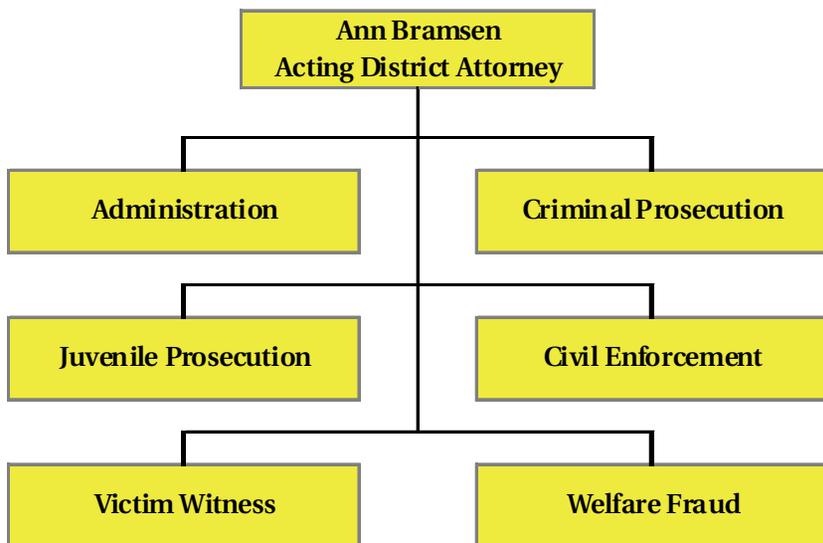
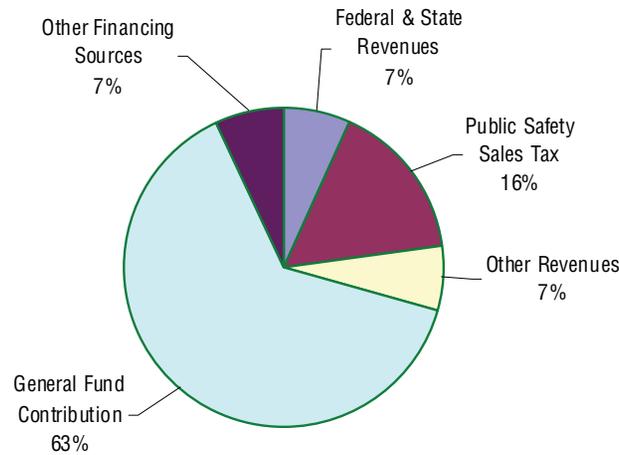


# DISTRICT ATTORNEY

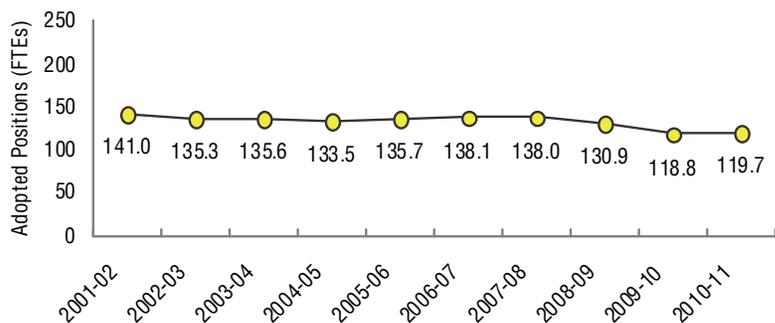
Budget & Positions (FTEs)	
Operating \$	18,434,564
Capital	-
Positions	119.7 FTEs



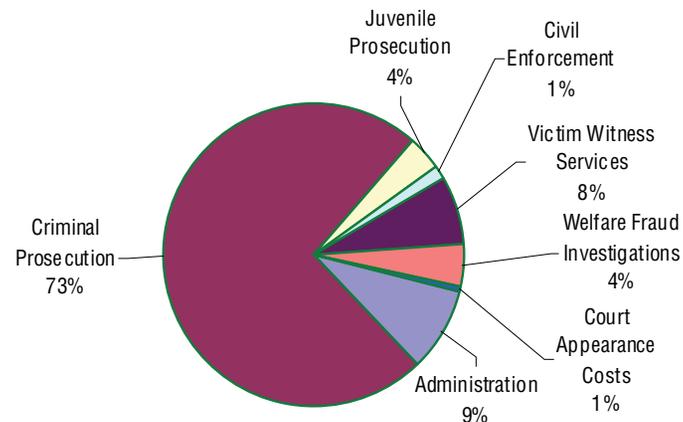
## SOURCE OF FUNDS



## STAFFING TREND



## USE OF FUNDS



**DISTRICT ATTORNEY**  
**Department Summary**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Use of Funds Summary</b>				
<i>Operating Expenditures</i>				
Administration	\$ 1,505,997	\$ 1,612,308	\$ 1,496,780	\$ 1,711,098
Criminal Prosecution	13,902,133	13,136,667	13,866,445	14,311,205
Juvenile Prosecution	815,506	670,700	732,039	705,039
Civil Enforcement	377,567	218,011	231,628	243,593
Victim Witness Services	1,173,979	1,349,941	1,367,812	1,487,464
Welfare Fraud Investigations	885,583	847,964	859,657	843,866
Court Appearance Costs	--	--	75,000	100,000
Operating Sub-Total	18,660,765	17,835,591	18,629,361	19,402,265
Less: Intra-County Revenues	(1,619,957)	(949,702)	(965,701)	(967,701)
Operating Total	17,040,808	16,885,889	17,663,660	18,434,564
<i>Non-Operating Expenditures</i>				
Capital Assets	84,561	--	--	--
Expenditure Total	17,125,369	16,885,889	17,663,660	18,434,564
<i>Other Financing Uses</i>				
Operating Transfers	29,489	29,492	29,492	29,491
Designated for Future Uses	--	--	3,041	--
Department Total	\$ 17,154,858	\$ 16,915,381	\$ 17,696,193	\$ 18,464,055

**Character of Expenditures**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<i>Operating Expenditures</i>				
Regular Salaries	\$ 12,209,975	\$ 11,681,106	\$ 11,179,449	\$ 12,347,302
Overtime	2,204	--	4,111	--
Extra Help	78,624	380	40,077	--
Benefits	4,611,914	4,627,027	5,795,434	5,616,107
Salaries & Benefits Sub-Total	16,902,717	16,308,513	17,019,071	17,963,409
Services & Supplies	1,758,048	1,527,078	1,610,290	1,438,856
Operating Sub-Total	18,660,765	17,835,591	18,629,361	19,402,265
Less: Intra-County Revenues	(1,619,957)	(949,702)	(965,701)	(967,701)
Operating Total	17,040,808	16,885,889	17,663,660	18,434,564
<i>Non-Operating Expenditures</i>				
Capital Assets	84,561	--	--	--
Expenditure Total	\$ 17,125,369	\$ 16,885,889	\$ 17,663,660	\$ 18,434,564

