

## Mission Statement

To do justice, as no one is above the law nor beneath its protection.

## Department Description and Key Issues

The District Attorney is a constitutional officer, mandated to review, investigate and prosecute all criminal violations of State and local laws occurring in Butte County. The District Attorney's priority is to protect victims of crime and the safety of the public. The District Attorney acts by the authority of and in the name of the People of the State of California.

The District Attorney receives and reviews over 10,000 adult and juvenile crime reports from over twenty law enforcement and regulatory agencies to determine whether there is sufficient evidence to file a criminal complaint in court. Without the District Attorney's review no felony or misdemeanor arrest by a local police agency can be prosecuted in any court and any arrest is for naught. All search and arrest warrants issued in the county must also be reviewed and approved by the District Attorney prior to submission to the courts. The District Attorney acts as a legal and investigative advisor to all local law enforcement agencies and supplies investigators to assist in a wide variety of investigations. In addition, the District Attorney has "first responder" responsibilities for major fraud investigations including welfare and Workers' Compensation cases, consumer fraud, child abduction investigations, child abuse and molest investigations, and narcotic and marijuana task force investigations including Drug Endangered Children cases. The District Attorney prosecutes felony cases on a "vertical prosecution" model, i.e., the same prosecutor handles the case from beginning to end. Vertical prosecution is effective for case management and, most importantly, for victim consideration.

Prosecution and investigation personnel are assigned to specialty areas of law to take advantage of training, experience, and skills. The specialty areas are: *Special Victims* (child abuse, elder abuse, sexual assault, domestic violence); *Child Abduction* (recovery of abducted children); *Gangs; Narcotics; Drug Endangered Children* (rescuing children from drug-impaired homes); *Major Crimes* (homicide, robbery, kidnapping, felony assault, weapons); *Juvenile Crimes; Misdemeanor Crimes* (driving under the influence, vehicular manslaughter, petty theft, disturbances, misdemeanor assault, vandalism); *Economic and Cyber Crimes* (property crime, insurance fraud, identity theft, consumer fraud, embezzlement, real estate fraud); *Welfare Fraud Investigations; Environmental and Consumer Protection* (civil and criminal prosecutions of environmental and consumer crimes); *Collaborative/Problem Solving Courts* (DUI and drug courts); and *Asset Seizure/Forfeitures*.

Key issues for the District Attorney's Office in fiscal year 2018-19 include: retention of experienced prosecutors; Public Safety Realignment (AB 109); the investigation and prosecution of crimes involving gangs, navigating the changing criminal landscape of marijuana legalization; managing the large amount of electronic evidence created by body-worn cameras, cell phones, and other electronic devices; continued expansion of services to victims of crime; and a major overhaul of the District Attorney's Case Management System to become a data (and intelligence) hub for the criminal justice system within the county.

**Retention of Experienced Prosecutors** – For nearly a decade, the Butte County District Attorney's Office experienced challenges in recruiting candidates and difficulty retaining attorneys in the Deputy District Attorney classifications. Institutional knowledge, morale, and

public safety suffered as the office found itself in a continuous cycle of training new prosecutors. Recent salary increases in the public safety sector has allowed the department to begin to stabilize staff. Morale has improved despite an unprecedented increase in the volume and complexity of California's criminal laws. Examples of that increased complexity include, at a minimum, the sea changes to the criminal justice landscape reflected in AB 109, Proposition 47, Proposition 57, and the legalization of marijuana. The volume of cases has also increased as local law enforcement agencies have begun adding significant numbers of peace officers.

**Public Safety Realignment (AB109)** – The County continues to manage the effects of State prisoners being “realigned” from the State to local authorities. The Butte County Jail is now a “local prison” with prison crime prosecution now part of the department caseload – crimes such as violent inmate-on-inmate assaults, drug smuggling, and weapon manufacturing. The crime of escape, largely unknown since the building of the jail in 1996, is now regularly prosecuted as inmates escape from home detentions which have been made necessary by jail overcrowding.

