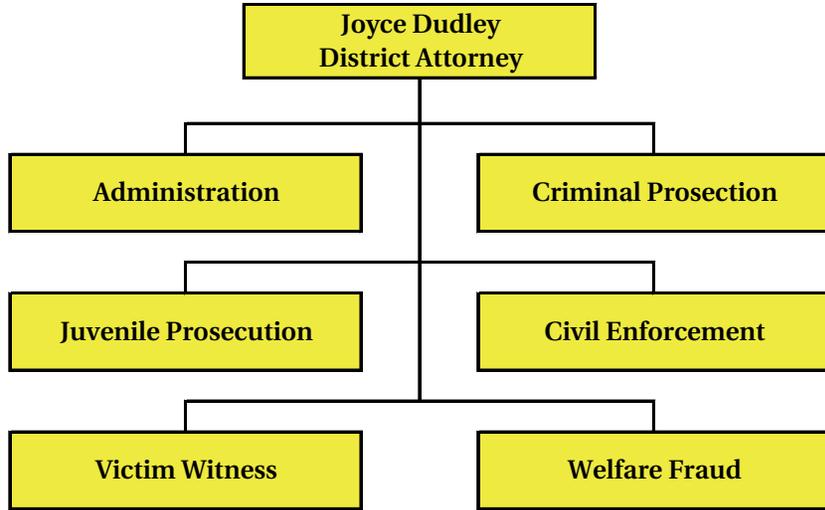
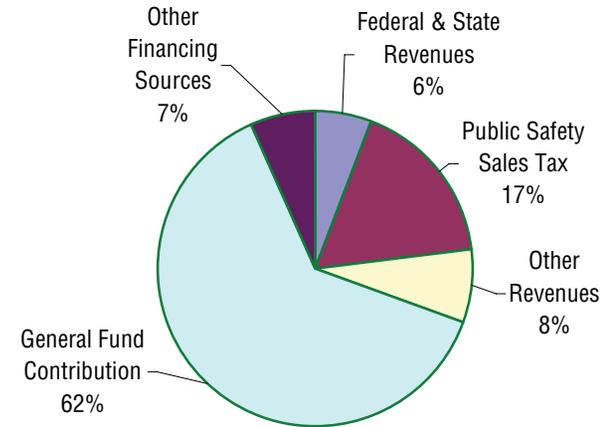


DISTRICT ATTORNEY

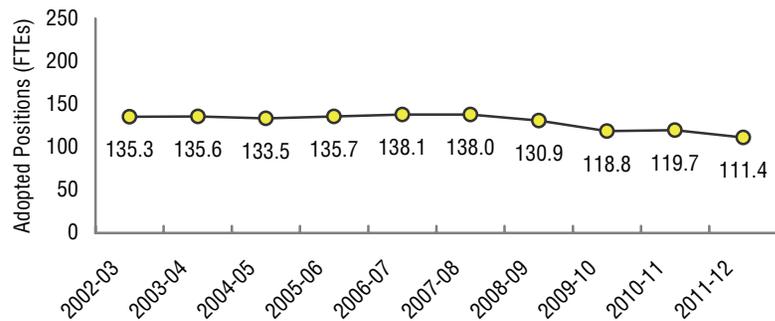
Budget & Positions (FTEs)	
Operating \$	18,112,740
Capital	-
Positions	111.4 FTEs



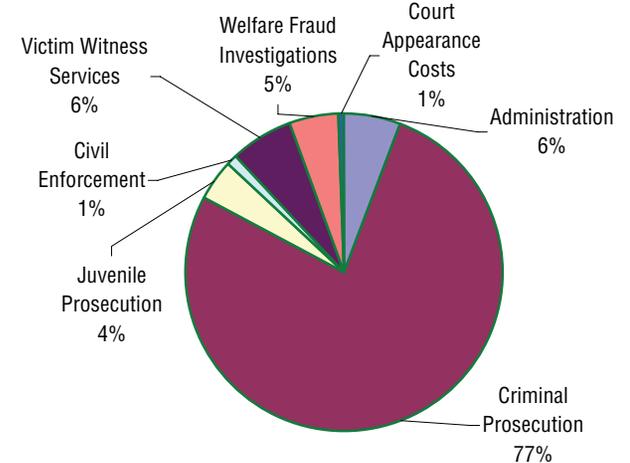
SOURCE OF FUNDS



STAFFING TREND



USE OF FUNDS



DISTRICT ATTORNEY
Department Summary

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
Use of Funds Summary				
<i>Operating Expenditures</i>				
Administration	\$ 1,452,547	\$ 1,692,059	\$ 1,108,719	\$ 1,132,853
Criminal Prosecution	14,109,393	14,113,978	13,974,629	14,706,897
Juvenile Prosecution	811,870	697,162	765,493	813,967
Civil Enforcement	292,596	243,376	209,781	216,593
Victim Witness Services	1,253,997	1,438,167	1,290,459	1,219,659
Welfare Fraud Investigations	844,165	820,809	842,922	971,861
Court Appearance Costs	56,771	100,000	50,000	100,000
Operating Sub-Total	18,821,339	19,105,551	18,242,003	19,161,830
Less: Intra-County Revenues	(966,918)	(967,701)	(1,049,090)	(1,049,090)
Expenditure Total	17,854,421	18,137,850	17,192,913	18,112,740
<i>Other Financing Uses</i>				
Operating Transfers	29,489	29,491	29,491	--
Designated for Future Uses	3,041	--	--	--
Department Total	\$ 17,886,951	\$ 18,167,341	\$ 17,222,404	\$ 18,112,740

Character of Expenditures

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
<i>Operating Expenditures</i>				
Regular Salaries	\$ 11,685,459	\$ 12,140,988	\$ 11,381,649	\$ 11,631,692
Overtime	1,096	--	21,429	21,429
Extra Help	44,730	--	255,973	118,391
Benefits	5,659,764	5,525,707	5,145,986	6,102,572
Salaries & Benefits Sub-Total	17,391,049	17,666,695	16,805,037	17,874,084
Services & Supplies	1,430,290	1,438,856	1,342,350	1,287,746
Public Assistance Payments	--	--	94,616	--
Operating Sub-Total	18,821,339	19,105,551	18,242,003	19,161,830
Less: Intra-County Revenues	(966,918)	(967,701)	(1,049,090)	(1,049,090)
Expenditure Total	\$ 17,854,421	\$ 18,137,850	\$ 17,192,913	\$ 18,112,740

Source of Funds Summary

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
<i>Departmental Revenues</i>				
Public Safety Sales Tax	\$ 3,116,232	\$ 3,219,172	\$ 3,219,172	\$ 3,280,700
Federal & State Revenues	1,623,435	1,371,850	1,266,993	1,115,040
Other Charges for Services	1,080,299	1,099,701	1,226,090	1,252,006
Miscellaneous Revenue	223,692	170,294	473,711	220,366
Revenue Sub-Total	6,043,658	5,861,017	6,185,966	5,868,112
Less: Intra-County Revenues	(966,918)	(967,701)	(1,049,090)	(1,049,090)
Revenue Total	5,076,740	4,893,316	5,136,876	4,819,022
<i>General Fund Contribution</i>				
	10,926,067	11,884,925	11,884,925	12,037,296
<i>Other Financing Sources</i>				
Operating Transfers	90,581	71,500	71,500	67,925
Use of Prior Fund Balances	1,793,563	1,317,600	129,103	1,188,497
Department Total	\$ 17,886,951	\$ 18,167,341	\$ 17,222,404	\$ 18,112,740