**Source of Funds Summary**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<i>Departmental Revenues</i>				
Public Safety Sales Tax	\$ 3,253,832	\$ 3,079,675	\$ 3,007,405	\$ 3,095,372
Federal & State Revenues	1,300,283	1,532,411	1,559,876	1,371,850
Other Charges for Services	1,287,071	1,074,877	1,081,525	1,099,701
Miscellaneous Revenue	374,911	407,000	324,500	170,294
Revenue Sub-Total	6,216,097	6,093,963	5,973,306	5,737,217
Less: Intra-County Revenues	(1,619,957)	(949,702)	(965,701)	(967,701)
Revenue Total	4,596,140	5,144,261	5,007,605	4,769,516
<i>General Fund Contribution</i>				
	11,683,062	10,960,120	11,233,444	12,329,511
<i>Other Financing Sources</i>				
Operating Transfers	94,825	72,000	93,581	71,500
Use of Prior Fund Balances	780,831	739,000	1,361,563	1,293,528
Department Total	\$ 17,154,858	\$ 16,915,381	\$ 17,696,193	\$ 18,464,055

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
	Pos.	FTE	Pos.	FTE

**Position Summary**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
	Pos.	FTE	Pos.	FTE
<i>Permanent</i>				
Administration	10.0	8.9	10.0	9.9
Criminal Prosecution	92.5	94.7	93.8	82.5
Juvenile Prosecution	11.0	6.3	4.0	3.9
Civil Enforcement	3.0	2.0	1.0	1.0
Victim Witness Services	15.6	13.1	16.6	13.8
Welfare Fraud Investigations	9.0	7.7	9.0	6.7
Total Permanent	141.1	132.7	134.4	117.8
<i>Non-Permanent</i>				
Contract	--	1.0	--	1.0
Extra Help	--	1.0	--	0.5
Total Positions	141.1	134.7	134.4	118.8

Estimated Actual 09-10 includes 11.0 FTEs retired mid-year and positions remain vacant. Recommended 10-11 restores funding at lower cost.

**MISSION STATEMENT**

The mission of the District Attorney’s Office is to review, investigate, deter and prosecute criminal and civil violations in order to protect the rights and ensure the safety of the citizens of California within the County of Santa Barbara.

**Budget Organization**

The mandatory duty of the Office 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 authority for establishing the position of the District Attorney comes from the *California Constitution, Article 11, Section 1(b)*. The District Attorney also has a duty to protect the rights of victims of crime “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. I § 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 2010-11 includes a team of 120 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:**

- The filing of criminal cases in Santa Barbara County has increased over the last ten years by approximately 15% overall. However, the rise in serious and violent felonies during this same period has been dramatic. From 2000-2009, the District Attorney’s Office experienced a 588% increase in murder and attempted murder cases, and from 2005-2009 there was a 213% increase in gang cases countywide. These cases are complex. They consume an excessive amount of time and are an overall drain on limited District Attorney resources.
- From 2002-2009, the District Attorney’s Office experienced a reduction in attorney staffing causing attorneys to manage extremely high caseloads resulting in a rate of 477 cases filed per prosecutor in 2009. This rate represents a 26% increase in caseload per prosecutor, from 377 in 2008; and is dramatically higher than the statewide average of 260 cases per prosecutor (*California District Attorney’s Association County 2009 Salary Survey*).
- From 2005-2009, the District Attorney’s Office saw a 35% increase in DUI (driving under the influence) cases and a 28% increase in Sex Crimes. Both categories of cases pose a significant threat to public safety and, therefore, require careful dedication of dwindling resources to these areas.
- Cases requiring high-tech analysis continue to grow in volume and complexity. The seizure of cell phones, computers and other devices containing digital data continue to increase along with the use of internet social networking sites such as MySpace, Facebook and others. High-tech analysis is now necessary for many types of cases other than white collar crimes such as gang, narcotic, domestic violence, sexual assault and homicide.
- The District Attorney’s Office is moving toward a paperless system of electronic communication. Each attorney has a laptop that allows preparation of court documents, access to the

**DISTRICT ATTORNEY**

**Department Summary (cont'd)**

District Attorney database, on-line legal research and viewing of police reports and other digital media. The department recently established an electronic interface with the Santa Barbara Police Department allowing electronic transfer of all reports and case information for filing. The plan is to continue implementation of other technological projects that further increase efficiency.

**"Cliff" Chart of Ongoing vs. Overtime Sources**

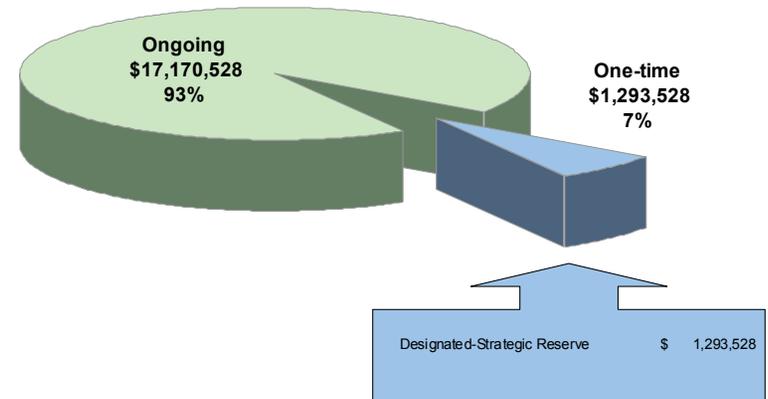
Seven percent of the FY 2010-11 Recommended Budget is comprised of one-time sources of funding. These sources will fund core investigative and prosecution services including five (5) Deputy District Attorneys, two (2) Investigators, and victim witness advocacy services. As a result of the prior use of one-time sources, the department will face a shortfall of \$1,293,528 in FY 2011-12, which must be addressed to maintain the increasing cost of these services.