**Proposition 47 and Proposition 57** – Dangerous and prolific felons are being released from State and “local prisons” as a result of the passage of Proposition 47 in November of 2014 and Proposition 57 in November 2016. Under Proposition 47, the ability of the County's successful drug courts to rehabilitate addicts who steal and harm the public has been greatly curtailed by eliminating the threat of a felony incarceration, which had been the “stick” to encourage the “carrot” of treatment and recovery. Proposition 57 permits new parole consideration for felons and authorizes service credits for jail-based behaviors. The passage of the measure authorized immediate release of 16,000 dangerous criminals back into our communities, and authorizes the early release of many more in the years to come.

**Gangs** – There are at least 25 gangs with more than 1,200 members and associates known in Butte County. Local gangs are actively involved in violent crimes involving weapons, property crimes and illegal drug distribution. Several high-profile murders, shootings and stabbings involving multiple gang members have occupied the criminal docket requiring significant prosecutorial and investigative resources. A more collaborative effort of the local law enforcement agencies has led to the development of a strategic methodology in dismantling local gangs through the use of intelligent data collection.

**Marijuana** – The passage of Proposition 64 in November 2016 legalized marijuana under state law for use by adults 21 and older. It also created a new layer of complexity to marijuana enforcement and prosecution. New law enforcement issues are coming to light as states which have already legalized recreational use are experiencing these issues and sharing them with other states. As discovered in those states, legalization does not eliminate the black market side of marijuana cultivation and sales, nor does it eliminate other crimes which surround the industry like home invasion robbery and sales to minors. The complexity created by a state system which has differing rules for medicinal use and cultivation, recreational use and cultivation and “illegal” use and cultivation will take more resources to investigate and prosecute.

**Victim Assistance Bureau** – The Victim/Witness program was transferred from the Probation Department to the District Attorney's Office on January 1, 2012. Besides the physical relocation of the program, staffing was enhanced and victim advocate roles were expanded. Organizational assimilation of victim services into the District Attorney's Office has resulted in better services to victims: e.g., timely assessment and referral to services, information on their cases and the criminal justice processes, and assistance with State compensation funds (for

victims of violent crime). Services to victims of violent crime has increased over 60% over the past five years. Additionally, in those five years over \$4.8 million in medical, burial, and counseling services has been paid to local victims from the State victims' compensation program by the efforts of the District Attorney's Victim Assistance Bureau. A major project continues in partnership with the Superior Court, Treasurer-Tax Collector and Auditor-Controller to increase the collection of restitution for and distribution to crime victims to assist in repairing the toll crime took on their lives.

**Automation/Integration of the Local Criminal Justice System** – The District Attorney's Office continues to be a statewide leader in computer automation and integration with criminal justice partners. First in the State for electronic search and arrest warrants and criminal discovery to defense attorneys, the District Attorney has saved the criminal justice system untold dollars in efficiency savings. A long-planned major overhaul of the District Attorney's Case Management System this year will streamline and greatly improve case management and interconnectivity with criminal justice partners.