Position Summary

	Actual FY 09-10		Adopted FY 10-11		Est. Actual FY 10-11		Recommended FY 11-12	
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
<i>Permanent</i>								
Administration	10.0	7.5	10.0	9.8	10.0	7.0	7.0	7.1
Criminal Prosecution	93.8	87.2	97.0	84.4	97.0	85.3	101.6	82.6
Juvenile Prosecution	4.0	4.5	5.0	4.4	5.0	5.1	5.0	5.0
Civil Enforcement	1.0	0.8	1.0	1.0	1.0	0.9	1.0	0.9
Victim Witness Services	16.6	14.0	15.6	13.8	15.6	13.2	16.0	10.1
Welfare Fraud Investigations	9.0	6.4	5.0	5.4	5.0	5.7	5.0	5.7
Total Permanent	134.4	120.5	133.6	118.7	133.6	117.1	135.6	111.4
<i>Non-Permanent</i>								
Contract	--	0.9	--	1.0	--	0.9	--	--
Extra Help	--	0.5	--	--	--	2.9	--	--
Total Positions	134.4	121.9	133.6	119.7	133.6	120.9	135.6	111.4

MISSION STATEMENT

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

Budget Organization

The authority for establishing the position of the District Attorney comes from the *California Constitution Art. 11 § 1(b)*, which stipulates that "the Legislature shall provide for an elected district attorney." 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 a 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" (*Cal. Const., Art. 1 § 28(a)(2)*).

The District Attorney's Office is primarily responsible for prosecution of adult and juvenile offenders for felony and misdemeanor crimes or civil violations countywide. The Recommended Budget for FY 2011-12 includes a team of 111 deputy district attorneys, criminal investigators, victim advocates and legal support staff housed in three branch offices 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.

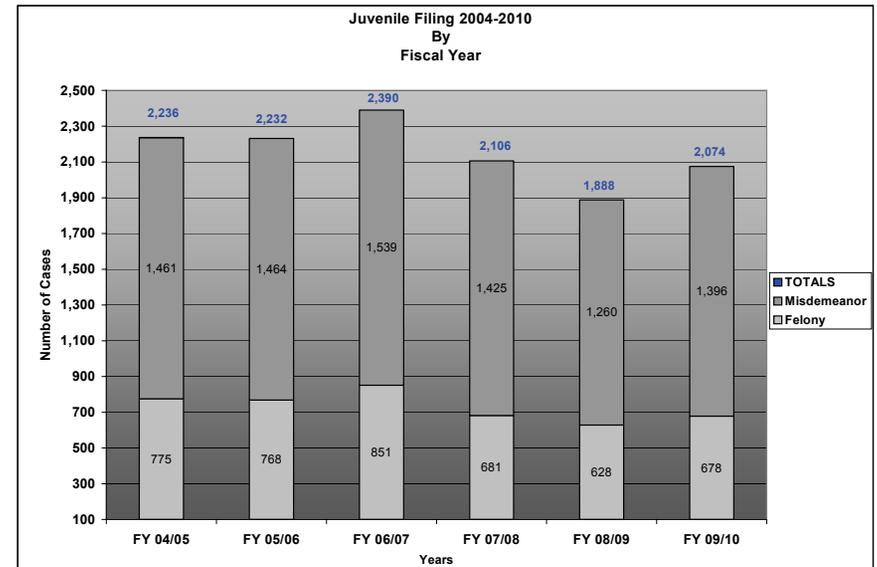
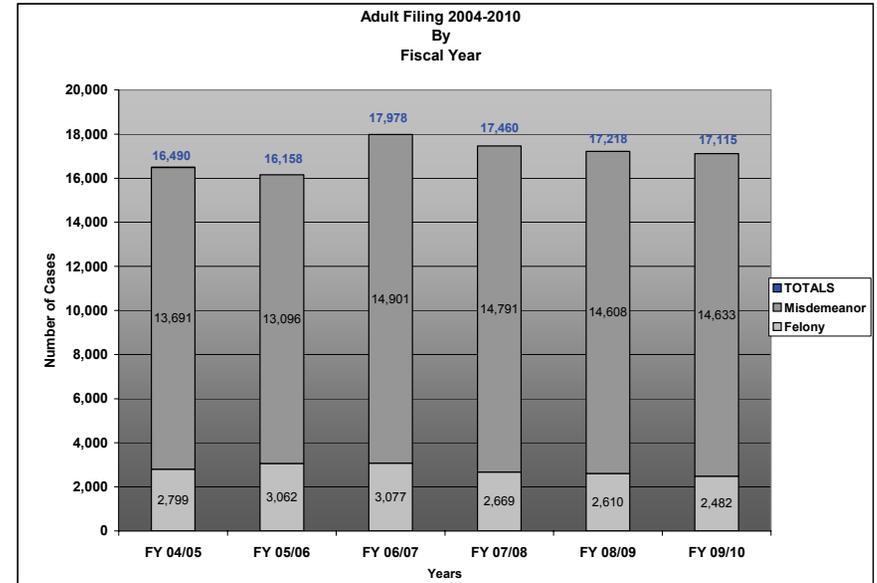
Highlights of Key Trends:

- Over the last ten years, there has been a dramatic rise in serious and violent felonies. From 2000-2010, the District Attorney's Office experienced a 311% increase in murder and attempted murder cases and a staggering 1422% increase in gang cases countywide. These cases are complex and consume an excessive amount of time and are an overall drain on limited District Attorney resources.
- From 2005-2010, the District Attorney's Office experienced a 15% increase in DUI (driving under the influence) cases and a 7% increase in adult and juvenile sex crimes. Both categories of cases pose a significant threat to public safety and, therefore, require careful dedication of dwindling resources to these areas.
- In the last decade, the District Attorney's Office experienced a 22% reduction in overall staffing from 135 FTEs in FY 2002-03 to 111 FTEs in the FY 2011-12 Recommended Budget. Attorney staffing has decreased from a high of 52 attorneys in FY 2007-08 to the current 46 in the FY 2011-12 Recommended Budget. This requires attorneys to manage extremely high caseloads resulting in a rate of 400 cases filed per prosecutor in 2010. This rate is dramatically higher than the statewide average of 260 cases per prosecutor and is unsustainable on a permanent basis (*California District Attorney's Association County 2009 Salary Survey*). Most of the attorneys are now working both nights and weekends, but as hard as they work, it will become impossible for them to give each case the attention it deserves given the escalating number of cases and the potential for even further staff reductions.

DISTRICT ATTORNEY

Department Summary (cont'd)

Activity Indicators:



Significant Changes Overview

The District Attorney's Office experienced a change in leadership at the start of the 2010-11 fiscal year with the election of District Attorney, Joyce Dudley. At that time, three specialized prosecution units were created, each focusing on an area of crime that is of great concern to County residents: Youth Violence (including gangs, juvenile crime, graffiti and truancy program); Vulnerable Victims (including sexual assault, crimes against children and the elderly, hate crimes and domestic violence); and White Collar (including embezzlement, fraud, identify theft and cyber crimes).

At the beginning of FY 2010-11, the District Attorney's Office was constrained by service level reductions from the prior fiscal year when a significant loss of attorneys occurred: 4 attorneys were eliminated due to budget reductions and 8 senior and management level attorneys accepted the County's retirement incentive program. Those positions were held vacant until the fall of 2010, when 9 new attorneys were hired at the lowest pay level to replace the higher paid senior attorneys. This enabled the department to return to an adequate level of staffing with 49 attorneys.

