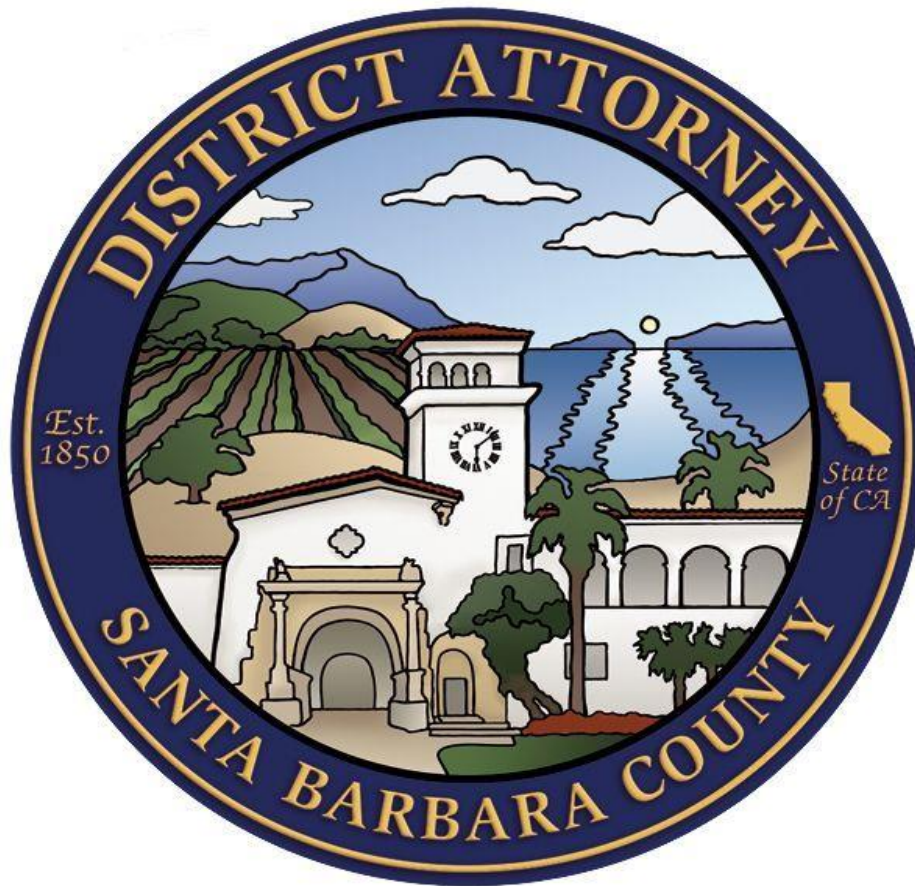
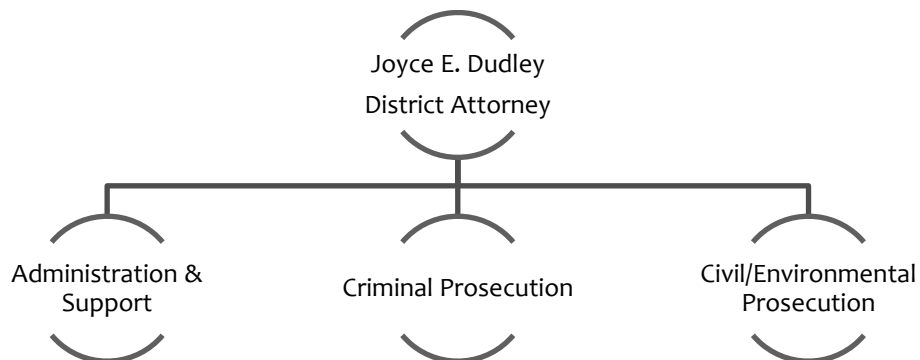


# District Attorney



## **BUDGET & FULL-TIME EQUIVALENTS SUMMARY & BUDGET PROGRAMS CHART**

Operating	\$ 24,352,408
Capital	\$ 550,000
FTEs	131.2



# District Attorney

## Department

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### **MISSION STATEMENT**

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The mission of the District Attorney is to pursue truth and justice by employing the highest ethical standards in vigorously prosecuting the guilty, protecting the innocent, and preventing crime.

### **DEPARTMENT DESCRIPTION**

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The mandatory duty of the District Attorney is to diligently and vigilantly pursue those who are believed to have violated the criminal codes of the State (People v. Hartman (1985) 170 Cal.App.3d 572 and California Government Code § 26500). The District Attorney also has the duty to protect the rights of victims of crime, where “victims of crime are entitled to have the criminal justice system view criminal acts as serious threats to the safety and welfare of the People of California” (California Constitution, Art. I § 28 and Marsy’s Law).

The District Attorney is responsible for the prosecution of adult and juvenile offenders for felony and misdemeanor crimes or civil violations countywide. The District Attorney team consists of deputy district attorneys, criminal investigators, victim advocates, legal support staff, administrative and IT staff housed in Santa Barbara, Santa Maria, and Lompoc. The team is organized to review, file, and prepare cases for prosecution; enforce terms and conditions of criminal probationers; assist victims throughout the criminal process, including efforts to recover restitution; and participate in proactive efforts to deter crime.

The District Attorney has three budget programs: Administration and Support, Criminal Prosecution, and Civil/Environmental Prosecution, as described below.

