,267,038
Net County Cost	32,526,285	29,108,089	28,961,489	27,661,128	32,151,875	34,277,450	2,125,575
Budgeted Staffing*	473	477	488	503	503	507	4

\*Data represents final budgeted staffing

## MAJOR EXPENDITURES AND REVENUE IN 2015-16 ADOPTED BUDGET

The majority of expenditures for the District Attorney's Office are for staffing (\$70.1 million) and operating expenses (\$11.0 million) primarily to fulfill the department's core responsibility of prosecuting crimes. These expenditures are funded primarily through \$34.3 million of Discretionary General Funding (Net County Cost) and \$28.8 million of Prop 172 sales tax revenues required by law to be used for public safety activities. Other significant funding sources include reimbursements of \$9.9 million primarily from the department's special revenue funds, \$3.9 million of AB 109 realignment revenue, and \$4.3 million from various state/federal agencies.

## BUDGET CHANGES AND OPERATIONAL IMPACT

Requirements are increasing by a net amount of \$4.4 million primarily due to the following:

- \$3.7 million of additional staffing expenses related to new MOU's with various labor unions, increased retirement rates, and the addition of four extra-help positions to assist with the workload resulting from passage of Prop 47.
- \$1.1 million increase in operating expenses for additional costs associated with the 303 West Third Street Building Remodel Project. This project, which will be completed in 2015-16, will allow for the consolidation of departmental staff and operations in San Bernardino.

The net increase in requirements is offset through increased sources of \$2.3 million including Prop 172 sales tax revenue (\$1.5 million), grant funding (\$410,863), and realignment revenue (\$291,594). Additionally, Net County Cost is increasing by \$2.1 million.



**2015-16 POSITION SUMMARY\***

Division	2014-15 Final Staffing	Adds	Deletes	Reorgs	2015-16 Adopted	Limited	Regular
Management	7	0	0	1	8	0	8
Bureau of Administration	9	0	0	0	9	0	9
Bureau of Victim Services	47	0	0	0	47	0	47
Bureau of Information Technology	16	0	0	0	16	0	16
Special Units	67	0	0	0	67	1	66
Bureau of Investigation	89	0	0	0	89	5	84
Criminal Prosecution - Central	95	4	0	0	99	5	94
Criminal Prosecution - West End	104	0	0	-1	103	1	102
Criminal Prosecution - Desert	69	0	0	0	69	0	69
Total	503	4	0	0	507	12	495

\*Detailed classification listing available in Appendix D

**STAFFING CHANGES AND OPERATIONAL IMPACT**

Staffing expenses of \$70.1 million fund 507 budgeted positions of which 495 are regular positions and 12 are limited term positions. The budgeted staffing reflects the addition of 4 extra-help positions (2 Deputy District Attorney IV and 2 Office Assistant III) to assist the Department with temporary workload increases associated with the recent passage of Proposition 47. The cost of these extra-help positions is funded through a one-time increase in Net County Cost for 2015-16.



## Special Revenue Funds - Consolidated

### DESCRIPTION OF MAJOR SERVICES

**Real Estate Fraud Prosecution** accounts for activity related to the investigation and prosecution of real estate fraud crimes in the County. Pursuant to Government Code section 27388, the costs related to this activity are funded through a fee charged on recorded documents. On July 22, 2014, the Board of Supervisors (Board) adopted Resolution 2014-164 authorizing an increase of this fee from \$3.00 to \$10.00. The revenue collected from this fee is transferred to the District Attorney's Criminal Prosecution budget unit to offset the cost of staff assigned to investigate/prosecute real estate fraud.

Budget at a Glance	
Requirements Less Reimbursements	\$8,345,031
Sources/Reimbursements	\$7,015,370
Use of/ (Contribution to) Fund Balance	\$1,329,661
Total Staff	0

**Auto Insurance Fraud Prosecution** represents activity related to the investigation and prosecution of automobile insurance fraud. Insurance fraud is a particular problem for automobile policy holders. It contributes substantially to the cost of automobile insurance, particularly in urban areas. Prevention of automobile insurance fraud can significantly reduce insurance claim payments and may therefore produce a commensurate reduction in automobile insurance premiums. Under direction of the Insurance Commissioner, the California Department of Insurance makes funds available, as authorized by the California Insurance Code, to the District Attorney's Office for investigation and prosecution of automobile insurance fraud. Sources are transferred to the District Attorney's Criminal Prosecution budget unit to offset the cost of staff assigned to investigate/prosecute auto insurance fraud.