However, the Recommended Budget for FY 2011-12 includes a reduction of 3 attorneys. This will result in significant reductions to service levels. The District Attorney has an ethical obligation to prosecute criminal violations and the defendants have a constitutional right to a speedy trial. Cases cannot simply be backlogged or delayed. The 2010 average caseload was 400 cases filed per attorney. With the decrease in attorneys in the Recommended Budget, the caseload will increase to 427 cases filed per attorney. This is ill advised on a short term basis and unsustainable on a permanent basis. This is the highest caseload reported in the state. Even so, the District Attorney has continued to meet the Constitutional Mandate of diligently and vigilantly pursuing those who have committed crimes in Santa Barbara County. The office consistently maintains a high quality and quantity of workload. The District Attorney's Office has little control over the workload because it responds to the crime rate and does not dictate the number of arrests made by law enforcement or the number of violations filed by Probation.

The following reductions are included in the Recommended Budget for FY 2011-12:

1. **Staffing of 2 attorneys will be eliminated from the Drug/Alcohol Treatment Courts, including DUI Court, Drug Court, Proposition 36 Treatment Court and Mental Health Court**, which are largely focused on assisting and monitoring addicts through their recovery with treatment programs. Prosecutors are a critical component to the success of the treatment courts because addicts are more likely to continue treatment and follow the rules if they have the reality of possible incarceration. Successful treatment of drug and alcohol abusers leads to a reduction in jail overcrowding and a reduction in crime because most drug

and alcohol abusers commit crimes to feed their addiction; therefore, if they are clean they are not out victimizing citizens in our community. If prosecutors cannot staff these courts, it will force the courts to send a significant number of the cases to the already impacted criminal trial courts which are currently handling many violent crimes.

2. The **Consumer Fraud and Environmental Prosecution Unit will be eliminated by a reduction of 1 attorney and 1 support staff**. The effect on the community will be less accountability for those who defraud consumers and commit environmental crimes including oil spills, river and stream pollutions and prosecutions involving wildlife and endangered species.
3. The District Attorney will **eliminate 1 investigator assigned to prosecutions involving misdemeanor battery, DUI, assault, petty theft, vandalism and graffiti** to name a few. This will severely affect the successful prosecution of these cases, as Deputy District Attorneys will have significant additional duties that could result in them performing their own investigations, leading to potential legal difficulties and fewer successful prosecutions.
4. The **Victim Witness Program is reduced by 3 Victim Witness Advocates**, which means that the remaining Victim Witness staff will serve an estimated 900 fewer victims of crime. This will not only hamper victims' rights to the criminal justice process but will also impede rights afforded to them by the California Constitution's Victims' Bill of Rights, thereby perpetuating the cycle of crime, as perpetrators re-victimize and victims become perpetrators.
5. **Elimination of an additional 3 support staff will occur**. These positions perform a variety of critical services including: support and maintenance of the caseload management database; design and implementation of operational efficiency and consistency standards office-wide; legal support to planned automation and technology enhancements, including coordination of a paperless expansion with other law enforcement agencies; and administration of revenue for asset forfeiture, extradition and child abduction cases. Loss of these positions will greatly increase workloads of current staff that are already overburdened. Additionally, this will affect the successful prosecution of cases, as overburdened Deputy District Attorneys will, out of necessity, be performing support services.

DISTRICT ATTORNEY
Department Summary (cont'd)

Significant Changes (FY 2010-11 Adopted to FY 2010-11 Estimated Actual)

The Estimated Actual operating expenditures decreased by \$863,500 to \$18,271,500 from the Adopted Budget of \$19,135,000. This 5.0% decrease is primarily the result of:

- -\$861,700 – Net decrease to salaries and benefits as a result of significant cost saving measures, including holding vacancies and hiring new attorneys at the lowest pay scale.

The Estimated Actual revenues decreased by \$863,500 to \$6,386,600 from the Adopted Budget of \$7,250,100. This 12% decrease is primarily the result of:

- -\$1,188,500 – One time funding designation unused in FY 2010-11 due to cost saving measures, but included in the FY 2011-12 Recommended Budget;
- +\$269,300 – Increase in Environmental and Consumer Fraud penalties due to PETCO, Inc. settlement;
- +\$65,000 – Increase in Recording Fees collected for real estate fraud due to a \$1 increase in the fee from \$2 to \$3; and
- +\$37,500 – Reimbursement by the state of SB 90 mandated programs.

Significant Changes (FY 2010-11 Estimated Actual to FY 2011-12 Recommended)

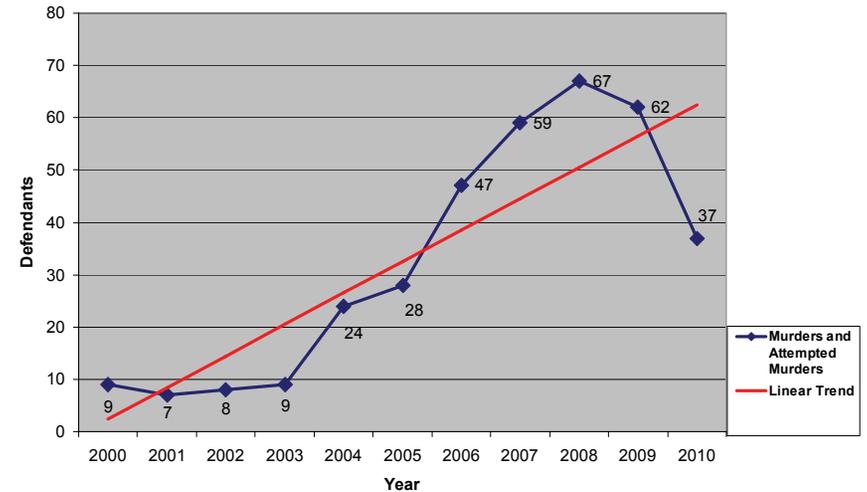
The Recommended Budget operating expenditures will increase by \$890,300 to \$19,161,800 from the prior year's Estimated Actual of \$18,271,500. This 5% increase is primarily the result of:

- +\$1,069,000 – Net increase in Salaries and Benefits, including an additional \$311,800 in benefit increases, \$694,500 in retirement contributions, and \$115,600 in health insurance contributions, offset by a decrease of \$137,600 in extra help; and
- -\$208,600 – Net decrease in Other Charges due to a reduction of liability insurance rates and data processing charges.

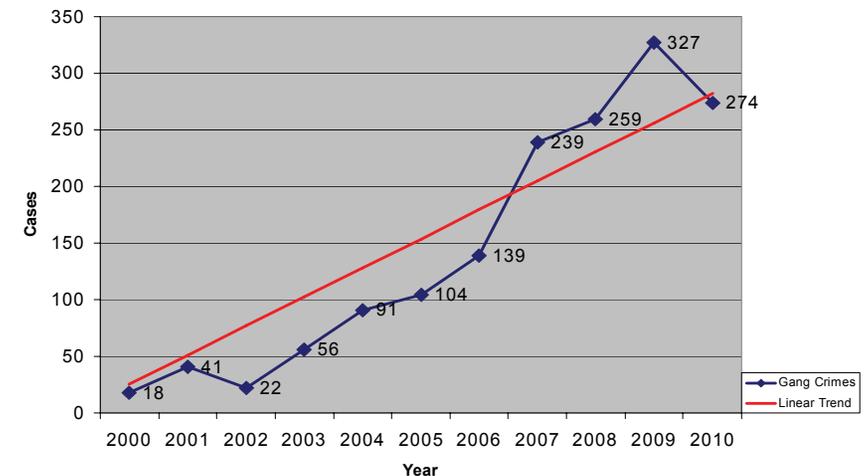
The Recommended Budget revenues will increase by \$738,000, to \$7,124,500 from the prior year's Estimated Actual of \$6,386,600. This 12% increase is primarily the result of:

- +\$1,100,000 – Use of one-time funding designation to mitigate service level reductions;
- -\$269,300 – Projected reduction of Environmental and Consumer Fraud penalties due to fewer referrals for investigation and prosecution;
- -\$90,000 – Elimination of state Vehicle License Fee revenue that will expire on June 30, 2011;
- +\$61,500 – Increase in funding from the state Public Safety Sales Tax (Proposition 172); and
- -\$39,400 – Loss of federal funding generated through ARRA and federal grants.