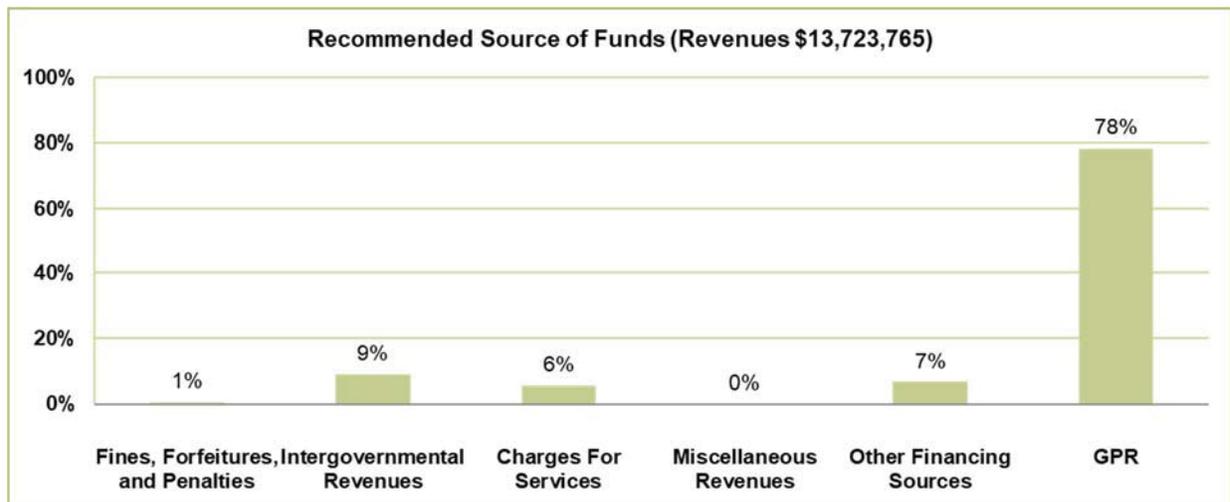
### DISTRICT ATTORNEY BUDGET

	2016-17 Actuals	2017-18 Adopted	2018-19 Requested	2018-19 Recommended
Fines, Forfeitures, and Penalties	110,967	45,000	75,000	75,000
Intergovernmental Revenues	1,111,735	1,221,943	1,225,157	1,225,157
Charges For Services	752,368	758,352	759,000	759,000
Miscellaneous Revenues	12,462	14,588	10,059	10,059
Other Financing Sources	993,745	925,358	895,602	895,602
<b>Total Revenues</b>	<b>\$ 2,981,275</b>	<b>\$ 2,965,241</b>	<b>\$ 2,964,818</b>	<b>\$ 2,964,818</b>
Salaries and Employee Benefits	10,276,165	10,870,499	11,295,432	11,295,432
Services and Supplies	1,555,359	1,660,136	1,495,057	1,495,057
Other Charges	82,581	105,835	98,244	98,244
Capital Assets	78,410	-	-	-
Other Financing Uses	89,843	39,180	26,595	26,595
Special Items	629,767	824,971	741,794	808,437
<b>Total Expenditures</b>	<b>\$ 12,712,126</b>	<b>\$ 13,500,621</b>	<b>\$ 13,657,122</b>	<b>\$ 13,723,765</b>
<b>Net Costs/Use of Fund Balance</b>	<b>\$ 9,730,850</b>	<b>\$ 10,535,380</b>	<b>\$ 10,692,304</b>	<b>\$ 10,758,947</b>

THIS SPACE INTENTIONALLY LEFT BLANK

### Source of Funds (Revenues)

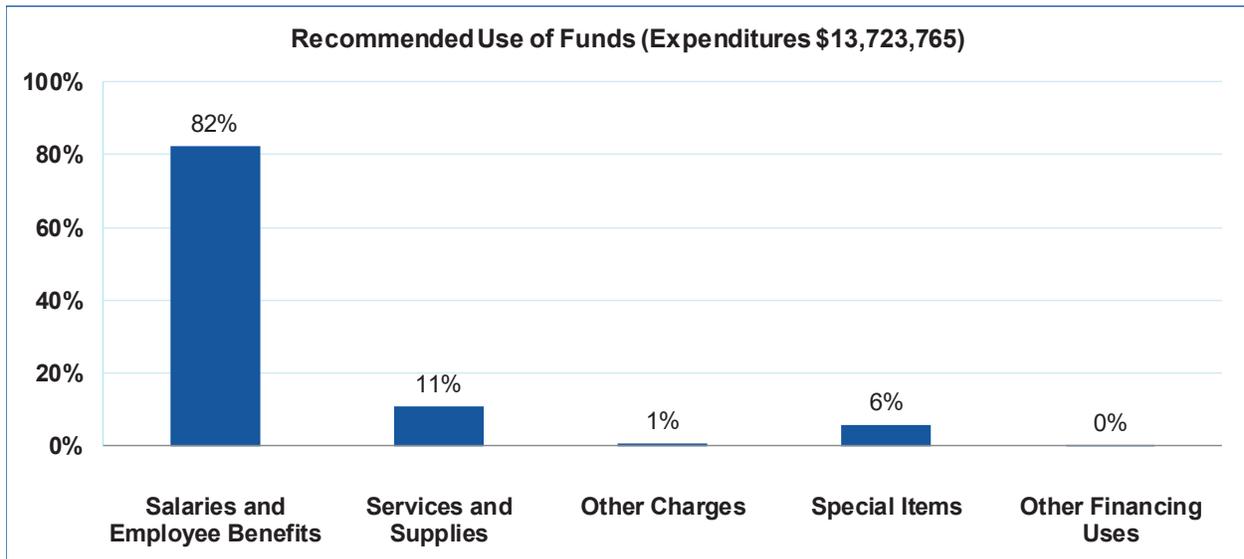
- General purpose revenue (GPR) from the General Fund is the largest revenue source for the department.
- Intergovernmental revenues include State and federal funds for domestic violence and victim witness programs, and for workers' compensation fraud prosecution.
- Other financing sources include transfers from non-operating special revenue funds that include drug and gang activity, federal forfeiture funds, and 2011 Public Safety and Health and Human Services Realignment.
- Charges for services include the revenues from non-General Fund departments for investigative services.