**Workers' Compensation Fraud Prosecution** accounts for activity related to the investigation and prosecution of workers' compensation insurance fraud. The California Department of Insurance, pursuant to Section 1871.83 of the California Insurance code, distributes funds to the District Attorney's Office for this purpose. These assessed funds represent a percentage of the total premiums collected by workers' compensation claims relating to the willful failure to secure the payment of workers' compensation. Of all money collected by the state, 56% is retained by the state for fraud investigation and 44% is distributed statewide to District Attorney Offices through a grant program. The funds received by San Bernardino County are administered through this budget unit. The insurance grant revenue is transferred to the District Attorney's Criminal Prosecution budget unit to offset the cost of staff assigned to prosecute workers' compensation insurance fraud.

**Specialized Prosecutions** was established in 1990-91 with funding from various fines and forfeitures for the District Attorney's Office to prosecute crimes such as hazardous waste dumping, consumer fraud and violations of Cal/OSHA laws. Sources are transferred to the District Attorney's Criminal Prosecution budget unit to offset the cost of staff associated with these specialized prosecutions.

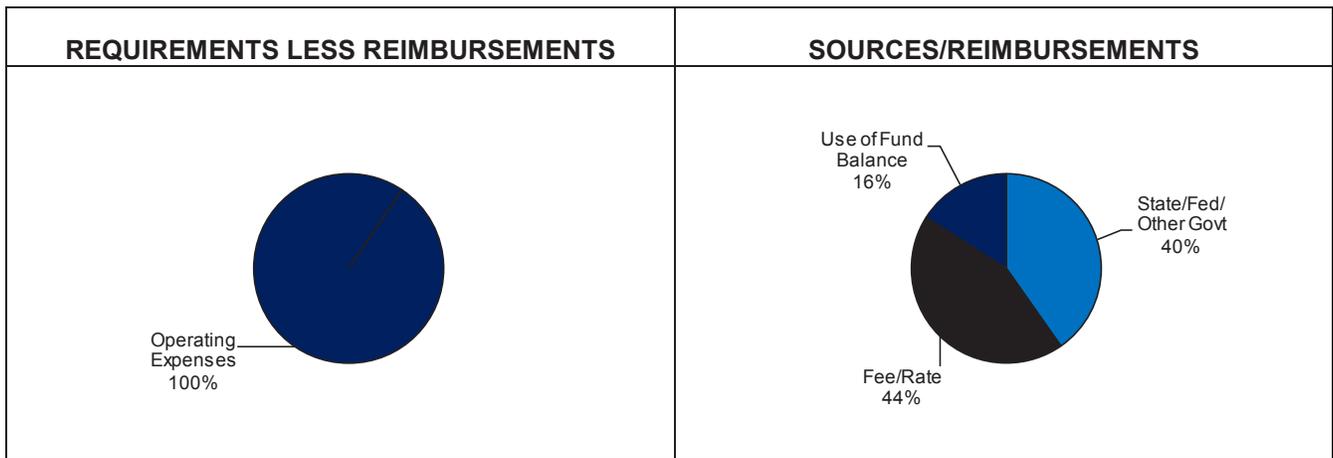
**Vehicle fees – Auto Theft** accounts for the receipt of assessments on vehicles registered in San Bernardino County. On May 2, 1995, the Board adopted a resolution, pursuant to Vehicle Code 9250.14, to impose a \$1.00 fee on each San Bernardino County new and renewal vehicle registration. The Board adopted a subsequent resolution on June 16, 2015 to increase this fee from \$1.00 to \$2.00 per vehicle. The revenue from this fee is used to enhance the capacity of local law enforcement and prosecutors to deter, investigate and prosecute vehicle theft crimes. This budget unit receives the District Attorney's share of the registration assessment on vehicles registered in San Bernardino County. Sources are transferred to the District Attorney's Criminal Prosecution budget unit to offset the costs of prosecuting and investigating automobile theft crimes.

**State Asset Forfeitures** represent receipt of the District Attorney's share of state asset forfeiture funds. The goal of asset forfeiture is to remove the profits from those who benefit from illegal activities. While seizures and arrests present a temporary setback for criminals, asset forfeiture is effective in permanently removing the proceeds from the criminals while diminishing their ability to continue the illegal enterprise. The law permits law enforcement agencies to use the proceeds of forfeitures to offset public safety expenses. Thus, law enforcement is able to convert criminal profits into supplemental funding to inhibit illegal activities. Sources are transferred to the District Attorney's Criminal Prosecution budget unit to help offset the cost of processing asset forfeiture cases.