The FY 2010-11 \$18.4 million Recommended Budget includes \$1.3 million of one-time resources, \$12.3 million in General Fund Contribution and \$4.8 million in net revenues. The District Attorney’s budget has been structurally imbalanced for several years. Previously, the department was appropriated the following one-time sources of Reserves and Designations:

FY 2009-10	\$1,361,600
FY 2008-09	\$ 780,831
FY 2007-08	\$ 388,324

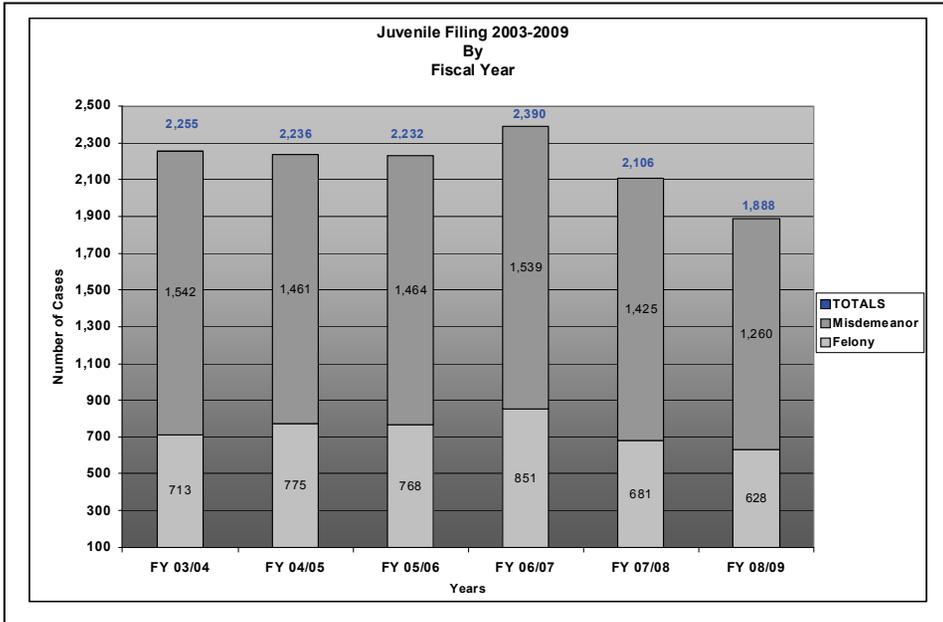
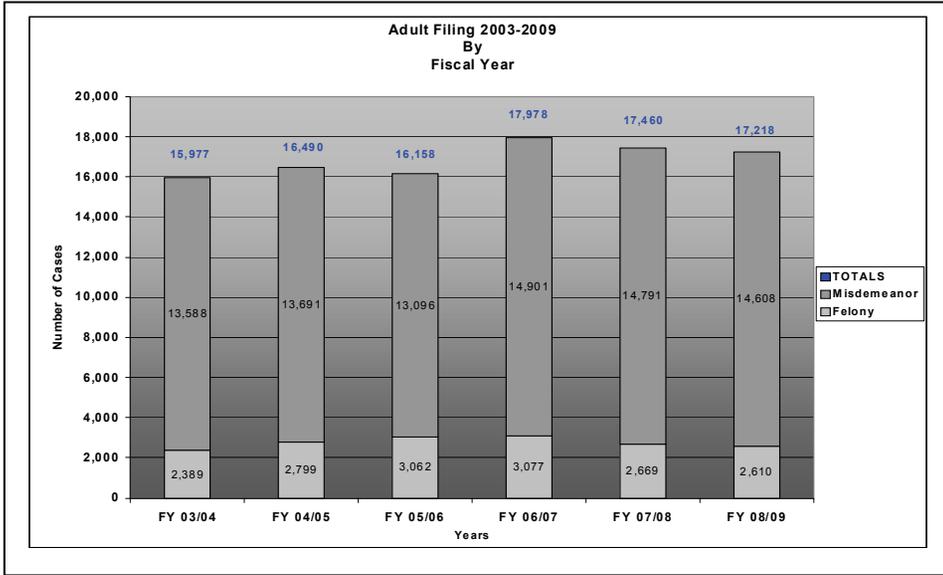
The nature of one-time allocations in a given year exacerbates the budget shortfall in the subsequent year by opening up an even larger budget gap due to increasing costs combined with decreasing appropriations.

**FY 2010-11 Funding Sources: Ongoing vs. One-time "Cliffs"**



**DISTRICT ATTORNEY**  
**Department Summary (cont'd)**

Activity Indicators:



**Significant Changes (FY 2009-10 Adopted to FY 2009-10 Estimated Actual)**

While budget reductions in the prior two fiscal years resulted in adverse impacts to the District Attorney's service level and average caseload, the Recommended Budget for FY 2010-11 is not anticipated to result in significant additional reductions to service levels. Currently, the District Attorney's Office is down eleven attorneys with forty-one remaining. In FY 2008-09 the District Attorney suffered a loss of three deputy district attorney positions due to budget reductions. In FY 2009-10 the District Attorney suffered a loss of four deputy district attorneys during budget hearings, which did not require layoffs because of the retirements precipitated by an agreement with the Deputy District Attorney's Association. In FY 2009-10, the District Attorney had eight additional attorneys retire, including five deputy district attorneys and three management level attorneys. These significant staffing reductions forced both the deputy district attorneys and the management staff attorneys to carry historically high caseloads.

The District Attorney's Office experienced change in leadership more than once during the FY 2009-10 budget cycle and will experience another change in leadership after the primary election in June 2010. Despite these organizational changes, coupled with the loss of eleven attorneys over a two year period (eight of which occurred in the FY 2009-10) the office has continued to maintain 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 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. While the current average caseload of 477 cases filed per attorney is unsustainable on a permanent basis, the District Attorney has continued to meet the Constitutional Mandate of diligently and vigilantly pursuing those who have committed crimes in Santa Barbara County.

In addition, at a time when gang violence is on the rise and homicides are at an historic high during FY 2008-09 and FY 2009-10, the District Attorney experienced a greater percentage reduction of attorneys than the Public Defender. The historic ratio between the District Attorney and the Public Defender had previously been maintained at roughly three prosecutors per two public defenders, consistent with the statewide average of reporting counties. The District Attorney has a number of unique responsibilities in addition to prosecuting cases in the courtroom. For example, the District Attorney must review, screen and file all felony, misdemeanor and civil consumer and environmental cases, review search warrants and answer questions for law enforcement. The Public Defender represents defendants on less than two thirds of the overall cases filed by the District Attorney's Office. The remaining one third of criminal defendants either hire a private attorney, have an alternative conflict defense lawyer appointed or represent themselves in pro persona.