### **HIGHLIGHTS OF 2017-19 OBJECTIVES**

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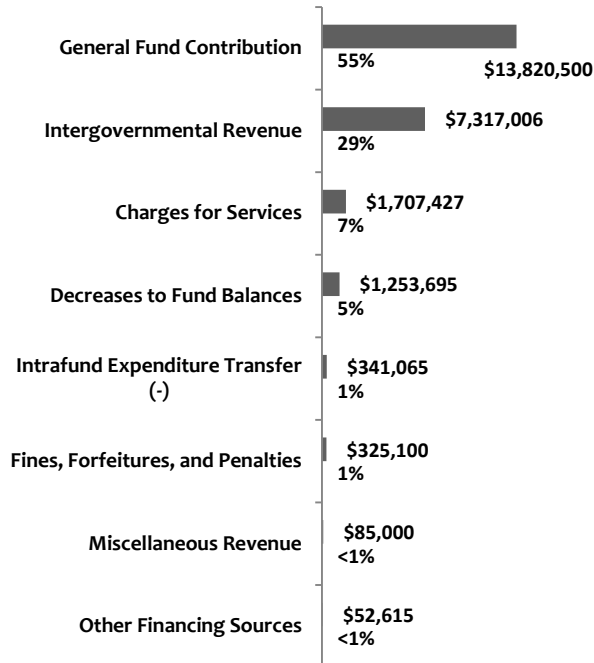
- Upgrade 20+ year old case management system to increase staff efficiency and improve ability to make data-driven management decisions.
- Collaborate with County partners on long-term, effective solutions for mentally ill defendants.
- Continue vigorous prosecution of those responsible for committing gang-related murders in Santa Barbara County.
- Implement a felony pre-filing diversion program for non-violent offenders.
- Expand victim services through enhanced outreach efforts in order to meet the needs of underserved and vulnerable populations including elders, dependent adults, disabled persons and immigrant victims.
- Pursue implementation of web-based E-SCARS system to report, investigate and track alleged child abuse.
- Continue development of the Consumer/Environmental Unit in order to increase prosecution efforts for consumer and environmental protection.

# District Attorney

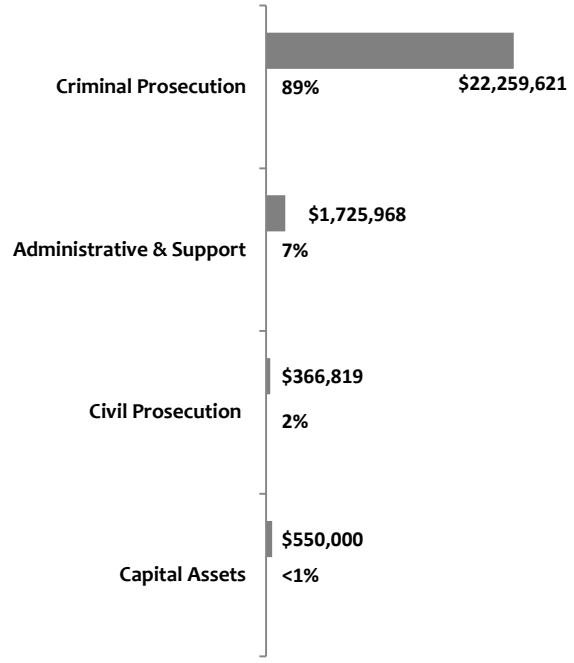
## Department

### RECOMMENDED SOURCES & USES OF FUNDS

#### Source of Funds - \$24,902,408

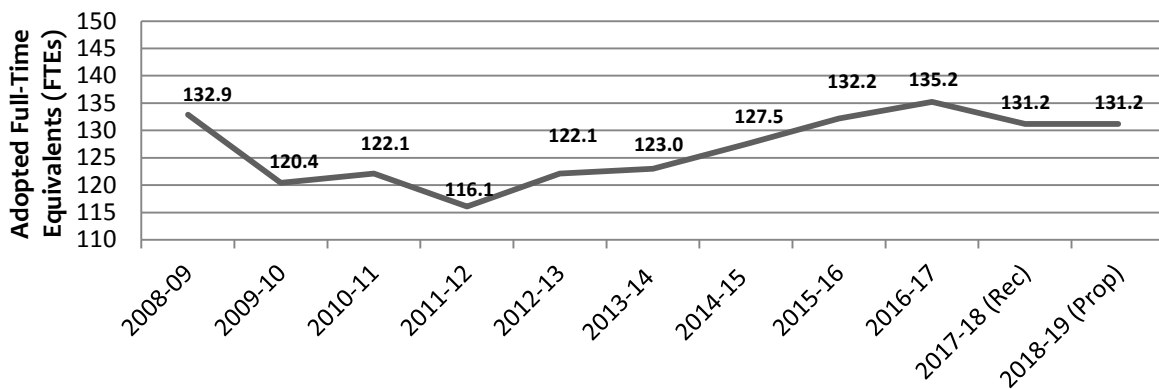


#### Use of Funds - \$24,902,408



### STAFFING TREND

The staffing trend values will differ from prior year budget books in order to show amounts without the impact of any vacancy factors.



