

Criminal Prosecution

DESCRIPTION OF MAJOR SERVICES

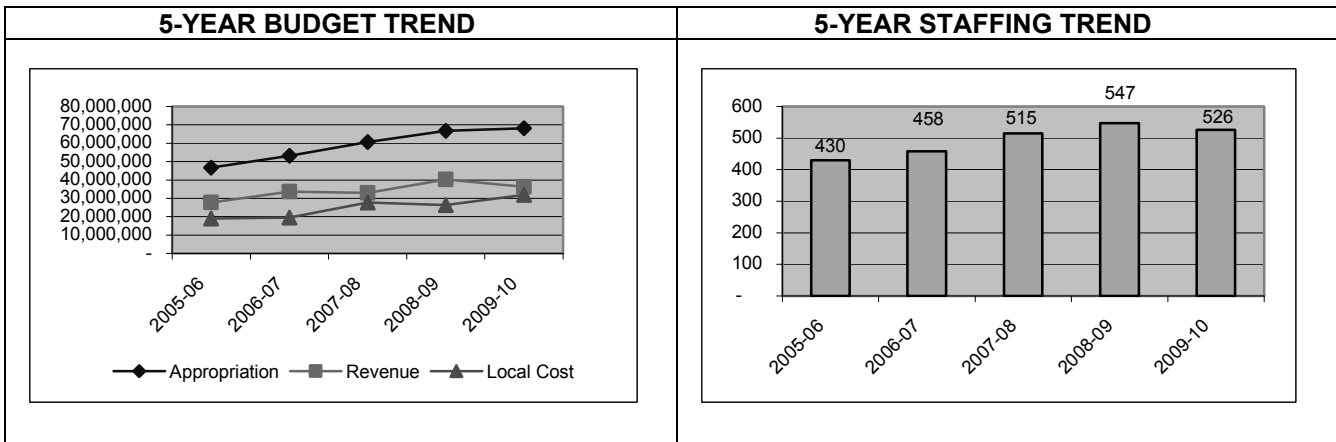
The District Attorney is the public prosecutor and has the mandated responsibility to prosecute crimes committed within the County of San Bernardino, including all city jurisdictions, pursuant to Government Code 26500. Additionally, the District Attorney's Office: provides legal assistance for criminal 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; employee civil proceedings in asset forfeiture matters to seek the proceeds of criminal activity; and utilized civil proceedings to seek sanctions and injunctive relief against businesses that pollute or create dangerous conditions for employees and citizens.

The District Attorney also has a duty to investigate crimes: District Attorney investigators work to prepare cases for trial 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

BUDGET HISTORY



PERFORMANCE HISTORY

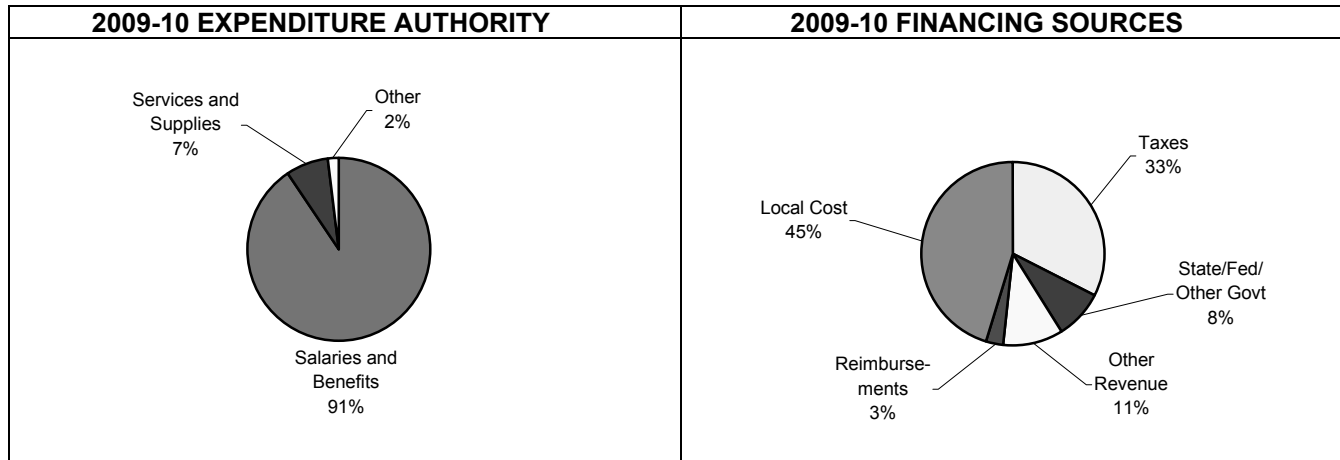
	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Modified Budget	2008-09 Actual
Appropriation	46,663,607	53,185,916	60,597,679	69,272,398	69,339,840
Departmental Revenue	27,625,474	33,634,907	32,921,226	40,674,619	33,615,345
Local Cost	19,038,133	19,551,009	27,676,453	28,597,779	35,724,495
Budgeted Staffing				547	