311% Increase in Murders and Attempted Murders since 2000



1422% Increase in Gang Crimes since 2000



DISTRICT ATTORNEY

Department Summary (cont'd)

Departmental Priorities and Their Alignment With County Goals

Focus Area 1: Administrative Services Executive and management staff provides budgetary and policy development and support to the prosecution and investigative units in furtherance of the District Attorney's mission to protect public safety. The Administrative division also provides a myriad of support services including: Information Technology, Human Resources, Financial Reporting, Budgeting, Legislative Policy and Community Relations among other things.

Current Year (FY 10-11) Accomplishments:

- Efficiency Standards – A concerted effort was made department-wide to develop consistencies throughout each office by implementing the following efficiencies:
 - Updated discovery billing and receipt process in each office by setting a flat fee to minimize the amount of time and effort used to calculate initial discovery package costs. In addition, began electronic billing for discovery materials.
 - Elimination of hard copy publications/books and transition to web-based legal research engine with Westlaw.
 - The Santa Maria conference room was redesigned to allow for meetings and trainings to accommodate large groups in one sitting with the advantage of saving on travel expenses and utilizing videoconferencing equipment.
 - Eliminated paper copies and saved staff time with monthly electronic reporting to Child Support Services relative to defendants sentenced to state prison.
 - Eliminated workload of attorneys and support staff by updating the Direct File Memo to Courts and law enforcement agencies, which allowed additional charges to be filed directly with the Courts instead of going through the District Attorney.
- DA Statistical Data - In an attempt to better interpret and make strategic use of caseload data, a web-based graphical interface to standard reports was created. This enables staff to further identify and correct workload issues.
- Strategic Budgetary Planning - The department saved approximately \$1 million in FY 2010-11 to mitigate further reductions that would have been necessary in FY 2011-12.
- Legislative Program - A new focus on legislative enhancements and policy development resulted in the sponsorship of AB 765 (Achadjian).
- New DA Website - A newly elected DA, with a positive vision for the department, necessitates the DA Website be redesigned. This will include changing the visual design and most of the content, which will serve as an informative and proactive outreach tool for the community.
- Staff participated in a number of fund raising events and activities throughout the year that benefited community organizations such as Council on Alcoholism and Drug Abuse, United Way and Special Olympics. Events included: Danny Hike, Tip-A-Cop, Day of Caring, Carry the Torch.

Proposed Strategic Actions:

- Reevaluate current business processes and consider further integration of technology to increase production and efficiency. This includes modification of statistical reports from the case management system to reflect necessary workload indicators and current grant requirements.

Proposed Key Projects:

- Develop and publish an Annual Report detailing the accomplishments, major cases and vision of the District Attorney
- Expand transfer of electronic discovery to private defense attorneys in the community. Another phase of this project will be to provide initial discovery to the Public Defender in addition to the ongoing discovery that is currently provided.
- Explore implementation of a data sharing interface with the Courts, which would increase efficiencies due to the amount of duplicative data entry between the Courts and the DA. By exchanging data, thousands of hours will be saved by each department thereby reducing data entry errors and increasing attorney activity and event tracking for statistical purposes.
- The District Attorney Case Management System (DAMION) will be assessed to consider an upgrade to a WEB interface. Also being considered is implementing fault tolerance should the primary server/site fail. These potential enhancements offer a more widely accessible DAMION to outside agencies via the WEB interface and provide a higher level of availability in the case of an outage, removing the single point of failure that currently exists.

Focus Area 2: Criminal Prosecution Criminal Prosecution is divided into the following units:

Vertical Prosecution Units: The vertical prosecution units are focused on the most serious felonies including gang violence, child abuse and neglect, domestic violence, sexual assault, elder abuse, hate crimes, major narcotic offenses, homicide and other violent crimes. In these cases a specially trained prosecutor handles the cases from beginning all the way through sentencing with the assistance of a victim witness advocate and an investigator.

General Felony/Misdemeanor Prosecutions: These prosecutions involve a wide variety of general felony and misdemeanor cases including workplace embezzlement, auto burglary, commercial burglary, assault, grand theft, indecent exposure and possession of illegal narcotics to name a few. Deputy District Attorneys, with the assistance of a victim witness advocate and an investigator, work together on every phase of the criminal prosecution, including the preparation and argument of motions, probation violations, jury trials and sentencing hearings.

Prosecutions of Drug and Alcohol Crimes and Rehabilitative Efforts: Prosecutors are assigned to handle misdemeanor and felony cases involving individuals whose criminal activity is related to their abuse of alcohol, prescription drugs or illegal drugs. The offenses range from driving under

DISTRICT ATTORNEY

Department Summary (cont'd)

the influence of alcohol or illegal drugs, possession of illegal drugs, thefts and a variety of other offenses. Programs include the DUI Court, Drug Court, Proposition 36 Treatment Court, Mental Health Treatment Court and the new Restorative Justice (Homeless) Court. In Santa Maria, staff collaborate with the Courts and the Veterans' Administration to develop a Veterans' Court. The cases are assigned to a single judge in each part of the County, so the defendants can receive closer judicial supervision to improve the success rate of the treatment programs. A critical component of a successful treatment program is the ability to enforce negative consequences for violations of probation. The prosecutor's role in ensuring strict adherence to the plan of rehabilitation has led to higher success rates. In turn, successful treatment programs have led to a reduction in crime and a reduction in jail overcrowding. Regretfully, the proposed budget will again eliminate the ability of prosecutors to staff the treatment courts, which will force the courts to transfer a large volume of cases to other courtrooms where prosecutors are available.

Real Estate Fraud and Workers Compensation Fraud Units: A dedicated attorney and investigator are assigned to handle these cases from the beginning of the investigation all the way through prosecution. The recent housing market collapse has disclosed numerous instances of real estate fraud and predatory foreclosure scams which translate to an increased workload for this unit.

Consumer/Environmental Fraud Unit: This unit prosecutes complex cases involving environmental crimes and companies or individuals who engage in fraudulent or unlawful business practices. This unit prosecutes cases involving environmental offenses such as oil spills and other safety violations. Oil spills can have a devastating impact on the environment, wildlife and the citizens in our community; therefore, prevention through enforcement of safety regulations is critical. Consumer Fraud includes companies or corporations who engage in unfair business practices that affect the average consumer. Unfair business practices include drug stores that overcharge customers, health insurance companies that overcharge the consumer for insurance premiums and large chain stores that engage in price gouging. The prosecutor in this unit also reviews all allegations of Brown Act Violations and Election Fraud. A series of prior budget reductions caused this unit to be cut in half and the current proposed budget will eliminate this unit completely. If companies do not face the threat of regulation enforcement through criminal prosecution, they may become more lax in their safety procedures which could lead to a loss of life and/or property. If large companies or corporations do not face the threat of civil penalties for overcharging the average citizen, it may lead to illegal increases in prices.

Arraignment Court: Attorneys who staff the arraignment court are responsible for ensuring proper bail amounts are set on in-custody defendants and for resolving over 50% of the cases at this initial stage of the proceedings.

Filing Review: One Senior Deputy District Attorney in each branch office is assigned to review cases submitted by law enforcement to ensure appropriate and consistent filing decisions Countywide.