**Federal Asset Forfeitures** account for the share of federal asset forfeitures processed by the District Attorney's Office. In 1982, Congress enacted the comprehensive Crime Control act that gave federal prosecutors new forfeiture provisions to combat crime. Also created by this legislation was the Department of Justice Assets Forfeiture Fund. Proceeds from the sale of forfeited assets such as real property, vehicles, businesses, financial instruments, vessels, aircraft and jewelry are deposited into this fund and are subsequently used to further law enforcement initiatives. Under the Equitable Sharing program, proceeds from the sale of these seized assets are often shared with participating state and local law enforcement agencies. The County's share of these funds are ultimately transferred to the District Attorney's Criminal Prosecution budget unit to assist with operating costs of the Department's Asset Forfeitures unit and other eligible public safety expenses pursuant to established guidelines set forth by the U.S. Department of Justice.

**2015-16 ADOPTED BUDGET**



## ANALYSIS OF 2015-16 ADOPTED BUDGET

GROUP: Law and Justice  
 DEPARTMENT: District Attorney  
 FUND: Special Revenue Funds - Consolidated

BUDGET UNIT: Various  
 FUNCTION: Public Protection  
 ACTIVITY: Judicial

	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2014-15 Final Budget	2015-16 Adopted Budget	Change From 2014-15 Final Budget
<b>Requirements</b>							
Staffing Expenses	0	0	0	0	0	0	0
Operating Expenses	6,399,296	6,731,791	6,168,581	6,932,225	8,095,677	8,345,031	249,354
Capital Expenditures	0	0	0	0	0	0	0
Total Exp Authority	6,399,296	6,731,791	6,168,581	6,932,225	8,095,677	8,345,031	249,354
Reimbursements	0	0	0	0	0	0	0
Total Appropriation	6,399,296	6,731,791	6,168,581	6,932,225	8,095,677	8,345,031	249,354
Operating Transfers Out	0	0	0	0	0	0	0
Total Requirements	6,399,296	6,731,791	6,168,581	6,932,225	8,095,677	8,345,031	249,354
<b>Sources</b>							
Taxes	0	0	0	0	0	0	0
Realignment	0	0	0	0	0	0	0
State, Fed or Gov't Aid	3,616,819	3,650,341	3,716,057	3,548,113	3,676,741	3,356,458	(320,283)
Fee/Rate	2,027,195	3,778,175	2,182,897	4,130,274	2,803,901	3,648,000	844,099
Other Revenue	23,495	17,361	8,577	18,071	13,475	10,912	(2,563)
Total Revenue	5,667,509	7,445,877	5,907,531	7,696,458	6,494,117	7,015,370	521,253
Operating Transfers In	780,606	0	0	0	0	0	0
Total Financing Sources	6,448,115	7,445,877	5,907,531	7,696,458	6,494,117	7,015,370	521,253
<b>Fund Balance</b>							
Use of / (Contribution to) Fund Balance	(48,819)	(714,086)	261,050	(764,233)	1,601,560	1,329,661	(271,899)
Available Reserves					2,854,419	3,890,551	1,036,132
Total Fund Balance					4,455,979	5,220,212	764,233
Budgeted Staffing*	0	0	0	0	0	0	0

\*Data represents final budgeted staffing

## DETAIL OF 2015-16 ADOPTED BUDGET

	2015-16				
	Requirements	Sources	Use of / (Contribution to) Fund Balance	Available Reserves	Staffing
<b>Special Revenue Funds</b>					
Real Estate Fraud Prosecution (Fund REB)	2,784,878	2,250,000	534,878	501,973	0
Auto Insurance Fraud Prosecution (Fund RIP)	644,921	580,000	64,921	259,587	0
Workers' Comp Insurance Fraud (Fund ROB)	2,123,512	2,103,324	20,188	527,327	0
Specialized Prosecutions (Fund SBI)	1,571,423	1,055,000	516,423	789,582	0
Vehicle Fees - Auto Theft (Fund SDM)	798,165	675,419	122,746	61,087	0
State Asset Forfeitures (Fund SBH)	210,311	150,000	60,311	23,650	0
Federal Asset Forfeitures (Fund SDN)	211,821	201,627	10,194	1,727,345	0
Total Special Revenue Funds	8,345,031	7,015,370	1,329,661	3,890,551	0

## MAJOR EXPENDITURES AND REVENUE IN 2015-16 ADOPTED BUDGET

**Real Estate Fraud Prosecution:** Requirements of \$2.8 million are for transfers to the Department's Criminal Prosecution budget unit for the cost of staff assigned to real estate fraud prosecution. Sources of \$2.3 million represent the amount anticipated from the \$10.00 fee collected on recording documents for real estate fraud prosecution. The use of fund balance of \$534,878 is for staffing costs in the Department's general fund budget unit.