# District Attorney

## Department

### BUDGET OVERVIEW

Staffing Detail By Budget Program	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Administration & Support	9.19	9.00	-	9.00	8.00
Criminal Prosecution	127.32	124.20	(4.15)	120.05	121.60
Civil Prosecution	0.48	2.00	0.15	2.15	1.60
Unallocated	0.23	-	-	-	-
<b>Total</b>	<b>137.22</b>	<b>135.20</b>	<b>(4.00)</b>	<b>131.20</b>	<b>131.20</b>
<hr/>					
<b>Budget By Budget Program</b>					
Administration & Support	\$ 1,581,573	\$ 1,656,530	\$ 69,438	\$ 1,725,968	\$ 1,665,034
Criminal Prosecution	20,711,949	22,040,572	219,049	22,259,621	23,518,409
Civil Prosecution	110,070	345,016	21,803	366,819	276,253
<b>Total</b>	<b>\$ 22,403,593</b>	<b>\$ 24,042,118</b>	<b>\$ 310,290</b>	<b>\$ 24,352,408</b>	<b>\$ 25,459,696</b>
<hr/>					
<b>Budget By Categories of Expenditures</b>					
Salaries and Employee Benefits	\$ 20,287,390	\$ 21,951,077	\$ 482,225	\$ 22,433,302	\$ 23,510,180
Services and Supplies	1,343,083	1,147,864	29,694	1,177,558	1,178,438
Other Charges	773,119	943,177	(201,629)	741,548	771,078
<b>Total Operating Expenditures</b>	<b>22,403,593</b>	<b>24,042,118</b>	<b>310,290</b>	<b>24,352,408</b>	<b>25,459,696</b>
Capital Assets	-	-	550,000	550,000	-
Intrafund Expenditure Transfers (+)	1,740	2,000	(2,000)	-	-
Increases to Fund Balances	100,000	-	-	-	-
<b>Total</b>	<b>\$ 22,505,333</b>	<b>\$ 24,044,118</b>	<b>\$ 858,290</b>	<b>\$ 24,902,408</b>	<b>\$ 25,459,696</b>
<hr/>					
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	\$ 357,018	\$ 225,100	\$ 100,000	\$ 325,100	\$ 193,108
Intergovernmental Revenue	6,151,358	6,389,265	927,741	7,317,006	7,458,006
Charges for Services	1,706,338	1,760,595	(53,168)	1,707,427	1,707,427
Miscellaneous Revenue	62,350	95,000	(10,000)	85,000	85,000
<b>Total Operating Revenues</b>	<b>8,277,064</b>	<b>8,469,960</b>	<b>964,573</b>	<b>9,434,533</b>	<b>9,443,541</b>
Other Financing Sources	47,453	52,300	315	52,615	52,615
Intrafund Expenditure Transfers (-)	290,444	319,965	21,100	341,065	341,065
Decreases to Fund Balances	601,772	1,229,893	23,802	1,253,695	418,535
General Fund Contribution	13,288,600	13,972,000	(151,500)	13,820,500	13,738,200
Fund Balance Impact (-)	-	-	-	-	1,465,740
<b>Total</b>	<b>\$ 22,505,333</b>	<b>\$ 24,044,118</b>	<b>\$ 858,290</b>	<b>\$ 24,902,408</b>	<b>\$ 25,459,696</b>

# District Attorney

## Department

### ***CHANGES & OPERATIONAL IMPACT: 2016-17 ADOPTED TO 2017-18 RECOMMENDED***

#### Staffing

- Total net decrease of 4.0 FTE due to the following:
  - Increase of 2.0 FTE:
    - Increase is due to the addition of 2.0 FTE Victim Witness Program Advocate positions that are fully grant funded. The department received funding from the Department of Justice for the Human Trafficking Task Force grant, which includes funding for 1.0 FTE Victim Witness Program Advocate. The department also received a grant to combat elder abuse from the California Governor's Office of Emergency Services, which includes funding for 1.0 FTE Victim Witness Program Advocate. Both positions were approved by the Board of Supervisors in 2016.
  - Decrease of 6.0 FTE:
    - Reduction of 2.0 FTE Criminal Investigators and 2.0 FTE Criminal Investigative Assistants due to a reduction in General Fund Contribution, coupled with significant increases in pension costs.
    - Reduction of 2.0 FTE Welfare Fraud Investigations staff (1.0 FTE Welfare Fraud Investigator and 1.0 FTE Welfare Fraud Investigative Assistant) due to changes in program demand within the Welfare Fraud Unit.

#### Expenditures

- Net operating expenditure increase of \$310,290:
  - +\$482,225 increase in Salaries and Employee Benefits due to retirement cost increases, wage increases resulting from County-negotiated union contract changes, health insurance cost increases, and additional salary costs associated with the prosecution of the MS-13 gang case.
  - +\$29,694 increase in Services and Supplies due to copier replacements and professional services associated with the Deputy District Attorneys Association contract.
  - -\$201,629 decrease in Other Charges due to a decrease in general liability insurance costs.
- Net non-operating expenditure increase of \$548,000:
  - +\$550,000 increase due to purchase of a new case management system.
  - -\$2,000 decrease due to change in Auditor-Controller audit fees.

These changes result in Recommended operating expenditures of \$24,352,408 and non-operating expenditures of \$550,000, resulting in total expenditures of \$24,902,408.

#### Revenues

- Net operating revenue increase of \$964,573 due to:
  - +\$927,741 increase in Intergovernmental Revenue due to \$808,336 in new State and Federal grant revenue; \$53,300 in Public Safety Sales Tax (Proposition 172); \$66,075 in Local Realignment revenue.
  - +\$100,000 increase in Forfeitures and Penalties due to anticipated increases in civil penalties resulting from the expanded prosecution of consumer and environmental crimes by the new Consumer/Environmental Unit.
  - -\$10,000 decrease in Miscellaneous Revenue due to a decrease in the number of defendants suitable for the Misdemeanor Diversion Program.