Current Year (FY 10-11) Accomplishments:

- The District Attorney created an Arson Task Force made up of well over 30 fire officials from throughout Santa Barbara County. The Task Force meets regularly to share ideas and information. Additionally, at no extra cost to the County, two Senior Deputy District Attorneys and one DA investigator have been assigned to this task force. The Arson Task Force has already been instrumental in the investigation of several structure fires throughout Santa Barbara County, which not only leads to quicker resolutions on fire investigations, but more importantly, the Task Force helps save lives.
- Nine new attorneys have been hired at the lowest pay level to replace highly paid senior attorneys who retired in 2009-10 which enabled the District Attorney's Office to return to an adequate level of staffing. Beginning in October of 2009, 8 senior prosecutors retired but budget reductions prevented the Office from filling their positions until the fall of 2010. This led to an unsustainable situation where prosecutors were carrying an average of 477 cases per attorney, the highest caseload per attorney of any District Attorney's Office in the State of California. The new prosecutors are highly educated, hard working individuals and many are bilingual and/or bicultural. The new prosecutors have enabled the District Attorney's Office to reduce caseloads to a level where attorneys are able to handle each case more effectively, ensuring that crime victims are protected and justice is served. It also allowed the District Attorney to return prosecutors to the Alcohol/Drug/Mental Health Treatment Courts on a part time basis. Unfortunately, the current recommended budget will force the District Attorney to once again remove prosecutors from those courtrooms due to proposed layoffs. For the first time, due to the rise in serious and violent crime in the North County, our North County offices now have as many attorneys as our South County office.
- A new Volunteer Attorney Externship Program was created in response to continuing budget reductions. Under this new program, attorneys have the opportunity to receive practical courtroom experience while allowing the District Attorney's Office to maintain core services to the public at no additional cost. Participants in this program are assigned a misdemeanor caseload and they work under the supervision of experienced prosecutors. Each volunteer attorney must commit to a minimum of six months of full-time service to the District Attorney's Office; in exchange the attorneys will gain valuable trial experience in developing his or her courtroom skills. The Volunteer Attorney Externship Program is another way the District Attorney's Office is continuing to serve the public at the highest levels of legal representation without additional strain to the County budget.
- In the South County three specialized units were created, each focusing on an area of crime that is of great concern to County residents: Youth Violence (including gangs, juvenile crime, graffiti and truancy program); Vulnerable Victims (including sexual assault, crimes against children and the elderly, hate crimes and domestic violence); and White Collar (including embezzlement, fraud, identify theft and cyber crimes). Deputy District Attorneys and investigators are now staffing these three units and working with outside agencies and foundations to prevent and prosecute these crimes.

DISTRICT ATTORNEY

Department Summary (cont'd)

- In the North County, the gang violence prosecution unit increased from 2.5 prosecutors to 4.5 prosecutors due to a dramatic rise in caseloads over the past couple of years. The gang caseload had not only risen in numbers, but it has also seen a noticeable increase in the amount of serious crimes including murder, attempted murder, assault with a deadly weapon and robbery to name a few. The addition of two more specially trained prosecutors to this unit allowed prosecutors to dedicate enough time to every case which in turn protects victims of gang crimes and holds offenders accountable for their criminal actions.
- The Real Estate Fraud Unit obtained the largest white collar prison sentence in the history of Santa Barbara County against Michael Wilson. Wilson went to prison for 20 years and 4 months for defrauding over 50 victims of \$15 million dollars in his real estate fraud scheme. The Real Estate Fraud Unit was the first in the state to file charges and convict Irma Diaz and the offending company, Caretaker Plan.
- A new focus on legislative initiatives has resulted in obtaining sponsorship of AB 765 by Assemblyman Katcho Achadjian in the 2011 Legislative Session. AB 765 was proposed by the District Attorney to protect victims of rape by clarifying that a perpetrator who induces a victim into sexual activity by impersonating a cohabitant is guilty of felony rape.
- The Consumer/Environmental Fraud Unit was successful in obtaining a civil penalty of approximately \$300,000 from PETCO, Inc. for overcharging customers and improperly caring for animals.
- The District Attorney's Office has tried a number of significant cases including serious gang cases, sexual assault cases and murder cases during FY 2010-11. Several highlights of verdicts on murder cases include:
 - *James Lujan* was convicted of the murder of four-year-old Diego and the torture of eighteen month old Lina. He was sentenced to 75 years to life which means he will never be released from prison to harm another child.
 - *Marc Morton* was convicted of the murder of fifty five-year-old Steven Tannenbaum. He was sentenced to life without the possibility of parole.
 - *Carlos Valdez and Isaac Garza* were convicted of the gang murder of eighteen-year-old Jorge Zirate. They were sentenced to 50 and 90 years to life.
 - *Alexis and Dennis Guzman* were convicted of the gang murder of twenty five-year-old Hector Perez. They are expected to receive a sentence of 50 years to life.
 - *Ruben Mize, Bryan Medinilla, Raul Diaz, and Ricardo Nava* were convicted of the gang murder of sixteen-year-old Lorenzo Carachure. They are expected to receive sentences of between 15-65 years to life.
 - *Robert Duran* along with gang member *Gilbert Garcia* were convicted of the murder of 30-year-old George Robertson. They were sentenced to 15 and 50 years to life.

Proposed Strategic Actions:

- Vigorously prosecute gang crimes Countywide.
 - Continue to participate in the quarterly Countywide gang task force meetings to improve communication with partner agencies which will improve their ability to successfully prosecute gang cases.
 - Work with the Santa Barbara Police Department and Santa Barbara City Attorney's Office to obtain and enforce a gang injunction. Gang injunctions are one of many tools for law enforcement to use in gang enforcement which will enhance public safety.
 - Sustain vertical prosecution units with specialized training in gang crimes to ensure both the safety of victims and the safety of the public by taking the violent criminals off the street.
 - Perform outreach at the local middle and high schools by educating young people about the negative consequences associated with criminal street gangs.
- Rehabilitate drug users and prosecute large scale drug dealers.
 - Sustain specialized vertical units to prosecute major illegal drug manufacturers, sellers and repeat serious offenders.
 - If budget restorations occur, continue to have prosecutors in the drug/alcohol treatment courts. The drug/alcohol treatment courts are an effective means of rehabilitating offenders which keeps them out of jail and prevents them from continuing to re-offend in our community. If budget restorations do not occur, prosecutors will be removed from these courtrooms which will cause the caseloads to be shifted to the criminal trial courts that are already overburdened with cases. The treatment programs will be much less effective without a prosecutor to remind drug addicts of the possibility of incarceration if they re-offend. Reforms in the State Prison system will relocate low level felons who are preparing for reentry into our local jails which will in turn further impact jail overcrowding. Less effective treatment programs will mean more people will re-offend, causing more citizens to be victimized and it will increase the jail overcrowding problem.
- Sustain the Drug Endangered Children (DEC) Program to assist children exposed to drugs.
 - Assign the DEC cases to specialized vertical prosecution units countywide to better protect the most vulnerable victims in our society.
 - Continue to work with law enforcement to develop qualified experts regarding the effects on children who are exposed to illegal drugs.
 - Provide training to law enforcement and probation on recognizing, documenting and prosecuting DEC cases.
- Protect victims of sexual assault, domestic violence and elder abuse.
 - Continue to vertically prosecute felony sexual assaults, domestic violence and elder abuse cases with specialized units.
 - Participate in the Sexual Assault Response Team (SART), Domestic Violence Response Team (DVRT) and the Elder Death Review Team (EDRT).

DISTRICT ATTORNEY

Department Summary (cont'd)

- Collaborate with other agencies in the County such as law enforcement, Child Welfare Services, Adult Protective Services and Probation to improve communication and information sharing which will in turn increase the ability to hold offenders accountable for their actions.