Actual appropriation of \$69,339,840 for 2008-09 is over modified budget by \$67,442. This overage is primarily due to \$0.6 million attributed to attorney overtime and varied cash outs such as retirements, administrative and attorney leave. Additionally, the department will recognize a decrease to reimbursements of \$0.15 million due to reductions to reimbursements for state programs.

Actual departmental revenue of \$33,615,345 for 2008-09 is under modified budget by approximately \$7.06 million primarily due to a reduction of Prop 172 revenue of \$4.98 million, decrease in state grant awards of \$1.88 million, and decrease of 0.2 in varied other revenue.



ANALYSIS OF FINAL BUDGET



As a result of the current economic condition, the 2009-10 budget was impacted by a salary reduction and a Prop 172 reduction. The salary reduction plan represents a decrease of \$1,340,868. Also included is a reduction in Prop 172 revenue of \$700,000. Budgeted staffing was reduced by 25 filled positions for the salary reduction and 9 vacant positions for the Prop 172 reduction for a total decrease in budgeted staffing of 34 positions.

IMPACTS DUE TO BUDGET REDUCTIONS

Brief Description of Budget Impact	Budgeted Staffing	Appropriation	Departmental Revenue	Local Cost
Salary Reduction Reduction made to salaries and benefits - deleted 4 Senior Investigator positions, 15 Deputy District Attorney positions, and 6 Office Assistant III positions.	(25)	(3,101,534)	-	(3,101,534)
Prop 172 Reduction Reduction is based on estimated shortfall anticipated in Prop 172 for 2009-10 resulting in 9 position reductions. These positions consist of 1 Deputy District Attorney, 3 Office Assistant IIIs, 1 Secretary II, 1 Victim Advocate II, 1 Victim Witness Advocate Claims Tech I, 1 Executive Secretary II and 1 Investigative Tech II.	(9)	(700,000)	(700,000)	-
Total	(34)	(3,801,534)	(700,000)	(3,101,534)

At the 2009-10 budget hearing, the preceding salary reduction was adjusted with additional appropriation and local cost in the amount of \$1,340,868 to the departmental budget to restore 25 filled positions. Additionally, the savings realized from the deferral of raises absorbed the remainder of the salary reduction. These adjustments are reflected in the following schedule that details the budget by appropriation unit and revenue source.



GROUP: Law and Justice
DEPARTMENT: District Attorney - Criminal Prosecution
FUND: General