# District Attorney

## Department

### **CHANGES & OPERATIONAL IMPACT: 2016-17 ADOPTED TO 2017-18 RECOMMENDED (CONT'D)**

#### Revenues

- -\$53,168 decrease in Charges for Services primarily due to (\$150,368) decrease in funding for the Welfare Fraud Program funded by the Department of Social Services, offset by a \$94,200 increase in recording fee revenue collected for the Real Estate Fraud Prosecution Unit.
- Net non-operating revenue decrease of \$106,283:
  - -\$151,500 decrease in General Fund Contribution due to retirement costs and other County structural deficits.
  - +\$21,415 increase primarily in Local Realignment funding.
  - +\$23,802 increases to use of fund balances due to the following: a reduction of one-time Program Restoration funds in FY17/18 in the amount of (\$431,500) associated with workers' compensation premiums, general liability insurance, and translation/transcription funding. This reduction is offset by a recommended increase of \$400,000 for a new case management system and \$80,000 in additional salary costs associated with the prosecution of the MS-13 gang case. This year, the department will again use its fund balances to support ongoing operations in the amount of \$473,695, this represents a decrease of (\$24,698) from FY 2016-17 due to depleting departmental fund balance reserves.

These changes result in Recommended operating revenues of \$9,434,533 and non-operating revenues of \$15,467,875, resulting in total revenues of \$24,902,408. Non-operating revenues primarily include General Fund Contribution, transfers, and decreases to fund balances.

### **CHANGES & OPERATIONAL IMPACT: 2017-18 RECOMMENDED TO 2018-19 PROPOSED**

The FY 2018-19 Proposed Budget contains \$1,107,288 in total operating expenditure increases primarily due to retirement cost increases, health insurance cost increases, and wage increases resulting from County-negotiated union contracts. This is compounded by slower than expected growth in Prop 172 revenues, and reduced General Fund allocations. In addition, the department will have depleted most of its available fund balances. As a result, the use of one-time funding to maintain ongoing operations will be unavailable to support operations in future years. The department will face a budget shortfall in FY 2018-19 of \$1,465,740 in order to maintain existing service levels.

#### **RELATED LINKS**

For more information on the Office of the District Attorney, please refer to the website at <http://www.countyofsb.org/da/index.html>.

# District Attorney

## Department

### PERFORMANCE MEASURES

Description	FY 2014-15 Actual	FY 2015-16 Actual	FY 2016-17 Estimated Actual	FY 2017-18 Recommend	FY 2018-19 Proposed
<b>Department-Wide</b>					
Percent of newly filed misdemeanor cases disposed of at the arraignment stage to maximize court and criminal justice resources.	64% 7,287/11,347	60% 7,095/11,787	59% 6,716/11,432	65% 8,125/12,500	65% 8,125/12,500
Percent of felony convictions for cases past the preliminary hearing stage to make effective use of judicial proceedings.	71% 277/388	79% 264/336	77% 262/340	80% 280/350	80% 280/350
Percent of felony cases resolved before preliminary hearing, thus reducing jail population and number of court appearances.	61% 1,514/2,499	62% 1,585/2,544	66% 1,616/2,448	65% 1,625/2,500	65% 1,625/2,500
Percent of new Victims of Violent Crime claims verified and filed within 90 days of application thereby expediting reimbursements.	100% 804/804	100% 804/804	100% 900/900	100% 900/900	100% 900/900
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date.	80% 105/132	80% 105/132	98% 132/135	100% 131/131	100% 131/131

# District Attorney

## Program

### ADMINISTRATION & SUPPORT

Provide administrative, financial/budgetary, and information technology support as well as policy development to further the District Attorney's mission.

#### Staffing

Staffing Detail By Budget Program	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
DISTRICT ATTORNEY	0.92	1.00	-	1.00	1.00
ASST DIRECTOR	1.00	1.00	-	1.00	1.00
IT MANAGER	1.00	1.00	-	1.00	1.00
BUSINESS MANAGER	1.04	1.00	-	1.00	1.00
EDP SYS & PROG ANLST SR	0.99	1.00	-	1.00	1.00
EDP OFFICE AUTO SPEC	-	-	1.00	1.00	1.00
ADMN OFFICE PRO	0.56	1.00	-	1.00	-
COMPUTER SYSTEMS SPEC	1.00	1.00	(1.00)	-	-
DEPT BUS SPEC	0.96	1.00	-	1.00	1.00
EXECUTIVE SECRETARY	1.00	1.00	-	1.00	1.00
ADMN OFFICE PRO SR-RES	0.33	-	-	-	-
EXTRA HELP	0.40	-	-	-	-
Total	9.19	9.00	-	9.00	8.00

#### Revenue & Expenditures

Budget By Categories of Expenditures	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Salaries and Employee Benefits	\$ 1,532,560	\$ 1,580,882	\$ 116,044	\$ 1,696,926	\$ 1,635,992
Services and Supplies	23,952	51,319	(22,277)	29,042	29,042
Other Charges	25,062	24,329	(24,329)	-	-
Total Operating Expenditures	1,581,573	1,656,530	69,438	1,725,968	1,665,034
Total Expenditures	\$ 1,581,573	\$ 1,656,530	\$ 69,438	\$ 1,725,968	\$ 1,665,034
Budget By Categories of Revenues					
General Fund Contribution	1,581,573	1,656,530	69,438	1,725,968	1,799,044
Total Revenues	\$ 1,581,573	\$ 1,656,530	\$ 69,438	\$ 1,725,968	\$ 1,799,044