Proposed Key Projects:

- Collaborate with partner agencies on prevention and intervention strategies directed at curbing youth violence in our communities. Continue to partner with our local schools to work toward creating an effective truancy intervention program. Truancy issues with young children are one of the first signs of trouble in the home which may lead to them joining criminal street gangs.
- Send Deputy District Attorneys to the local schools to provide information on the criminal justice system and the role of the District Attorney's Office for general educational purposes with a specific goal of providing a positive influence on "at risk" children.
- Develop a cybercrimes prosecution unit that focuses on sexual predators who utilize the internet to lure unsuspecting children and protects children from cyber bullying.
- Reinstigate a truancy program which targets children under the age of 14 who are habitual truant. The program will be a collaborative effort with our local schools, community leaders and law enforcement. The program will seek to hold both students and parents accountable for poor school attendance.

Focus Area 3: Bureau of Investigations The Bureau of Investigations consists primarily of sworn peace officers who are responsible for providing investigative and technical support services to prosecutions. Investigators conduct complex criminal investigations in addition to interviewing and subpoenaing witnesses and provide trial support through preparation of exhibits and evidence analysis. The continued rise in gang violence has led to a number of cases where investigators assist witnesses with the California Witness Relocation and Protection Program (CWRAP) to ensure that witnesses who are willing to testify against violent gang members have an opportunity to protect their safety by moving out of the area. Investigative support is critical to protecting public safety by ensuring successful prosecutions.

Current Year (FY 10-11) Accomplishments:

- Led a collaborative effort to form an ad hoc Arson Task Force with local fire investigators.
- Successfully investigated and prosecuted the first mortgage consultant fraud case in the County.
- Managed a continued demanding workload created by multiple homicide occurring in rapid succession and/or simultaneously. Those trials involved significant witness management issues in addition to the normal trial preparation work.
- District Attorney Investigators played a critical role in handling witnesses enrolled in the California Witness Relocation and Assistance Program (CWRAP). Because of these efforts, key witnesses in gang violence prosecutions were able to make it to court, testify truthfully

and move forward with significantly reduced fears of retaliation.

- Successful investigation and filing of criminal complaints in complex theft offenses including workers' compensation insurance fraud and real estate fraud.

Proposed Strategic Actions:

- Because of the continued significance of crime committed by gang members, a high priority for the Bureau of Investigation will be to continue to provide significant support to the prosecution of gang-related crimes, in particular homicides and assaults with deadly weapons committed by gang members.
- Due to an anticipated reduction in the amount of support provided by local law enforcement agencies in forensic computer examinations, investigators are preparing to handle such evidence examination in-house. This effort includes an additional emphasis and focus on all types of cybercrimes, including cyber bullying.
- Due to an anticipated reduction in the number of investigators available for litigation support, the focus will be on serious violent felonies and there will be a reduction in support to misdemeanor cases.

Proposed Key Projects:

- Assist local law enforcement agencies with all requests for assistance in gang association search warrant operations and all gang-related witness relocation matters.
- Be fully functional to conduct forensic examinations of all types of PCs and cell phones.
- Assist with all arson investigations when requested by local fire agencies.
- Initiate investigations into cybercrimes not handled by local law enforcement agencies.

Focus Area 4: Welfare Fraud Investigations and Prosecution Welfare Fraud Investigations and Prosecution is a contract program with the Department of Social Services (DSS) that conducts the initial investigation of fraudulent receipts of aid and secures cost recovery or criminal penalties where appropriate. Enforcement remedies include agreement to reimburse notes, small claims actions, disqualification consent agreement and criminal prosecutions.

Current Year (FY 10-11) Accomplishment:

- Successfully obtained a reduction, withdrawal or denial of aid in 30% of 800 cases investigated at welfare application.

Proposed Strategic Action:

- Protect the funds available to needy families in our community through enforcement actions against those who commit fraud against the County's public assistance programs.

DISTRICT ATTORNEY
Department Summary (cont'd)

Proposed Key Project:

- Maintain current performance measures while increasing proactive efforts to arrest and prosecute those who commit criminal violations.

Focus Area 5: Juvenile Prosecution The District Attorney's Office currently has three full-time attorneys assigned to the juvenile prosecution unit, with one attorney specializing in juvenile gang violence in North County. Prosecutors handle juvenile cases from start to finish by reviewing cases referred by law enforcement agencies and Probation staff, filing petitions and appearing multiple times in Juvenile Court through the juvenile justice process. Dispositions include everything from diversion programs, treatment programs and alternative education programs to incarcerating violent juveniles. Attorneys are also responsible for performing community outreach, such as educating children at schools about the criminal justice system and participating in cyberbullying discussions, Teen Court, Fighting Back, Career Day and Juvenile Drug Court.

Current Year (FY 10-11) Accomplishments:

- Deputy District Attorneys made several presentations to Santa Barbara County teachers on cyberbullying.
- Deputy District Attorneys devoted their time to training law enforcement officers and parks and recreation officers throughout the County. Training topics included juvenile law, search and seizure and Fifth Amendment law.
- Deputy District Attorneys worked with juvenile probation officers and developed procedures to document incidents of and prosecute offenders for the manufacturing of weapons inside Juvenile Hall.
- Deputy District Attorneys secured lengthy periods of incarceration and intensive treatment programs for dangerous offenders who committed violent gang offenses, murder, attempted murder and repeated sexual abuse of younger children.

Proposed Strategic Actions:

- Assist in providing opportunities for rehabilitation, while holding juvenile offenders accountable for their actions.
 - Offer diversion programs to the appropriate offenders so they have an opportunity to rehabilitate themselves.
 - Effectively prosecute juvenile gang members and, when appropriate, argue for longer incarcerations to protect public safety.
- Perform outreach at the local elementary, middle and high schools by educating young people about the negative consequences inherent in gang association. Provide training and outreach to prevent children from committing crimes.
 - Provide information and education to the local elementary, middle and high schools on the role of the District Attorney and the juvenile justice system.
 - Train juvenile probation officers and Juvenile Hall counselors regarding proper report writing.

- Participate in outreach programs such as Teen Court, Fighting Back, Career Day and Juvenile Drug Court.

Proposed Key Projects:

- Effectively prosecute and prevent juvenile gang crimes Countywide.
 - Continue to participate in the quarterly Countywide gang task force meetings to improve communication with partner agencies which will improve their ability to successfully prosecute gang cases.
 - Work with the Santa Barbara Police Department and Santa Barbara City Attorney's Office to obtain and enforce a gang injunction which may target juvenile gang members. Gang injunctions are one of many tools for law enforcement to use in gang enforcement which will enhance public safety.

Focus Area 6: Victim Witness Assistance Program The Victim Witness Program provides comprehensive services to over 3,100 victims of crime annually to mitigate the aftermath of crime as well as preventing future crimes. Advocates provide an orientation to the criminal justice system, court support, crisis intervention counseling, financial assistance and resource and referral counseling. Advocates also inform victims of their statutory rights including those enacted by the *California Constitution Art. I § 28* and Marsy's Law in 2008. The State Victim Compensation Program provides funding for local claims staff to verify and recommend payments for victim compensation claims, expediting recovery to victims and local service providers. The Victim Witness Program provides administrative oversight for the Sexual Assault Response Team (SART) and employs a Coordinator who facilitates Countywide forensic medical and legal services to sexual assault victims on behalf of Countywide law enforcement agencies. In FY 2009-10, over 234 Children and Adults were served by SART.

Current Year (FY 10-11) Accomplishments:

- Coordinated the annual Media/Press Conference to commemorate National Crime Victim's Rights Week on April 14th. The event featured local dignitaries who also recognized the courage of victims of crime and the commitment of exceptional law enforcement and victim service providers.
- Organized the 11th Annual District Attorney's State Street Mile which attracted 850 participants and raised \$10,000 for the Crime Victim Emergency Fund.
- Sought and received \$100,000 in competitive federal Victims of Crime Act (VOCA) funds to provide victim advocacy services and outreach to underserved immigrant victims of crime in North County.
- Leveraged statewide relationships with other District Attorney Offices and State Associations to maintain funding levels for the County Victim Compensation Contract which is facing reductions and/or abolishment due to State Restitution Fund shortfalls.