THIS SPACE INTENTIONALLY LEFT BLANK

### Use of Funds (Expenditures)

- Salaries and benefits is the largest expenditure category for the department.
- Services and supplies include maintenance of case management systems, lab services, specialized services, utilities, and travel costs.
- Special Items include costs for support services provided by Administration, Auditor, County Counsel, General Services, Human Resources, Information Systems, and Treasurer.
- Other charges include interfund transfers for vehicle maintenance and space use allowance.



THIS SPACE INTENTIONALLY LEFT BLANK

**Summary of Budget Request and Recommendations**

**Salaries & Employee Benefits**

**Requested**

- The department budget request includes the elimination of 1.0 vacant Legal Secretary and 1.0 vacant Legal Office Specialist position, but requests funding to support all other allocated positions.

**Full Time Equivalent**

**Position Allocations**

**Total**

2014-15	Adopted Positions	96.50
2015-16	Adopted Positions	94.50
2016-17	Adopted Positions	98.00
2017-18	Adopted Positions	93.00
2017-18	Current Positions *	93.00
2018-19	Recommended Positions	91.00

\*As of 4/24/2018

- The department budget request includes funding for Extra Help staff hours to support the prosecution of a capital case.
- The department budget request includes extending 4.0 sunset positions through June 2019, and includes the request to convert 1.0 sunset position to a regular help position based on a stabilized and consistent funding source.

**Recommended**

- The recommendation includes the elimination of 1.0 vacant Legal Secretary and 1.0 vacant Legal Office Specialist position.
- The recommendation includes funding for Extra Help staff hours to support the prosecution of a capital case.
- The recommendation includes extending 3.0 sunset positions through June 2019 and converting 1.0 sunset position to a regular help position to meet the needs of the department.

**Services & Supplies**

**Requested**

- The department budget request includes funding to maintain current service levels.

**Recommended**

- The recommendation includes funding to maintain current service levels.

**Capital Assets**

**Requested**

- The department budget request does not include any capital assets.

**Recommended**

- The recommendation does not include any capital assets.