# District Attorney

## Program

### **ADMINISTRATION & SUPPORT (CONT'D)**

#### **2016-17 Anticipated Accomplishments**

##### *Advancements for Justice*

- **Case Management:** An internal team identified critical system requirements and necessary improvements for a new case management system. A Request for Proposal was circulated, and vendor demonstrations were held in order to evaluate each proposed system. The goal of this process was to ensure that the final product selection meets all department needs including ease of use, comprehensive capture of case information, and accurate reporting.
- **Mobile Device Management:** Assessed and implemented a Mobile Device Management (MDM) solution for departmental cellular phones. In order to manage and protect departmental mobile devices, information technology (IT) staff enrolled these devices in an MDM program in order to safeguard their data in the event of loss or theft.
- **Storage Project:** As the influx of digital media continues to grow, the IT group successfully migrated departmental data from a retired system to a new and more robust storage system. This will ensure that there is enough storage capacity to handle data workloads for the next several years.
- **All-Staff Training:** Held all-staff training on procedural justice as it relates to fairness throughout the criminal justice system.

#### **2017-19 Objectives**

- Develop an automated interface that will allow the District Attorney to transmit case information to and from the Superior Courts' new case management system. This improvement will streamline the case filing process with the Courts, and will also enhance the case disposition process.
- Upgrade the current 20-year-old case management system to a new web-based interface. The case management upgrade will provide improved technology for data entry and retrieval, allow for more detailed case reporting, and ensure that evidence-based reporting requirements are met.

# District Attorney

## Program

### **CRIMINAL PROSECUTION**

Criminal Prosecution consists of various units:

- **General Felony/Misdemeanor Prosecution:** Attorneys prosecute a wide range of felony and misdemeanor violations of California law in Santa Barbara County Superior Courts. Criminal prosecution is initiated against a defendant by the filing of a formal document alleging charges or a violation of probation, parole or post-release community supervision. Prosecution culminates with a dismissal, trial, or plea. The process ends once the defendant has been sentenced, victim restitution has been ordered if appropriate, and probation has been terminated.
- **Vertical Prosecution Units:** Attorneys, investigators, law enforcement partners, legal support staff and victim advocates work as an integrated team during the felony prosecution of complex cases ranging from child molestation and domestic violence to criminal street gangs.
- **Juvenile Prosecution:** Prosecutors review cases referred by law enforcement agencies and probation staff, file petitions, conduct court trials, and appear multiple times in Juvenile Court through the juvenile justice process. Truancy Program staff also works with schools countywide.
- **Drug and Alcohol Crimes and Rehabilitative Efforts:** Prosecution of misdemeanor and felony cases involving those whose criminal activity is related to the abuse of alcohol and prescription or illegal drugs. Programs include the following courts: DUI, Drug, Proposition 36 Treatment, Mental Health Treatment, and Veterans' and Restorative Justice.
- **Real Estate Fraud, Workers' Compensation Fraud and Automobile Insurance Fraud:** An attorney and investigator are assigned these cases from the beginning of the investigation through prosecution.
- **Arraignment Court:** Attorneys staffed in the Santa Barbara and Santa Maria arraignment courts are responsible for setting appropriate bail for defendants, requesting protective orders for victims, and resolving criminal prosecution at initial stages of the proceedings.
- **Appellate Prosecution:** Attorneys file petitions for appellate review of dismissed criminal charges and adverse court orders, or respond to habeas corpus petitions filed by in-custody defendants. With the implementation of Propositions 36, 47, 57 and 64, attorneys handle the resentencing and re-litigation of issues for criminal defendants who have been previously sentenced to life in prison or who are petitioning for reductions of their sentences from felonies to misdemeanors. When appropriate, attorneys also appear at state prison parole hearings in order to advocate against the release of criminals who are serving life sentences.
- **Bureau of Investigations:** This unit consists primarily of sworn peace officers who are responsible for providing investigative and technical support services to prosecutions. District Attorney Investigators assist in the detection of crime and the gathering of evidence to be used in the prosecution of criminal cases. There are two major missions of the Bureau of Investigations. The first is the traditional function of criminal investigation and trial preparation (development of evidence of proof beyond a reasonable doubt). The second is specialized investigative assignments in areas such as real estate fraud, public assistance fraud, insurance fraud, consumer and environmental protection, parental child abduction, arson, internet crimes against children, complex theft offenses, and misconduct by public officials.
- **Welfare Fraud Investigations and Prosecution:** This is presently a contracted program with the Department of Social Services (DSS), which conducts the initial investigation of fraudulent receipts of aid and secures cost recovery or criminal penalties where appropriate.
- **Victim Witness Assistance Program:** This program provides comprehensive services to over 3,500 crime victims annually to mitigate the impact of crime, as well as to prevent future crimes. The State Victim Compensation program provides funding for victim compensation claims, which expedites recovery to victims and local service providers. The Victim Witness Assistance Program provides administrative oversight for the Sexual Assault Response Team (SART), which facilitates forensic medical and legal services to sexual assault victims.