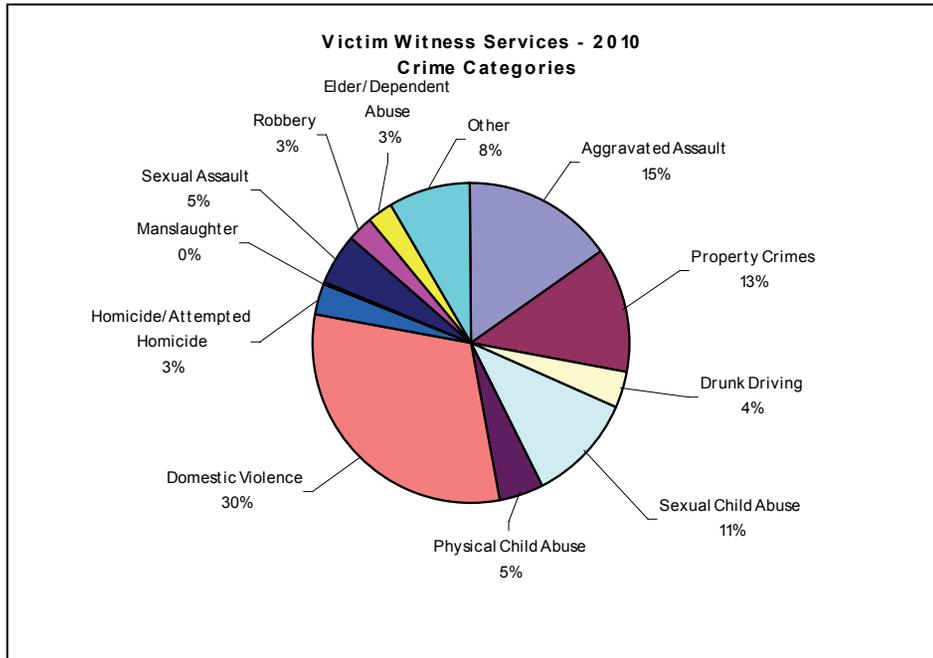
DISTRICT ATTORNEY
Department Summary (cont'd)

Proposed Strategic Action:

- Continue to provide timely criminal justice information, support, and compensation assistance to victims of violent crime throughout the criminal justice process and ensure that victims receive effective and timely treatment, resources, appropriate referrals for service, and financial restitution.

Proposed Key Projects:

- Coordinate the 12th Annual State Street Mile to raise awareness of Victim Witness Assistance Services and sustain Crime Victim Emergency Funds for FY 2011-12.
- Sustain SART forensic interviewing services and funding through continued private and city human services funding and National Accreditation funding.
- Obtain additional federal funds to continue to sustain services to children exposed to violent crime.



	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
Department-wide Effectiveness Measures				
Dispose of 60% of newly filed misdemeanor cases at the arraignment stage to maximize court and criminal justice agency resources.	67%	60%	60%	60%
	9,799	8,700	8,700	8,700
	14,593	14,500	14,500	14,500
Obtain felony convictions in 80% of cases not resolved by the preliminary hearing stage making effective use of judicial proceeding to successfully prosecute cases.	82%	80%	80%	80%
	243	240	240	240
	298	300	300	300
Resolve 65% of felony cases before preliminary hearing. Early dispositions reduce jail population, minimize civilian & law enforcement court appearances and allow agencies to prioritize resources on unresolved cases.	66%	65%	65%	65%
	1,642	1,625	1,625	1,625
	2,482	2,500	2,500	2,500

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
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Recurring Performance Measures

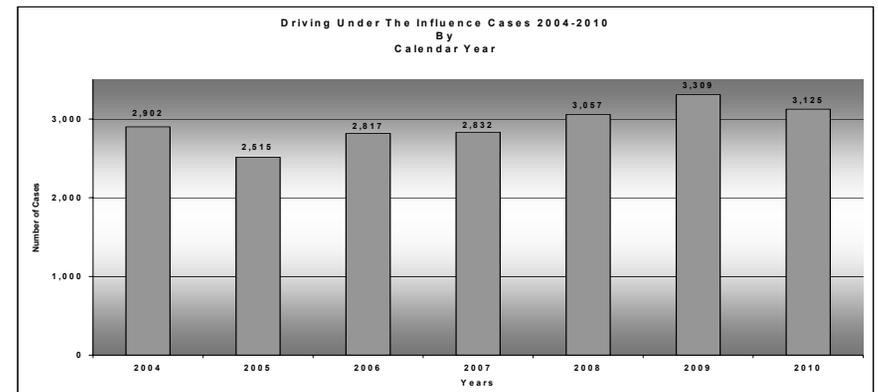
Administration

Process 100% of an estimated 1,200 vendor claims within 10 days of receipt to establish and maintain effective working relationships with vendors.	100%	100%	100%	100%
	1,056	1,200	1,200	1,200
	1,056	1,200	1,200	1,200
As an efficient and responsive government, the District Attorney will maintain a quality workforce through completing 100% of departmental Employee Performance Reviews (EPRs) by the anniversary due date.	100%	100%	100%	100%
	124	120	120	111
	124	120	120	111
As an efficient and responsive government, the District Attorney will reduce or maintain the rate of General Liability claims filed from the previous year's actual claims filed.	100%	100%	133%	100%
	2	3	4	3
	2	3	3	3

DISTRICT ATTORNEY
Department Summary (cont'd)

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
Recurring Performance Measures				
As an efficient and responsive government, the District Attorney will reduce or maintain the rate of Workers' Compensation claims filed from the previous year's actual claims filed.	100%	100%	100%	100%
	1	2	2	2
	1	2	2	2
As an efficient and responsive government, the District Attorney will maintain a productive workforce through a Departmental lost time rate of 4.8% or less.	5.7%	4.8%	4.5%	4.8%
	14,320.0	10,469.2	9,815.0	10,469.2
	250,588.0	218,108.8	218,108.0	218,108.8
Criminal Prosecution				
Minimize the number of continuances as measured by total court appearances. This will create efficiencies in the court system by saving time and effort for all departments involved including the Sheriff and Probation.	--	91,000	96,000	95,000
Obtain restitution orders in 90% of the cases with a named defendant when a Victims of Crime claim has been filed.	95%	90%	91%	90%
	898	765	800	765
	943	850	875	850
Juvenile Prosecution				
Enhance public safety by making a minimum of 300 community presentations and participate in community collaborative intervention meetings that educate public awareness of District Attorney programs and services.	226	300	300	300
Civil Enforcement				
Complete 90% of investigations/referrals to the Consumer & Environmental Unit within 90 days as these areas involve important community interest and public protection issues (Note: Program is eliminated in 11-12 Recommended Budget).	100%	90%	90%	0