## DISTRICT ATTORNEY

### Department Summary (cont'd)

The following reductions are included in the Recommended Budget for FY 2010-11:

1. The District Attorney will eliminate an investigator assigned to the welfare fraud investigation unit due to a reduction in funding from the Department of Social Services.
2. In September, 2008 an interface project began to electronically transfer all reports from the Santa Barbara Police Department which created significant efficiencies. The position that coordinates these efforts is being eliminated and the project will not be expanded to other law enforcement agencies in FY 2010-11, as planned.
3. Budget reductions require elimination of the Trial Support Specialist who converts audio and video, prepares PowerPoint presentations and assists the deputy district attorneys in courtroom preparation and support.
4. A reduction in victim advocates means that the remaining victim advocate staff will serve an estimated 420 fewer victims of crime.

The Estimated Actual operating expenditures increased by \$794,000 to \$18,630,000 from the Adopted Budget of \$17,836,000. This 4.5% increase is the result of:

- +\$711,000 – Net increase to salaries and benefits. This includes over \$1 million charged to the Department for direct costs associated with the Retirement Incentive Program, which was only partially offset by salary savings while the positions remained vacant;
- +\$75,000 – Increase in Witness Expenses were not included in the Adopted Budget, but were an adjustment and are included in the Adjusted and Recommended Budgets.

The Estimated Actual revenues decreased by \$121,000 to \$5,973,000 from the Adopted Budget of \$6,094,000. This 2% decrease is largely attributed to the economic downturn at the federal, state and local levels, including:

- -\$83,000 – Reduction in Consumer and Environmental fines and penalties due to fewer case referrals;
- -\$72,000 – Continued deterioration of the Public Safety Sales Tax revenue; and
- +\$35,000 – Unbudgeted reimbursements for mandated SB 90 costs.

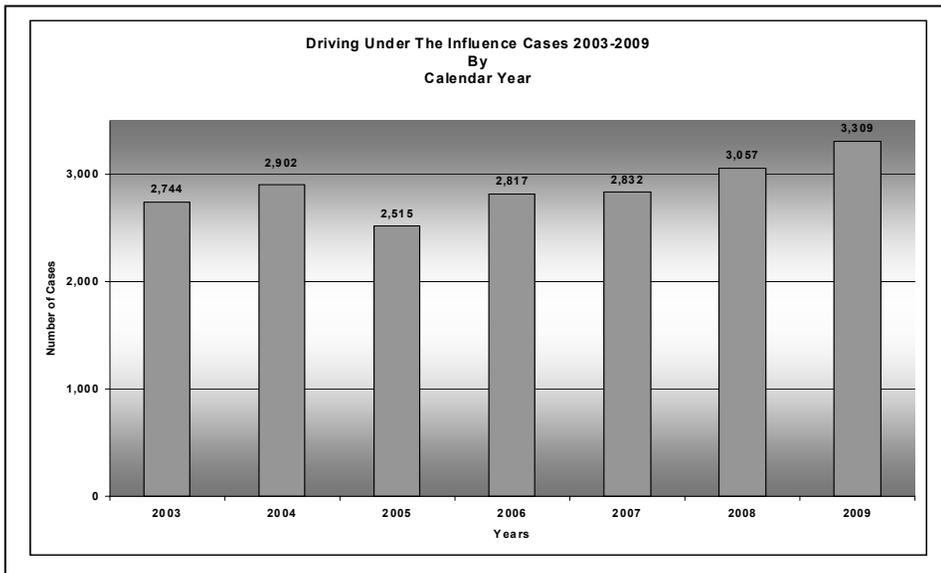
#### Significant Changes (FY 2009-10 Estimated Actual to FY 2010-11 Recommended)

The Recommended Budget operating expenditures will increase by \$773,000 to \$19,402,000 from the prior year's Estimated Actual of \$18,630,000. This 4% increase is the result of:

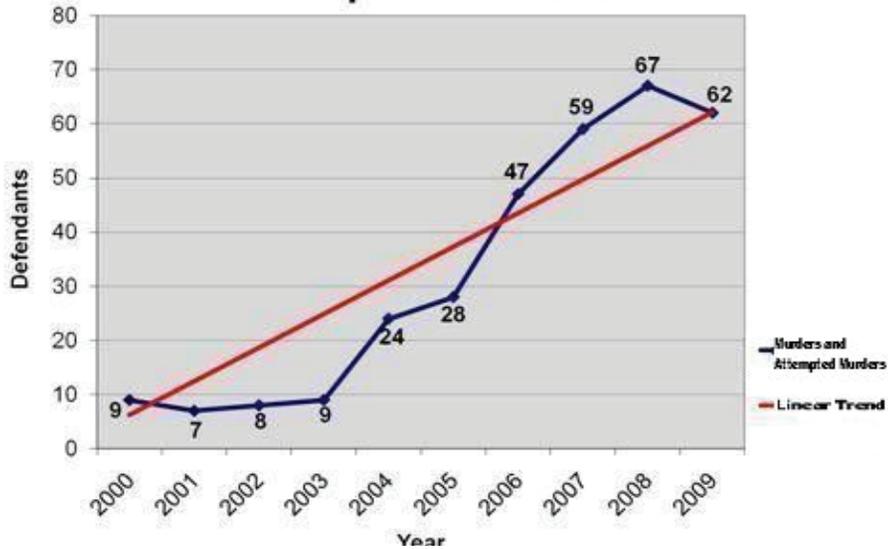
- +\$944,000 – Increase in salaries and benefits, including an additional \$594,000 in Retirement contributions, \$156,000 in increased health insurance contributions and \$153,000 in additional costs for approved salary and merit increases. Other adjustments to salaries and employee benefits include a decrease in workers' compensation which is offset by an increase in unemployment insurance premiums.
- -\$247,000 – Net difference of \$286,000 decrease in liability insurance, partially offset by \$38,000 increase in charges from other departments of services provided; and
- +\$77,000 – Net increase in services and supplies including \$25,000 for variable witness expense, \$36,000 for information technology hardware purchases including a data storage project, and \$24,000 in office expenses for necessary ergonomic improvements. Other operating accounts are budgeted at reduced levels to minimize expenses wherever possible.