# District Attorney

## Program

### CRIMINAL PROSECUTION (CONT'D)

#### Staffing

Staffing Detail By Budget Program	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
DISTRICT ATTORNEY	0.08	-	-	-	-
CHIEF DEPUTY	3.16	4.00	(0.10)	3.90	3.95
ASST DISTRICT ATTORNEY	0.77	-	-	-	-
DEPUTY DISTRICT ATTY SR	11.92	12.00	2.00	14.00	14.00
DA INVESTIGATOR CHIEF	1.00	1.00	-	1.00	1.00
DEPUTY DISTRICT ATTY	31.83	33.00	(2.00)	31.00	31.50
DA INVESTIGATOR SUPV	3.00	3.00	(1.00)	2.00	2.00
DA INVESTIGATOR	11.73	13.00	(2.00)	11.00	11.00
PROGRAM MANAGER	1.00	1.00	-	1.00	1.00
EDP SYS & PROG ANLST SR	0.01	-	-	-	-
LEGAL OFFICE PRO	19.00	20.00	(4.05)	15.95	15.95
ADMN OFFICE PRO	0.59	0.50	-	0.50	1.50
DEPT BUS SPEC	0.04	-	-	-	-
LEGAL OFFICE PRO SR	19.54	20.00	1.00	21.00	21.00
ADMN OFFICE PRO SR	2.00	2.00	-	2.00	2.00
VICTIM WITNESS PROG SUPV	2.00	2.00	-	2.00	2.00
PARALEGAL	1.00	1.00	-	1.00	1.00
VICTIM WITNESS PROG ASST	8.92	10.00	2.00	12.00	12.00
ADMN OFFICE PRO SR-RES	0.02	-	-	-	-
CONTRACTOR	3.68	1.70	-	1.70	1.70
EXTRA HELP	6.02	-	-	-	-
Total	127.32	124.20	(4.15)	120.05	121.60

# District Attorney

## Program

### CRIMINAL PROSECUTION (CONT'D)

#### Revenue & Expenditures

Budget By Categories of Expenditures	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Salaries and Employee Benefits	\$ 18,647,445	\$ 20,027,824	\$ 342,483	\$ 20,370,307	\$ 21,598,685
Services and Supplies	1,318,652	1,096,545	51,221	1,147,766	1,148,646
Other Charges	745,851	916,203	(174,655)	741,548	771,078
Total Operating Expenditures	20,711,949	22,040,572	219,049	22,259,621	23,518,409
Capital Assets	-	-	550,000	550,000	-
Intrafund Expenditure Transfers (+)	1,740	2,000	(2,000)	-	-
Total Expenditures	\$ 20,713,689	\$ 22,042,572	\$ 767,049	\$ 22,809,621	\$ 23,518,409
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	174,587	175,100	-	175,100	43,108
Intergovernmental Revenue	6,151,358	6,389,265	927,741	7,317,006	7,458,006
Charges for Services	1,706,338	1,760,595	(53,168)	1,707,427	1,707,427
Miscellaneous Revenue	62,350	95,000	(10,000)	85,000	85,000
Total Operating Revenues	8,094,633	8,419,960	864,573	9,284,533	9,293,541
Other Financing Sources	47,453	52,300	315	52,615	52,615
Intrafund Expenditure Transfers (-)	290,444	319,965	21,100	341,065	341,065
Decreases to Fund Balances	601,772	1,229,893	(26,198)	1,203,695	368,068
General Fund Contribution	11,679,387	12,020,453	(92,740)	11,927,713	11,755,834
Total Revenues	\$ 20,713,689	\$ 22,042,571	\$ 767,050	\$ 22,809,621	\$ 21,811,123

# District Attorney

## Program

### **CRIMINAL PROSECUTION (CONT'D)**

#### **2016-17 Anticipated Accomplishments**

##### *Promises Delivered*

- **Human Trafficking:** Obtained a three-year Federal grant to operationalize the Human Trafficking Task Force in order to identify and serve victims, proactively investigate human trafficking cases, develop protocols, and promote opportunities for cross-training.
- **Workers' Compensation Unit:** The Workers' Compensation Unit continues to aggressively seek out and prosecute workers' compensation fraud. The Unit has increased its collaboration with Santa Barbara County Risk Management by participating in monthly claim reviews. Since the County is self-insured, ensuring that only legitimate claims are paid can result in significant cost savings. The Unit also utilized grant funding to work with the County Communication Office on the production of a highly-effective anti-workers' compensation fraud public service announcement, which has resulted in increased reporting of potential workers' compensation fraud. Lastly, the success of the Workers' Compensation Fraud Unit has resulted in successes within other specialty units such as annuity insurance fraud. By forging a strong relationship with the California Department of Insurance, the Annuity Fraud Prosecution Unit received an increase in funding, which has allowed the Unit to focus on building several complex and high-dollar annuity fraud cases. The department continues to work to protect honest workers and business owners from workers' compensation fraud, and to protect our community's elderly individuals from financial predators who commit annuity and life insurance fraud.
- **Misdemeanor Diversion Program:** The Misdemeanor Diversion Program (MDP) continues to clear over 1,000 criminal cases annually from our congested courts. In 2016, 1,812 offenders and 1,091 minor offenders successfully completed rehabilitative programs that have been shown to reduce recidivism. Offenders pay for the cost of the programs themselves, thereby removing the financial burden from the taxpayer. This year, offenders paid \$31,664 in victim restitution and \$50,150 in cost recovery fees. MDP provides a criminal justice "win-win", combining better outcomes in criminal cases while providing significant savings in County resources.
- **Automobile Theft and Insurance Fraud:** The District Attorney has received grant funding from the Department of Insurance for the investigation and prosecution of automobile insurance theft and fraud. The joint goal is to make those traveling on County roads safer and ensure a reduction in these crimes.
- **Truancy Program:** The District Attorney's Truancy Program has achieved remarkable results since being re-established in FY 2012-13, and is expected to achieve similar results in FY 2017-18. This dynamic program ensures that children in our community attend school regularly so they can receive the education they deserve, and provides connections to essential services for the underlying social, familial, academic, mental, and physical health issues that are often the root causes of truancy. These issues often place children at risk for becoming both perpetrators and victims of crime. Between 2008 and 2011, the program was cut due to the financial crisis. During each of those years, Santa Barbara County's truancy rate was above the state average. Since being reestablished, our truancy rate has stayed below the state average. In total, less than 1.0% of all truant students were referred to the Probation Department and the District Attorney for legal action. Of those, over 80% of cases were resolved without requiring convictions. In FY 2016-17, the program continued to partner with community organizations and expanded its network by bringing several others into the fold. In California, the Santa Barbara District Attorney's Truancy Program continues to be a leading example among truancy programs.
- **IV Safe:** Created and chaired by District Attorney Dudley, the Isla Vista Safe Committee is a senior-level leadership coalition focused on implementing strategic policies and sustainable actions to promote safety and security, civic responsibility, and community well-being in Isla Vista. Now in its third year, this Committee has played a significant role in increasing public safety in Isla Vista.