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

	2005-06 Actual	2006-07 Actual	2007-08 Actual	2008-09 Actual	2008-09 Final Budget	2009-10 Final Budget	Change From 2008-09 Final Budget
Appropriation							
Salaries and Benefits	44,905,973	50,672,139	57,314,718	64,481,895	62,309,163	63,581,559	1,272,396
Services and Supplies	3,726,323	4,419,910	5,368,844	4,564,812	4,301,318	4,152,349	(148,969)
Central Computer	317,948	430,798	484,186	625,979	625,979	663,269	37,290
Travel	-	-	-	437,051	333,316	347,290	13,974
Equipment	-	36,291	5,816	-	-	50,000	50,000
Vehicles	96,824	-	184,054	-	-	-	-
Transfers	505,503	568,238	703,213	1,188,141	1,124,202	1,182,588	58,386
Total Exp Authority	49,552,571	56,127,376	64,060,831	71,297,878	68,693,978	69,977,055	1,283,077
Reimbursements	(2,888,964)	(3,010,460)	(3,463,152)	(2,108,038)	(2,172,710)	(2,035,403)	137,307
Total Appropriation	46,663,607	53,116,916	60,597,679	69,189,840	66,521,268	67,941,652	1,420,384
Operating Transfers Out	-	69,000	-	150,000	150,000	150,000	-
Total Requirements	46,663,607	53,185,916	60,597,679	69,339,840	66,671,268	68,091,652	1,420,384
Departmental Revenue							
Taxes	23,625,000	27,971,251	25,987,500	22,064,576	27,037,500	22,837,500	(4,200,000)
Fines and Forfeitures	128	-	2,191	2,269	1,500	1,500	-
State, Fed or Gov't Aid	3,889,891	5,629,823	4,718,593	3,726,661	5,810,694	5,915,708	105,014
Current Services	17,850	18,934	58,390	31,042	30,000	100	(29,900)
Other Revenue	790	14,899	96,008	171,071	255,345	325,738	70,393
Other Financing Sources	91,815	-	-	26,269	-	-	-
Total Revenue	27,625,474	33,634,907	30,862,682	26,021,888	33,135,039	29,080,546	(4,054,493)
Operating Transfers In	-	-	2,058,544	7,593,457	7,157,849	7,177,961	20,112
Total Financing Sources	27,625,474	33,634,907	32,921,226	33,615,345	40,292,888	36,258,507	(4,034,381)
Local Cost	19,038,133	19,551,009	27,676,453	35,724,495	26,378,380	31,833,145	5,454,765
				Budgeted Staffing	547	526	(21)

Salaries and benefits of \$63,581,559 fund 526 budgeted positions resulting in an increase of \$1,272,396. Budgeted staffing was decreased by a net of 21 positions. This decrease includes the elimination of 9 positions due to Prop 172 reductions, 16 positions related to grant reductions, offset by 4 positions due to a mid-year staff increase for criminal courtrooms. Cost increases are the result of a technical change in the way positions are budgeted and an increase in attorney leave cash out.

Services and supplies of \$4,152,349 are decreased by \$148,969. The decrease represents the department's efforts to reduce all but mandatory expenses. Reductions are across all budget units to accommodate projected revenue shortfalls.

Travel of \$347,290 are based on departmental analysis of past travel related expenses. These expenses include mandated training and associated costs. This budgeted amount includes travel costs associated with special prosecution units, including real estate fraud, auto insurance fraud, workers compensation fraud, specialized prosecutions group, including HazMat and industrial deaths, and the child abduction and recovery unit.

Equipment of \$50,000 represents a switch for the office located on Hospitality Lane. Corresponding revenue is budgeted to be brought in from SBI-DAT.

Transfers of \$1,182,588 primarily represent rents paid to Real Estate Services. Increased costs reflect a new lease agreement for the Needles office, and regular yearly increases for all other leased facilities.

Reimbursements of \$2,035,403 represent payments from other department for Welfare Fraud Prosecution and truancy prosecution. The decrease of \$0.1 million is primarily due to the loss of funding for the Street Enforcement grant.

Operating transfers out of \$150,000 represents funding to County Fire for a Haz Mat Specialist II to be available to the Specialized Prosecution group.

Taxes (Prop 172) of \$22,837,500 million represent a decrease of \$4.2 million based on current downward trends in sales tax receipts.



State, federal and government aid revenue of \$5.9 million increased by \$105,014 as a result of reduction in the COPS grant that is offset by the reclassification of Indian Gaming from other revenue. There was no affect to the department's overall revenue.

Other revenue of \$325,738 is increasing to reflect partial funding with a direct agreement with the San Manuel Tribe for Indian Gaming. A portion of this funding was reclassified under the State, federal and government section of this budget unit.

Operating transfers in of \$7,177,961 are increasing to offset the MOU increases for staff financed by special revenue fund budget units.