The Recommended Budget operating revenues will be reduced by \$236,000, to \$5,737,000 from the prior year's Estimated Actual of \$5,973,000. This 4% decrease is the result of:

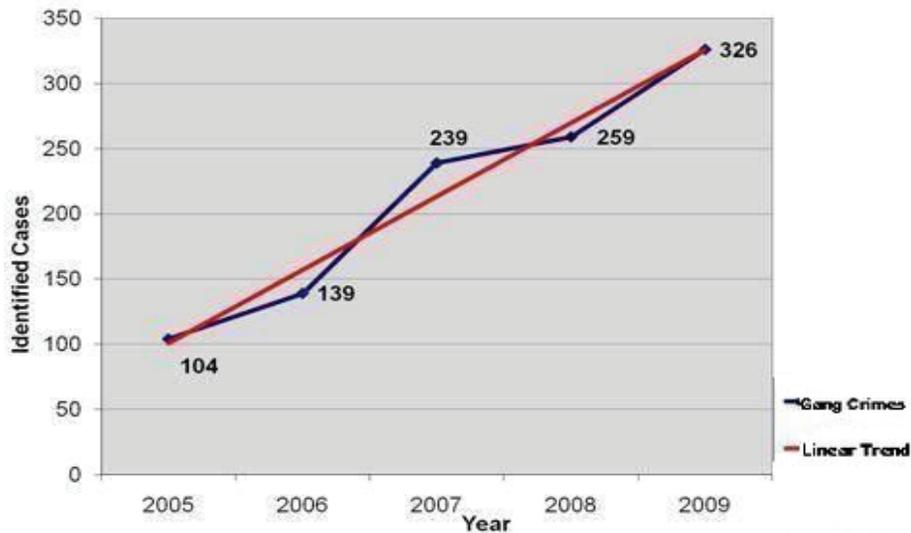
- -\$158,000 – Projected decrease in Environmental and Consumer Fraud penalties due to fewer referrals for investigation and prosecution;
- -\$155,000 – Reduction in American Recovery and Reinvestment Act (ARRA) funding due to the expiration of grant funds largely for vertical prosecution of Violence Against Women cases in North County after the end of the first quarter;
- +\$88,000 – Increase in Public Safety Sales Tax, representing a 3% increase over the FY 2009-10 Estimated Actual;
- -\$35,000 – Reduction of receipts from SB 90 state mandate programs; and
- +\$20,000 – Increase in revenue generated from Recording Fees for Real Estate Fraud due to the recent \$1 increase in the fee from \$2 to \$3.



### 588% Increase in Murder and Attempted Murders



### 213% Increase in Gang Crimes



#### Departmental Priorities

In Fiscal Year 2010-11 the District Attorney's Office will sustain efforts to aggressively investigate and prosecute criminal and civil violations while participating in collaborative efforts to deter crime.

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

#### Current Year (FY 09-10) Accomplishments:

- Transfer of Electronic Discovery - Enhanced a previously cumbersome process of distributing hard copy Discovery to the Public Defender. This was accomplished by digitizing the Discovery and electronically transferring it via File Transfer Protocol (FTP) directly to the Public Defender. This new manner of transferring Electronic Discovery created efficiencies for both departments by streamlining the process and allowing the saved time and effort to be dedicated to other duties.
- Data Sharing Interface with Santa Barbara Police Department – This new data sharing interface allows for the receipt of Incident Crime Reports (ICR) and associated data directly from the Santa Barbara Police Department. Since July 2009 the interface has allowed the electronic transfer of approximately 1,600 incident reports and follow-ups. The interface eliminates the need for most initial data entry and creates multiple efficiencies in both departments.
- Cop Link Regional Data Sharing Project - Cop Link is an investigative resource that allows law enforcement agencies to share data across county and state lines. Server installation and final preparation for live data from 8 agencies participating in the Cop Link project occurred at the end of 2009. In future, access will also be granted to other information nodes in other California counties as well as other states giving the office widely expanded investigative tools.
- Server/Storage Stabilization - An EMC/Microsoft Server 2008 storage solution was implemented in 2009 replacing a 7-year-old server/storage infrastructure. This solution enables the department's data storage to grow over the next seven years and incorporates a multi-site model thus removing any single point of failure. This project was in response to the growth of data associated with the department's goal of operating in a paperless environment.
- Witness Travel Expenses – In FY 2009-10, the County Executive Office transferred appropriations and responsibility for witness travel expenses from Court Special Services to the District Attorney. The District Attorney implemented cost management procedures to minimize expenses for both witness travel and expert witness costs.

## DISTRICT ATTORNEY

### Department Summary (cont'd)

#### Proposed Strategic Actions:

- Develop and implement training modules for attorneys on technical resources including; the District Attorney case management system (DAMION), PowerPoint, Jury Instruction software, and Adobe programs.
- Reevaluate current business processes and consider further integration of technology to increase production and efficiency.
- Ensure continued reliable and accurate collection and reporting of key departmental activity indicators and performance measures.

#### Proposed Key Projects:

- Develop automation training for key staff to provide education and mentoring to others on core office functions, including the courtroom process, technical tools and assorted legal office skills.
- 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 exists today.
- Modify statistical reports from case management system to reflect necessary workload indicators and current grant requirements.

#### **Focus Area: Criminal Prosecution is divided into the following areas:**

- Vertical Prosecution Units: The vertical prosecution units are limited to the most serious felonies including gang violence, domestic violence, sexual assault, elder abuse, 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 auto burglary, commercial burglary, assault, driving under the influence, grand theft and possession of illegal narcotics to name a few. Deputy District Attorneys work together on every phase of the criminal prosecution, including the preparation and argument of motions, probation violations, jury trials and sentencing hearings.

- 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.

- Consumer/Environmental Fraud Unit: This unit prosecutes complex cases involving environmental crimes and companies or individuals who engage in fraudulent or unlawful business practices. Until recently, two prosecutors were assigned to this unit, but due to

budget reductions, it has been reduced to a single prosecutor countywide.

- 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 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 09-10) Accomplishments:

- Because of the dramatic increase in gang activity, gang prosecutors worked closely with law enforcement to expand the number of gang experts. Through training, prosecutors have qualified more than five additional detectives who can now testify in Santa Barbara Superior Court as gang experts.
- The Gang Unit handles a caseload that continues to increase in both numbers and complexity. As such, the District Attorney's Office has added a prosecutor to handle the juvenile gang crimes in the North County and to assist the other two North County Gang prosecutors on adult crimes. The North and South County Gang units have worked collaboratively with the Police and Sheriff's Departments to hold gang members accountable by obtaining lengthy prison commitments.
- The Real Estate Fraud Unit worked to uncover two significant fraud cases where the victims lost millions of dollars. The perpetrators were prosecuted and held accountable for their actions and all available assets were forfeited to provide restitution for the victims.
- The District Attorney's Office has tried a number of significant cases including serious gang cases, sexual assault cases and murder cases during FY 2009-10. Several highlights of verdicts on murder cases include:
  - *Jesse James Hollywood* was convicted by a jury of the murder of 15-year-old Nick Markowitz nine and a half years after he committed the crime. He was convicted and sentenced to life without the possibility of parole.
  - *Jeremy Daniel Wallin* was convicted by a jury of the gang murder of 21-year-old Jeremy Grinder. He is scheduled to be sentenced in June 2010 and is facing a sentence of life without the possibility of parole.
  - *Gilbert Garcia* was convicted of the murder of 30-year-old George Robertson. He is scheduled to be sentenced in April, 2010 and is facing a sentence of 25 years to life.
  - *Steven Cisneros* was convicted by a jury of the murder of 45-year-old Lawrence Kaiser. He was sentenced to 56 years to life.
  - *Luis Sosa* was convicted by a jury of the murder of 60-year-old Frank Tacadena. He was sentenced to 50 years to life.
  - *Joe Gastelum and Kristopher Blehm* were convicted by a jury of the murder of 27-year-old Kenneth Sosa. *Gastelum* received a sentence of 56 years to life while *Blehm* received a sentence of 25 years to life.