# District Attorney

## Program

### **CRIMINAL PROSECUTION (CONT'D)**

#### **2016-17 Anticipated Accomplishments**

##### *Programs Created and Enhanced*

- Task Forces: The Arson, Human Trafficking, Environmental and Anti-Animal Abuse Task Forces continue to collaborate with law enforcement partners and community groups to combat these crimes. The Arson Task Force focuses on ways to improve the investigation and prosecution of arson fires and arsonists. The Human Trafficking Task Force consists of over 70 members that work together to identify and serve victims of human trafficking, and promote greater understanding of this crime. The Anti-Animal Abuse Task Force has been successful in its efforts to increase community awareness regarding animal abuse, educate the public and law enforcement on the nexus between it and various other forms of abuse, and highlight the responsibility each community member has to report these alleged crimes. The Anti-Animal Abuse Task Force will continue to meet as specific needs arise. The Environmental Task Force is comprised of over 53 members from 27 Federal, State and local agencies that regulate and enforce environmental laws within the County. As a result of the District Attorney's commitment to environmental protection, these agencies are given the support and direction they need. This enables them to complete their investigations more effectively and efficiently, and allows them to achieve the enforcement results that are necessary in order to successfully protect our environment.
- Real Estate Fraud Prosecution Program: The Real Estate Fraud unit performed more than 42 investigations, filed three cases, continued the prosecution of five cases filed in FY 2015-16, and obtained three convictions. The Unit continues to partner closely with the County of Santa Barbara Clerk-Recorder-Assessor to identify criminal activity related to recorded documents. The Real Estate Fraud Advisory Team continues to meet in order to identify real estate fraud trends and practices in the County of Santa Barbara.
- HART Court (Helping Achieve Resiliency and Treatment): Launched in 2015, HART Court is a District Attorney-led, multi-agency collaborative effort designed to target children who are at high risk of commercial sexual exploitation and recidivism. The District Attorney, Probation, Behavioral Wellness, and various community agencies collaborate to identify those at high risk. Participants receive services specific to their unique needs under supervision of the Santa Maria Juvenile Court.
- Elder Abuse Outreach: Obtained grant funding to provide targeted outreach countywide to elder and dependent adults at risk for abuse. A Victim Witness Advocate and an Extra-Help Deputy District Attorney were hired to support the program.
- Proposition 47: Proposition 47 reduced certain felonies to misdemeanors in order to fund prevention and support programs in schools, victim services and mental health and drug treatment. Deputy District Attorneys thoroughly reviewed and processed all Prop. 47 petitions filed within Santa Barbara County, each of which are litigated in a manner similar to that of new law enforcement referrals for prosecution.
- Proposition 64: Proposition 64 reduced certain marijuana-related felonies to misdemeanors or infractions. This will likely have many of the same impacts on office resources and staff time as Proposition 47, as Deputy District Attorneys will need to thoroughly review cases that had previously been resolved.