BUDGET UNIT: 320 - DISTRICT ATTORNEY  
 FUNCTION: PUBLIC PROTECTION  
 ACTIVITY: JUDICIAL  
 FUND: 0010 - GENERAL FUND

Detail by Revenue Category and Expenditure Object  1	2016-17 Actual  2	2017-18 Estimated  3	2018-19 Requested  4	2018-19 Recommended  5	2018-19 Adopted by Board of Supervisors 6
<b>REVENUES</b>					
430 FINES,FORFEITURES & PNLTY	110,967	45,000	75,000	75,000	-
450 INTERGOVERNMENTAL REVENUES	1,111,735	1,221,943	1,225,157	1,225,157	-
460 CHARGES FOR SERVICES	752,368	758,352	759,000	759,000	-
470 MISCELLANEOUS REVENUE	12,462	14,588	10,059	10,059	-
480 OTHER FINANCING SOURCES	993,745	925,358	895,602	895,602	-
<b>TOTAL REVENUES</b>	<b>\$2,981,275</b>	<b>\$2,965,241</b>	<b>\$2,964,818</b>	<b>\$2,964,818</b>	<b>-</b>
<b>EXPENDITURES/APPROP.</b>					
510 SALARIES & EMPLOYEE BENE	10,276,165	10,870,499	11,295,432	11,295,432	-
520 SERVICES & SUPPLIES	1,555,359	1,660,136	1,495,057	1,495,057	-
550 OTHER CHARGES	82,581	105,835	98,244	98,244	-
560 CAPITAL ASSETS	78,410	-	-	-	-
570 OTHER FINANCING USES	89,843	39,180	26,595	26,595	-
590 SPECIAL ITEMS	629,767	824,971	741,794	808,437	-
<b>TOTAL EXPENDITURES/APPROP.</b>	<b>\$12,712,126</b>	<b>\$13,500,621</b>	<b>\$13,657,122</b>	<b>\$13,723,765</b>	<b>-</b>
<b>NET COSTS/USE OF FUND BALANCE</b>	<b>\$9,730,850</b>	<b>\$10,535,380</b>	<b>\$10,692,304</b>	<b>\$10,758,947</b>	<b>-</b>

**BUTTE COUNTY**  
**DETAIL OF BUDGET UNIT BY DIVISION**  
**BUDGET UNIT: 320 - DISTRICT ATTORNEY**  
**FUND: 0010 - GENERAL FUND**

Detail by Division	2016-17 Actual	2017-18 Estimated	2018-19 Requested	2018-19 Recommended	2018-19 Adopted by the Board of Supervisors
1	2	3	4	5	6

**REVENUES BY DIVISION**

3201 DA-PROSECUTION DIV	877,484	770,469	749,761	749,761	-
3202 DA-INVESTIGATION DIV	1,322,978	1,401,003	1,386,130	1,386,130	-
3203 DA-ADMIN DIV	780,814	793,769	828,927	828,927	-

<b>TOTAL REVENUES</b>	<b>\$2,981,275</b>	<b>\$2,965,241</b>	<b>\$2,964,818</b>	<b>\$2,964,818</b>	<b>-</b>
-----------------------	--------------------	--------------------	--------------------	--------------------	----------

**EXPENDITURES/APPROPRIATIONS BY DIVISION**

3201 DA-PROSECUTION DIV	6,384,391	6,971,944	7,093,295	7,093,295	-
3202 DA-INVESTIGATION DIV	3,887,846	3,851,091	4,071,878	4,071,878	-
3203 DA-ADMIN DIV	2,439,888	2,677,586	2,491,949	2,558,592	-

<b>TOTAL EXPENDITURES/APPROPRIATIONS</b>	<b>\$12,712,126</b>	<b>\$13,500,621</b>	<b>\$13,657,122</b>	<b>\$13,723,765</b>	<b>-</b>
--	---------------------	---------------------	---------------------	---------------------	----------

**NET COSTS/USE OF FUND BALANCE**

3201 DA-PROSECUTION DIV	5,506,908	6,201,475	6,343,534	6,343,534	-
3202 DA-INVESTIGATION DIV	2,564,869	2,450,088	2,685,748	2,685,748	-
3203 DA-ADMIN DIV	1,659,074	1,883,817	1,663,022	1,729,665	-

<b>TOTAL NET COSTS/USE OF FUND BALANCE</b>	<b>\$9,730,850</b>	<b>\$10,535,380</b>	<b>\$10,692,304</b>	<b>\$10,758,947</b>	<b>-</b>
--	--------------------	---------------------	---------------------	---------------------	----------