**DISTRICT ATTORNEY**  
**Department Summary (cont'd)**

Proposed Strategic Actions:

The District Attorney's Office will target critical issues impacting "Health, Safety and Human Services" in the following areas:

- Aggressively prosecute gang crimes countywide.
  - If the Recommended Budget is adopted, fully funded, the District Attorney will add at least one additional attorney to the gang violence unit in the North County and will reassign an attorney to handle the juvenile gang cases and some adult gang cases in the South County.
  - 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.
  - Provide training to probation and parole staff on the recognition of gang crimes to assist in prosecutions.
- Prosecute illegal drug activities.
  - Sustain specialized vertical units to prosecute illegal drug manufacturers, sellers and repeat serious offenders.
  - Work with law enforcement to help control illegal marijuana dispensaries and prosecute major traffickers who engage in illegal sales and distribution of marijuana.
  - If fully funded, become more involved in the operation of the treatment courts and participate in the core committee meetings.
- Sustain the Drug Endangered Children (DEC) Program to assist children exposed to drugs.
  - Assign the DEC cases to specialized vertical prosecution units countywide.
  - 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).
  - 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 gang violence in our communities. Continue to actively participate in the Countywide gang task force meetings to encourage information sharing and team work which will increase the ability to effectively prosecute gang cases.
- 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.
- Provide quarterly departmental training for all the deputy district attorneys and investigators to compensate for the elimination of the training budget.

**Focus Area: Bureau of Investigations** The Bureau of Investigations consists of both sworn peace officers and non-sworn personnel 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 rising gang violence has led to a number of cases where investigators assist witnesses with the State Witness Relocation and Protection Program 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 09-10) Accomplishments:

- Managed a significantly increased workload created by multiple homicide trials that occurred in rapid succession and/or simultaneously since January 2010. 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 of complex theft offenses:
  - Two large real estate fraud cases include one involving the service of search warrants in multiple locations in Orange County. The other involved at least \$15,000,000 in fraud and required extensive investigation with search warrants, computer forensics and financial forensics. The defendant pleaded guilty to 59 felony counts.
  - Bureau of Investigation staff assisted in the successful prosecution of Denise D' Sant Angelo who stole charitable contributions intended to assist a group of Santa Barbara nuns. D' Sant Angelo was convicted of grand theft in a highly publicized trial.

## DISTRICT ATTORNEY

### Department Summary (cont'd)

- Assistance to local agencies in field operations.
  - During this past year, North County investigators responded to the Santa Barbara County Sheriff's Department and the Santa Barbara Police Department with additional law enforcement services during two major wildfires and one major event at a high school.

#### 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.

It is also clear that there exists an increasing number of fraud schemes that target people whose homes are in foreclosure. A second goal will be to increase the investigation of foreclosure and loan modification scams.

#### 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.
- Investigate a real estate fraud case that results in the filing of a criminal complaint for mortgage consultant fraud.

**Focus Area: 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. A reduction in funding has forced a reduction in staffing levels from 6 to 4 Welfare Fraud Investigators over the past several years.

#### Current Year (FY 09-10) 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.

#### Proposed Key Project:

- Maintain current performance measures notwithstanding a 20% reduction in staffing.

**Focus Area: Juvenile Prosecution** The District Attorney's Office currently has two full-time attorneys assigned to the juvenile prosecution unit and a part-time attorney assigned to the gang violence juvenile cases in North County. These 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 in these cases include everything from diversion programs, treatment programs and alternative education programs to incarcerating violent juveniles.

#### Current Year (FY 09-10) Accomplishments:

- Deputy District Attorneys devoted their time to training and education for the juvenile institution officers on how to recognize, investigate and document gang members and gang crimes. This has improved the District Attorney's ability to hold gang members accountable for crimes committed in the juvenile institutions.
- A tracking spreadsheet and one page instruction sheet on how to register as a gang member was developed and is now provided to every juvenile who is ordered to register as a gang member, in an effort to ensure juvenile gang members actually follow through with court-ordered registration.

#### Proposed Strategic Action:

- Hold juvenile offenders accountable for their actions.
  - Offer diversion programs to the appropriate offenders so they have an opportunity to rehabilitate themselves through programs.
  - Participate in juvenile drug court which provides treatment and rehabilitation to non-violent offenders with substance abuse issues.
  - Aggressively prosecute juvenile gang members and, when appropriate, argue for longer incarcerations to protect public safety.

#### Proposed Key Project:

- Provide information and education to the local middle schools and high schools on the role of the District Attorney and the juvenile justice system.

**Focus Area: Victim Witness Assistance Program** Victims of Crime have important rights stemming from the California Constitution Art. I section 28 and Marcy's Law. The Victim Witness advocate provides support to victims of crime through the court process, referrals for services needed to recover from crimes and assists victims of violent crimes in filing of claims for state reimbursement of losses. This program receives funding from California Emergency Management Agency and federal Victim of Crime Act (VOCA). The State Victims' Compensation Board provides funding for a claim specialist to verify and recommend reimbursement levels for claims submitted by victims, which expedites recovery to victims and local service providers. The program also employs the coordinator for the countywide Sexual Assault Response Team (SART) which provides an important service to sexual assault victims and law enforcement. In 2009 the Victim Witness Assistance Program served 3,400 victims of crime countywide.