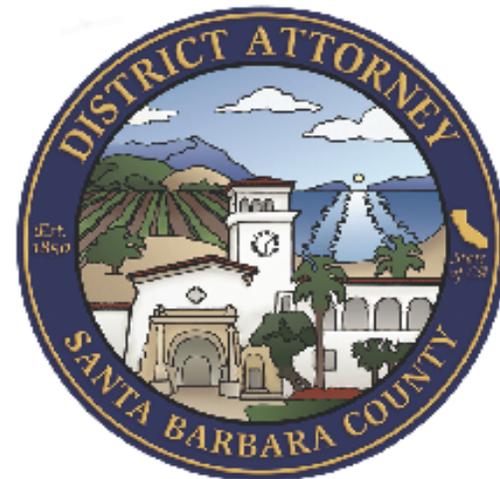
	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
Recurring Performance Measures				
Victim Witness Services				
Assist victims to recover from the aftermath of crimes, by providing direct services or referrals to an estimated 3,100 victims of crime referred to District Attorney's Office.	3,154	3,100	3,100	3,100
Verify and file 98% of new Victims of Violent Crime claims for state reimbursement of financial losses within 90 days of receiving application to expedite reimbursement to victims and providers.	100%	98%	98%	98%
	945	833	833	833
	945	850	850	850
Welfare Fraud Investigations				
Obtain a reduction, withdrawal, or denial of aid in 30% of cases investigated at application. Early detection prevents monetary losses, promotes system integrity and enhances resources for the truly needy.	33%	30%	30%	30%
	245	240	240	240
	749	800	800	800
Complete 95% of welfare fraud investigations within 12 months of ongoing referral. Timely handling ensures better cases, fresher information and earlier recovery of funds.	93%	95%	95%	95%
	503	447	447	447
	539	470	470	470

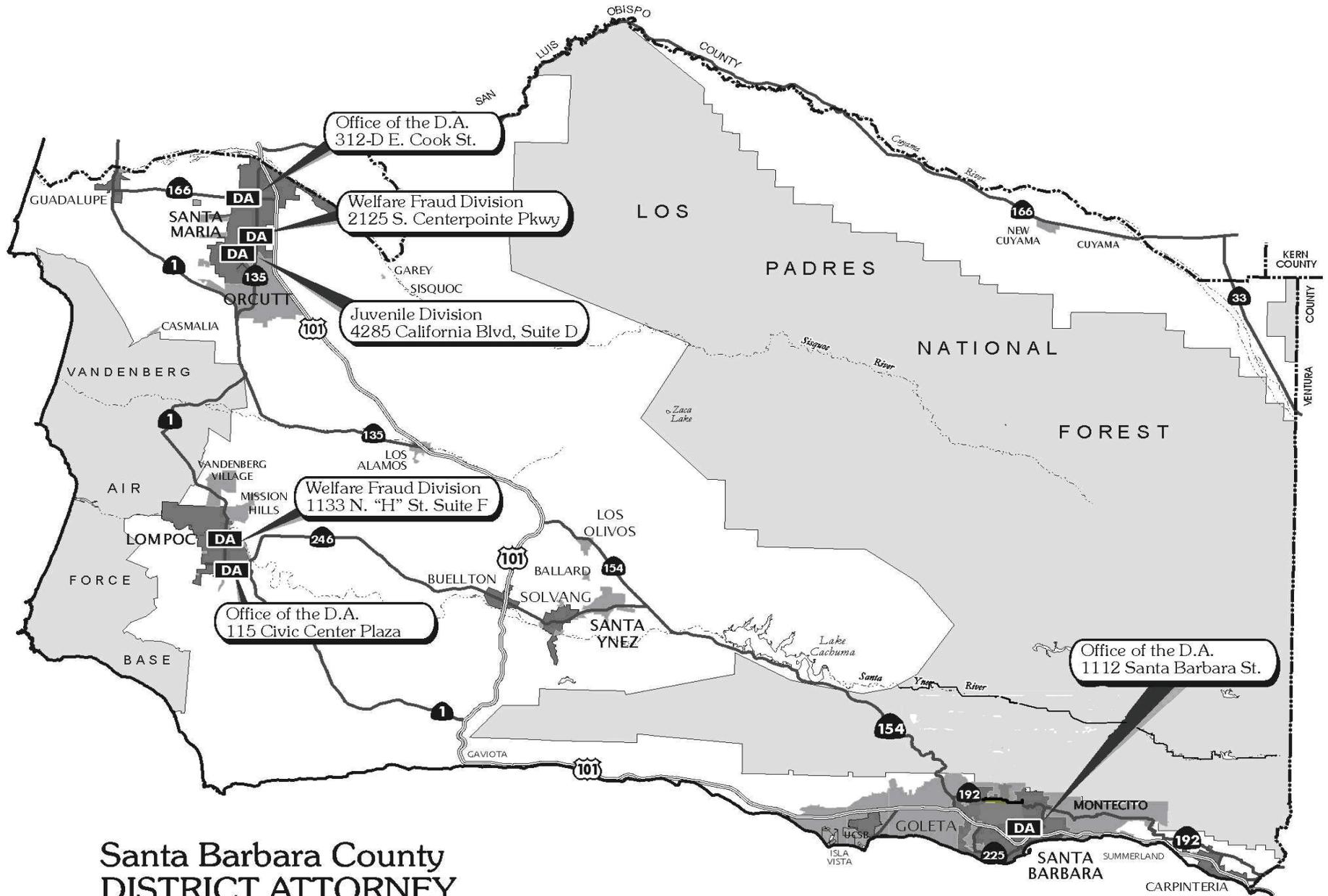


DISTRICT ATTORNEY
Department Summary (cont'd)

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
	Pos.	Pos.	Pos.	Pos.
Position Detail				
Administration				
Administrative Professional	1.0	1.0	1.0	1.0
District Attorney	1.0	1.0	1.0	1.0
Assistant District Attorney	2.0	2.0	2.0	1.0
Assistant Director	1.0	1.0	1.0	1.0
Business Manager	1.0	1.0	1.0	1.0
IT Manager	1.0	1.0	1.0	1.0
Computer Systems Specialist	1.0	1.0	1.0	--
EDP Sys & Prog Anlst Sr	1.0	1.0	1.0	1.0
Administrative Office Professional	1.0	1.0	1.0	--
Sub-Division Total	10.0	10.0	10.0	7.0
Criminal Prosecution				
Chief Trial Deputy	2.0	2.0	2.0	4.0
Deputy District Attorney	40.0	40.0	40.0	39.0
Chief DA Investigator	1.0	1.0	1.0	1.0
DA Investigator Supervisor	2.0	3.0	3.0	3.0
DA Investigator	13.0	14.0	14.0	14.0
Administrative Office Professional	6.0	4.0	4.0	5.0
Legal Office Professional	28.8	32.0	32.0	33.0
Paralegal	1.0	1.0	1.0	1.0
Victim/Witness Program Assistant	--	--	--	1.6
Sub-Division Total	93.8	97.0	97.0	101.6
Juvenile Prosecution				
Deputy District Attorney	2.0	3.0	3.0	3.0
Legal Office Professional	2.0	2.0	2.0	2.0
Sub-Division Total	4.0	5.0	5.0	5.0
Civil Enforcement				
Deputy District Attorney	1.0	1.0	1.0	1.0
Sub-Division Total	1.0	1.0	1.0	1.0

	Actual FY 09-10	Adopted FY 10-11	Est. Actual FY 10-11	Recommended FY 11-12
	Pos.	Pos.	Pos.	Pos.
Position Detail				
Victim Witness Services				
Program Manager	1.0	1.0	1.0	1.0
Administrative Office Professional	2.5	3.5	3.5	2.5
Legal Office Professional	2.0	2.0	2.0	2.0
Victim/Witness Program Supervisor	2.0	1.0	1.0	2.0
Victim/Witness Program Assistant	9.1	8.1	8.1	8.5
Sub-Division Total	16.6	15.6	15.6	16.0
Welfare Fraud Investigations				
Deputy District Attorney	1.0	--	--	--
DA Investigator Supervisor	1.0	--	--	--
DA Investigator	6.0	4.0	4.0	4.0
Legal Office Professional	1.0	1.0	1.0	1.0
Sub-Division Total	9.0	5.0	5.0	5.0
Division Total	134.4	133.6	133.6	135.6





**Santa Barbara County
DISTRICT ATTORNEY**