**Auto Insurance Fraud Prosecution:** Requirements of \$644,921 are for transfers to the Department's Criminal Prosecution budget unit for the cost of staff assigned to auto insurance fraud prosecution. Sources of \$580,000 represent projected grant funds from the California Department of Insurance. The use of fund balance of \$64,921 is for staffing costs in the department's general fund budget unit.

**Workers' Compensation Insurance Fraud Prosecution:** Requirements of \$2.1 million are for transfers to the Department's Criminal Prosecution budget unit for the cost of staff assigned to workers' compensation insurance fraud prosecution. Sources of \$2.1 million reflect projected grant funds from the California Department of Insurance. The use of fund balance of \$20,188 is for staffing costs in the department's general fund budget unit.

**Specialized Prosecutions:** Requirements of \$1.6 million are for transfers to the Department's Criminal Prosecution budget unit for staffing and other costs related to specialized prosecution. Sources of \$1.1 million reflect the Department's estimated revenue from anticipated case settlements during 2015-16. The use of fund balance of \$516,423 is for the costs to prosecute crimes such as hazardous waste dumping, consumer fraud, and violations of Cal OSHA laws.

**Vehicle Fees – Auto Theft Prosecution:** Requirements of \$798,165 are for transfers to the Department's Criminal Prosecution budget unit for costs associated with prosecuting and investigating automobile theft crimes. Sources of \$675,419 primarily represent new and renewal registration assessments on vehicles registered in San Bernardino County. The use of fund balance of \$122,746 is for staffing costs in the department's general fund budget unit.

**State Asset Forfeitures:** Requirements of \$210,311 are primarily for transfers to the Department's Criminal Prosecution budget unit to help offset the costs of processing asset forfeiture cases. Sources of \$150,000 reflect the anticipated proceeds from asset forfeitures. The use of fund balance of \$60,311 is to assist with the costs of processing asset forfeiture claims.

**Federal Asset Forfeitures:** Requirements of \$211,821 are for transfers to the Department's Criminal Prosecution budget unit to assist with operating expenses of the Asset Forfeiture Unit. Sources of \$201,627 represent proceeds from federal asset forfeiture funds (\$198,000) and interest earnings (\$3,627). The use of fund balance of \$10,194 funds various costs in the department's general fund budget unit considered eligible under U.S. Department of Justice guidelines.

## BUDGET CHANGES AND OPERATIONAL IMPACT

The only significant budget change for 2015-16 is an increase in fee/rate revenue of \$844,099 due to additional case settlements anticipated from specialized prosecutions and the July 22, 2014 Board action (Item #60) authorizing an increase to the recording fee for real estate documents.

## ANALYSIS OF FUND BALANCE

**Real Estate Fraud Prosecution:** Although the 2015-16 budget is using fund balance of \$534,878 for staffing costs, the Department expects additional fee revenue to be generated in future years through increased activity in the real estate market.

**Auto Insurance Fraud Prosecution:** Although the 2015-16 budget is using fund balance of \$64,921 for staffing costs, the Department expects to receive additional grant funds to mitigate the use of fund balance in the future.

**Workers' Compensation Insurance Fraud Prosecution:** The \$20,188 use of fund balance for 2015-16 is a nominal amount in contrast to the \$527,327 of available reserves.



**Specialized Prosecutions:** For 2015-16, this budget unit is utilizing \$516,423 of fund balance to prosecute such crimes as hazardous waste dumping, consumer fraud, and violations of Cal OSHA laws. These types of cases often continue for several months or possibly years. When these cases eventually conclude, the Department receives funding for cost reimbursement and this fund balance is ultimately replenished.

**Vehicle Fees – Auto Theft Prosecution:** Although the 2015-16 budget is using fund balance of \$122,746 for staffing costs, expectation is that these funds will be recouped via future revenues related to this program. On June 16, 2015 (Item #36), the Board approved an increase in the registration assessment on motor vehicles registered in San Bernardino County. The additional \$850,000 of fee revenue projected annually from this increase, which is not included in the 2015-16 budget, will be used to provide enhanced investigation and prosecution of vehicle theft crime.

**State Asset Forfeitures:** The 2015-16 budget includes the use of fund balance of \$60,311 to assist with the cost of processing asset forfeiture cases. When these cases conclude, the Department will receive funding pursuant to California law and the fund balance will be replenished at that time.

**Federal Asset Forfeitures:** The \$10,194 use of fund balance for 2015-16 is a nominal amount in contrast to the \$1.7 million of available reserves.

#### **STAFFING CHANGES AND OPERATIONAL IMPACT**

There is no staffing associated with these consolidated special revenue budget units.