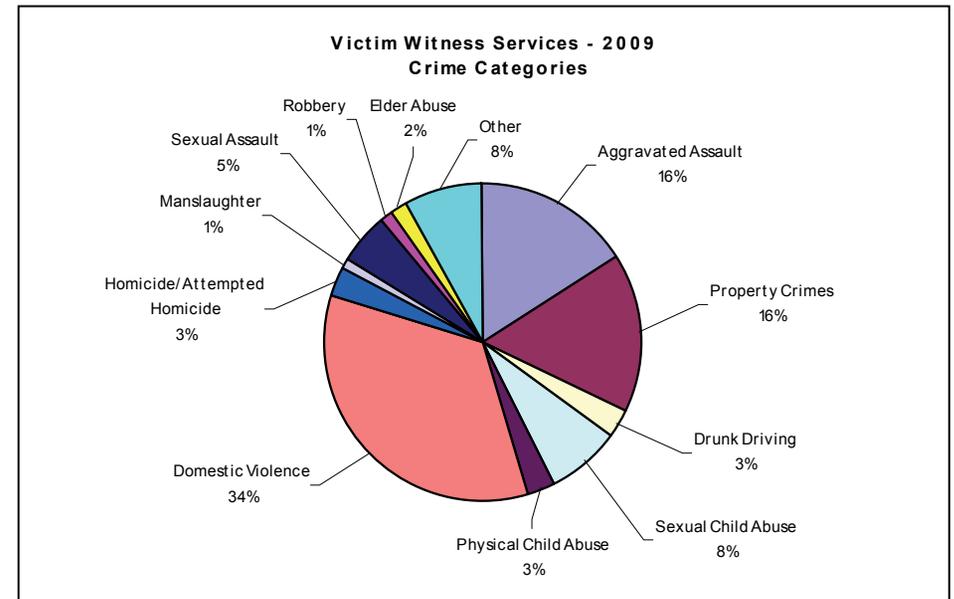
Current Year (FY 09-10) Accomplishments:

- Sought and obtained over \$300,000 in Recovery Act funds to sustain the Violence Against Women Vertical Prosecution unit in the North County and Victim Witness Recovery Act Grant Advocate in South County dedicated to crimes against women. The .5 FTE would otherwise be exposed to lay off.
- Coordinated the Media/Press Conference to commemorate National Crime Victims' Rights Week on April 23. The 2010 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 10th Annual District Attorney's State Street Mile which attracted 850 participants and raised \$10,000 for the Crime Victim Emergency Fund.
- Santa Barbara County SART program was recognized in the *California SART Report: Taking Sexual Assault Teams to the Next Level* after a statewide study and survey were completed by a team from UC Davis California Clinical Forensic Medical Training Center. Highlights include the institutionalized DA/Victim Witness based SART Coordinator and the partnership with the Public Health Department. Also stated in the 2009 report; "Santa Barbara County's SART has instituted an innovative practice involving the development and maintenance of political support. SART is kept in the forefront, and its value and changing needs are made apparent."

Strategic Actions:

- The Victim Witness Assistance Program will continue to provide timely criminal justice information, support and compensation assistance to Victims of Violent Crime throughout the Criminal Justice Process ensuring that victims receive timely treatment, resources and appropriate referrals for service in addition to restitution.

- Coordinate the 11th Annual State Street Mile to raise awareness of Victim Witness Assistance Services and sustain Crime Victim Emergency Funds for FY 2010-11.
- Sustain SART forensic interviewing services and funding through continued private and city human services funding application processes.



**DISTRICT ATTORNEY**  
**Department Summary (cont'd)**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Department-wide Effectiveness Measures</b>				
Dispose of 60% of newly filed misdemeanor cases at the arraignment stage to maximize court and criminal justice agency resources.	64%	60%	61%	60%
	9,205	8,400	8,900	8,700
	14,281	14,000	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.	77%	82%	80%	80%
	243	246	240	240
	317	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.	71%	60%	65%	65%
	1,794	1,500	1,625	1,625
	2,524	2,500	2,500	2,500
	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Recurring Performance Measures</b>				
<b>Administration</b>				
Process 100% of an estimated 1200 vendor claims within 10 days of receipt to establish and maintain effective working relationships with vendors.	100%	100%	100%	100%
	1,200	1,300	1,200	1,200
	1,200	1,300	1,200	1,200
As an efficient and responsive government, the County will maintain a quality workforce through completing 100% of departmental Employee Performance Reviews (EPRs) by the anniversary due date.	100%	100%	100%	100%
	132	134	134	120
	132	134	134	120
As an efficient and responsive government, the Department will reduce or maintain the rate of General Liability claims filed from the previous year's actual claims filed.	100%	100%	100%	100%
	3	2	3	3
	3	2	3	3

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Recurring Performance Measures</b>				
As an efficient and responsive government, the Department will reduce or maintain the rate of Workers' Compensation claims filed from the previous year's actual claims filed.	100%	100%	100%	100%
	2	3	2	2
	2	3	2	2
As an efficient and responsive government, the County will maintain a productive workforce through a Departmental lost time rate of 4.8% or less.	3.7%	4.8%	6.4%	4.8%
	10,182	11,462	15,374	10,469
	273,768	238,784	239,680	218,108
<b>Criminal Prosecution</b>				
Complete 95% of criminal investigative assignments by the due date to ensure cases are well prepared in advance of court hearing dates.	100%	95%	97%	95%
	12,830	12,160	11,200	10,925
	12,830	12,800	11,500	11,500
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.	--	96,100	91,500	91,000
Obtain restitution orders in 90% of the cases with a named defendant when a Victims of Crime claim has been filed.	95%	90%	92%	90%
	829	765	780	765
	876	850	850	850
<b>Juvenile Prosecution</b>				
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.	329	300	250	300