# District Attorney

## Program

### **CRIMINAL PROSECUTION (CONT'D)**

#### 2017-19 Objectives

- Design and implement a felony pre-filing diversion program for non-violent offenders. The Santa Barbara County District Attorney's Office is one of eight jurisdictions in the United States to receive a technical assistance grant from the Association of Prosecuting Attorneys. This grant is designed to assist with the development of a diversion program for individuals charged with non-violent felony offenses. The proposed program would provide offenders with the opportunity to avoid facing felony charges, as long as they have minimal prior criminal histories. Individuals would avoid the negative impacts of felony convictions if they make positive life changes, participate in mandatory counseling and education, and avoid violating any laws.
- As a result of the passing of Prop 57, juvenile offenders who will be appropriately prosecuted as adults will have transfer hearings in juvenile court prior to criminal charges being filed in adult court. Transfer hearings are expected to impact departmental resources due to increased litigation in these cases. Transfer hearings will lead to more court appearances, witness coordination, and additional investigations in preparation for the hearings.
- Increase focus on vehicular crime cases in order to ensure road safety.
- Continue to successfully manage the safety and well-being of witnesses and their families in gang violence cases.
- Continue prosecuting criminal violations in the Refugio Oil Spill matter.
- Utilize Federal Human Trafficking Task Force grant funding in cooperation with the Sheriff's Office in order to conduct proactive investigations and victim interventions.
- Develop internal protocols and performance measurements in order to identify opportunities for the earlier disposition of cases, which would free up resources throughout the entire criminal justice system.
- In partnership with the Department of Social Services and the Sheriff's Office, the District Attorney applied for a grant to build an electronic suspected child abuse reporting system (E-SCARS). This web-based application will allow Santa Barbara County to report, investigate and track suspected child abuse electronically as opposed to the current manual methods.
- The District Attorney has long employed a practice of investigating possible wrongful convictions. In FY 2016-17 the department formalized these procedures for the Conviction Review Unit. In addition, the public will have easier access to a web form which may be filled out by defendants, their counsel or relatives in order to begin the process of requesting an investigation into a possible wrongful conviction. The Unit will also expand its investigations of wrongful conviction claims, and identify training needs in order to ensure that justice is served.
- Continue to serve as an active participant in the County's Stepping Up Initiative along with other departments. The goal of this initiative is to reduce the number of mentally ill defendants incarcerated in County jails.

# District Attorney

## Program

### **CIVIL/ENVIRONMENTAL PROSECUTION**

Complex cases involving consumer and environmental crimes are investigated and prosecuted, including companies or individuals who engage in fraudulent or unlawful business practices.

#### Staffing

Staffing Detail By Budget Program	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
CHIEF DEPUTY	0.19	-	0.10	0.10	0.05
DEPUTY DISTRICT ATTY	0.24	2.00	-	2.00	1.50
LEGAL OFFICE PRO	0.04	-	0.05	0.05	0.05
EXTRA HELP	0.01	-	-	-	-
Total	0.48	2.00	0.15	2.15	1.60

#### Revenue & Expenditures

Budget By Categories of Expenditures	2015-16 Actual	2016-17 Adopted	Change from FY16-17 Ado to FY17-18 Rec	2017-18 Recommended	2018-19 Proposed
Salaries and Employee Benefits	\$ 107,385	\$ 342,371	\$ 23,698	\$ 366,069	\$ 275,503
Services and Supplies	479	-	750	750	750
Other Charges	2,206	2,645	(2,645)	-	-
Total Operating Expenditures	110,070	345,016	21,803	366,819	276,253
Increases to Fund Balances	100,000	-	-	-	-
Total Expenditures	\$ 210,070	\$ 345,016	\$ 21,803	\$ 366,819	\$ 276,253
<b>Budget By Categories of Revenues</b>					
Fines, Forfeitures, and Penalties	182,431	50,000	100,000	150,000	150,000
Total Operating Revenues	182,431	50,000	100,000	150,000	150,000
Decreases to Fund Balances	-	-	50,000	50,000	50,467
General Fund Contribution	27,639	295,017	(128,198)	166,819	183,322
Total Revenues	\$ 210,070	\$ 345,017	\$ 21,802	\$ 366,819	\$ 383,789



# District Attorney

## Program

### ***CIVIL/ENVIRONMENTAL PROSECUTION (CONT'D)***

#### **2016-17 Anticipated Accomplishments**

##### *Successful Partnerships*

- Hired 1.0 FTE Deputy District Attorney to focus solely on the prosecution of civil and environmental crimes.
- Continued to partner with the Weights and Measures Division of the Agricultural Commissioner's Office on the investigation and enforcement of false and misleading advertising, and unlawful business practices.
- Continued to investigate and anticipate filing short weight packaging cases and price scanner violation cases, some of which will likely have statewide participation.
- Collected \$119,788 in civil penalty revenue last fiscal year through settlements of civil cases countywide. Additionally, \$62,642 in civil penalty revenue was collected last fiscal year through settlements of statewide civil cases to which Santa Barbara County was a party. In the current fiscal year, the District Attorney has collected \$30,485 in civil penalties with an expected increase in pending case settlements.
- Continued to partner with local environmental agencies such as the CA Coastal Commission, Certified Unified Program Agency (CUPA), and Air Pollution Control District (APCD) in litigation against environmental violators in Santa Barbara County. A major investigation in this area involves the Refugio Oil Spill perpetrated by Plains All American LLC, which continues post-indictment in the criminal court.
- Collaborated with statewide prosecutors and investigators in several multi-county environmental cases against large retail chains that were found to be improperly disposing of hazardous waste and patients' protected health information.

#### **2017-19 Objectives**

- Continue the development of the Consumer/Environmental Unit, which will allow Santa Barbara County to strengthen its involvement in consumer and environmental litigation.
- Continue to build partnerships with local regulatory and investigative agencies such as CUPA, APCD, and Weights and Measures by investigating and prosecuting consumer and environmental cases within the County.
- Continue collaboration with allied agencies in order to identify and prosecute perpetrators of consumer fraud and environmental crimes.
- Engage more investigative and prosecutorial resources at earlier stages in a case for consumer fraud and environmental protection.
- Continue prosecuting criminal violations in the Refugio Oil Spill matter.

# District Attorney