**DISTRICT ATTORNEY**  
**Department Summary (cont'd)**

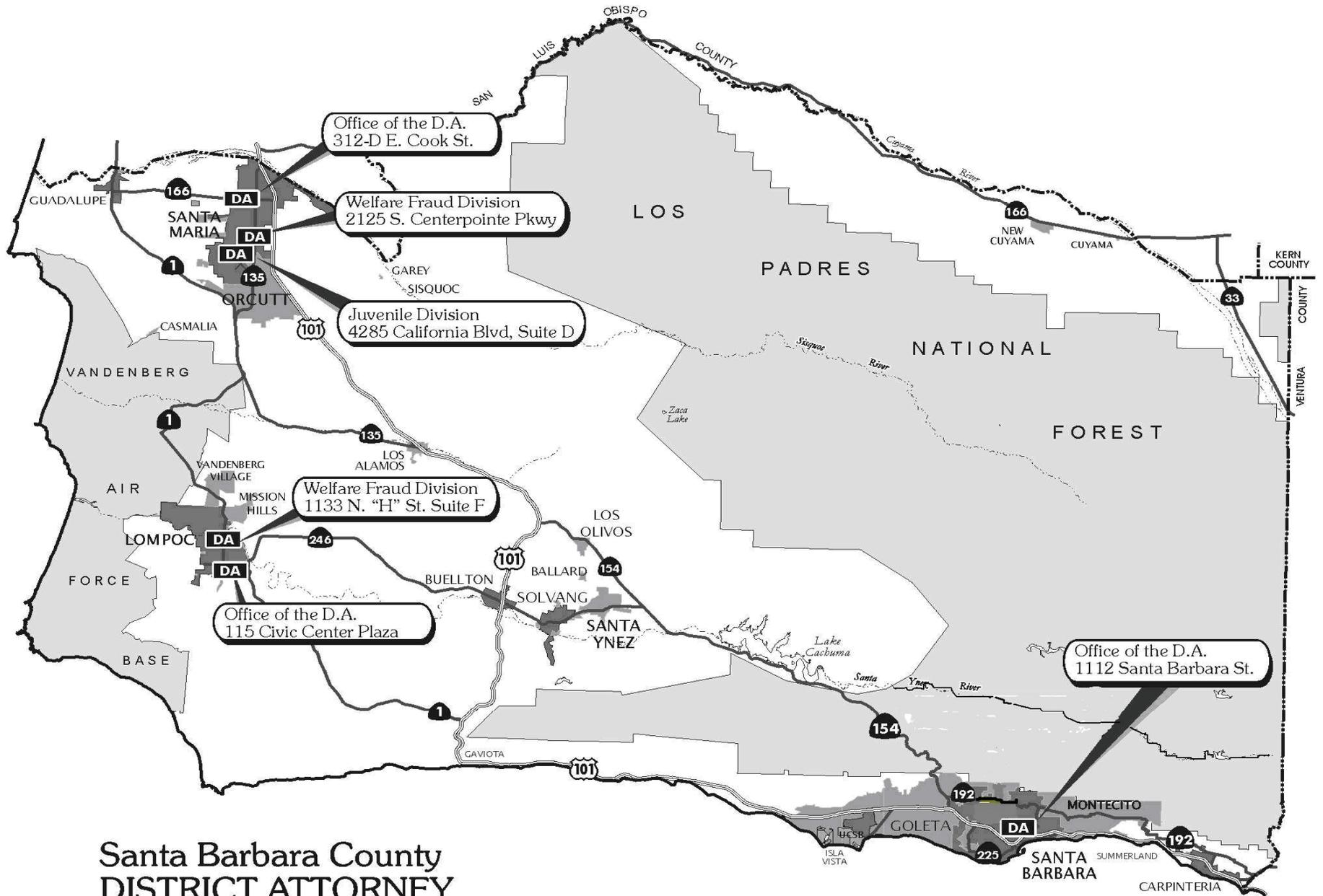
	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Recurring Performance Measures</b>				
<b>Civil Enforcement</b>				
Complete 90% of investigations/referrals to the Consumer & Environmental Units within 90 days as these areas involve important community interest and public protection issues. Timely handling is essential to accumulate evidence and protect the public.	100%	90%	100%	90%
<b>Victim Witness Services</b>				
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.	3,409	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%	100%	98%
	897	833	810	833
	897	850	810	850
<b>Welfare Fraud Investigations</b>				
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.	35%	30%	30%	30%
	356	300	220	240
	1,004	1,000	730	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.	92%	95%	93%	95%
	436	447	465	447
	472	470	500	470



**DISTRICT ATTORNEY**  
**Department Summary (cont'd)**

	Actual FY 08-09 Pos.	Adopted FY 09-10 Pos.	Est. Actual FY 09-10 Pos.	Recommended FY 10-11 Pos.
<b>Position Detail</b>				
<b>Administration</b>				
District Attorney	1.0	1.0	1.0	1.0
Assistant District Attorney	2.0	2.0	2.0	2.0
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
EDP Sys & Prog Anlst Sr	1.0	1.0	1.0	1.0
Administrative Office Professional	1.0	1.0	1.0	1.0
Computer Systems Specialist	1.0	1.0	1.0	1.0
Administrative Professional	--	1.0	1.0	1.0
Executive Secretary	1.0	--	--	--
Sub-Division Total	10.0	10.0	10.0	10.0
<b>Criminal Prosecution</b>				
Chief Trial Deputy	2.0	2.0	2.0	2.0
Deputy District Attorney	41.0	40.0	40.0	40.0
Chief DA Investigator	1.0	1.0	1.0	1.0
DA Investigator Supervisor	4.0	2.0	2.0	3.0
DA Investigator	12.0	13.0	13.0	14.0
Administrative Office Professional	4.5	5.0	5.0	4.0
Administrative Office Professional, Expert	1.0	1.0	1.0	--
Legal Office Professional	--	24.8	24.8	28.0
Legal Office Professional, Expert	2.0	4.0	4.0	3.0
Paralegal	1.0	1.0	1.0	1.0
Legal Secretary	19.0	--	--	--
Investigative Assistant	5.0	--	--	--
Sub-Division Total	92.5	93.8	93.8	96.0

	Actual FY 08-09 Pos.	Adopted FY 09-10 Pos.	Est. Actual FY 09-10 Pos.	Recommended FY 10-11 Pos.
<b>Position Detail</b>				
<b>Juvenile Prosecution</b>				
Deputy District Attorney	2.0	2.0	2.0	3.0
Legal Office Professional	--	2.0	2.0	2.0
Truancy Program Social Worker	3.0	--	--	--
Truancy Program Supervisor	3.0	--	--	--
Legal Secretary	3.0	--	--	--
Sub-Division Total	11.0	4.0	4.0	5.0
<b>Civil Enforcement</b>				
Deputy District Attorney	2.0	1.0	1.0	1.0
Legal Secretary	1.0	--	--	--
Sub-Division Total	3.0	1.0	1.0	1.0
<b>Victim Witness Services</b>				
Program Manager	1.0	1.0	1.0	1.0
Administrative Office Professional	3.5	2.5	2.5	3.5
Legal Office Professional	--	2.0	2.0	2.0
Victim/Witness Program Supervisor	1.0	2.0	2.0	1.0
Legal Secretary	2.0	--	--	--
Victim/Witness Program Assistant	8.1	9.1	9.1	8.1
Sub-Division Total	15.6	16.6	16.6	15.6
<b>Welfare Fraud Investigations</b>				
Deputy District Attorney	1.0	1.0	1.0	--
DA Investigator Supervisor	--	1.0	1.0	--
DA Investigator	7.0	6.0	6.0	5.0
Legal Office Professional	--	1.0	1.0	1.0
Investigative Assistant	1.0	--	--	--
Sub-Division Total	9.0	9.0	9.0	6.0
Division Total	141.1	134.4	134.4	133.6



# Santa Barbara County DISTRICT ATTORNEY

4/17/06-dptorals\_da.cd