

## **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 or one of his deputy's review, no felony or misdemeanor arrest by a local police agency can be prosecuted in any court. All search and arrest warrants issued in the County must be reviewed and approved by the District Attorney or a deputy 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's Office Investigation Bureau has "first responder" responsibilities for major fraud investigations including welfare, workers' compensation, real estate and vehicle insurance frauds; consumer fraud; child abduction investigations; child abuse and molest investigations; and narcotic and marijuana task force investigations including Drug Endangered Children cases. District Attorney Investigators, as was seen in the recent Camp Fire, are also first responder rescue personnel.

The District Attorney's Office prosecutes felony cases on a "vertical prosecution" model, where 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. Specialty areas include: 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 forfeitures.

Key issues for the District Attorney's Office in fiscal year 2019-20 include: the environmental prosecution of the Department of Water Resources for the 2017 Oroville Dam spillway incident; the ongoing investigation into the origins of the 2018 Camp Fire; 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.

**Recruitment of Prosecutors** – For a decade, the Butte County District Attorney’s Office has experienced challenges in recruiting candidates and retaining attorneys in the Deputy District Attorney classifications. Institutional knowledge, morale, and public safety have been impacted 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. However, the Camp Fire and subsequent housing shortage adds to the challenge of recruiting new prosecutors. The District Attorney’s Office will implement a new recruitment tool with paid clerkship positions to enhance the office’s ability to attract talented prosecutors by creating a “pipeline” training and recruitment system.

**Changes in the Criminal Justice System** – The County continues to manage the effects of State prisoners being “realigned” from the State to local authorities by AB109. The Butte County Jail is now a “local prison” with prison crime prosecution now part of the District Attorney’s caseload. 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. And effective this year, SB1437 made substantial, retroactive changes in the felony murder rule. This new law allows individuals convicted of murder - whether by plea or trial - to now challenge their conviction. This challenge can be made even if the prosecution did not use the felony murder theory. When petitions are filed, the prosecution must engage in a labor intensive review of the case - which can be decades old – followed by an extensive court hearing and, if necessary, a re-trial of the murder charge. Each murder case typically involves hundreds of hours of a prosecutor’s time. The petition process places very few limits on who can file seeking a review of the conviction. Thus, it is anticipated many murder convicts will seek relief. The California Department of Corrections currently holds 109 inmates convicted of murderer from Butte County.

**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 including 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 led by the District Attorney’s Criminal Intelligence Analyst.

**Marijuana** – The passage of Proposition 64 in November 2016 legalized marijuana under State law for use by adults 21 and older. However; a black market continues to exist in Butte County which threatens the legal market and endangers the environment and wildlife of the County from illegal grows.

**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, including: 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 have 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.

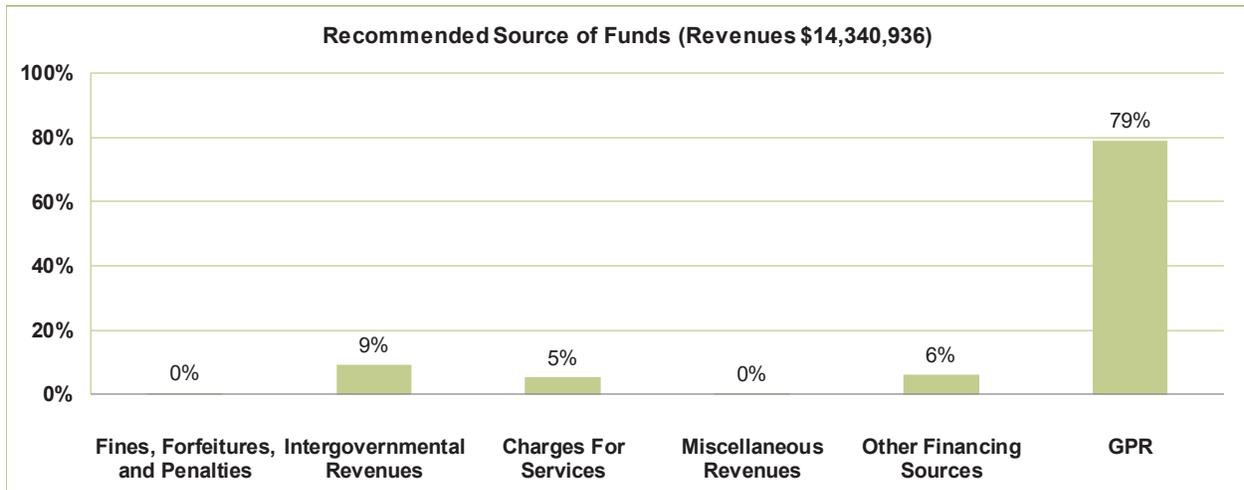
**Automation/Integration of the Local Criminal Justice System** – The District Attorney's Office continues to be a statewide leader in computer automation and integration with criminal justice partners. First in the State for electronic search and arrest warrants and criminal discovery to defense attorneys, 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				
	2017-18 Actuals	2018-19 Adopted	2019-20 Requested	2019-20 Recommended
Fines, Forfeitures, and Penalties	83,970	75,000	53,141	53,141
Intergovernmental Revenues	1,002,811	1,355,917	1,321,902	1,321,902
Charges For Services	746,957	759,000	739,667	743,562
Miscellaneous Revenues	10,496	10,059	7,428	7,428
Other Financing Sources	733,459	895,602	842,165	887,165
<b>Total Revenues</b>	<b>\$ 2,577,693</b>	<b>\$ 3,095,578</b>	<b>\$ 2,964,303</b>	<b>\$ 3,013,198</b>
Salaries and Employee Benefits	10,471,947	11,345,432	11,922,837	11,890,296
Services and Supplies	1,520,341	1,529,094	1,728,530	1,651,053
Other Charges	100,469	98,244	98,244	98,244
Capital Assets	-	-	-	-
Other Financing Uses	39,180	26,595	40,800	40,800
Special Items	856,989	808,437	643,500	660,543
<b>Total Expenditures</b>	<b>\$ 12,988,927</b>	<b>\$ 13,807,802</b>	<b>\$ 14,433,911</b>	<b>\$ 14,340,936</b>
<b>Net Costs/Use of Fund Balance</b>	<b>\$ 10,411,233</b>	<b>\$ 10,712,224</b>	<b>\$ 11,469,608</b>	<b>\$ 11,327,738</b>

THIS SPACE INTENTIONALLY LEFT BLANK

**Source of Funds (Revenues)**

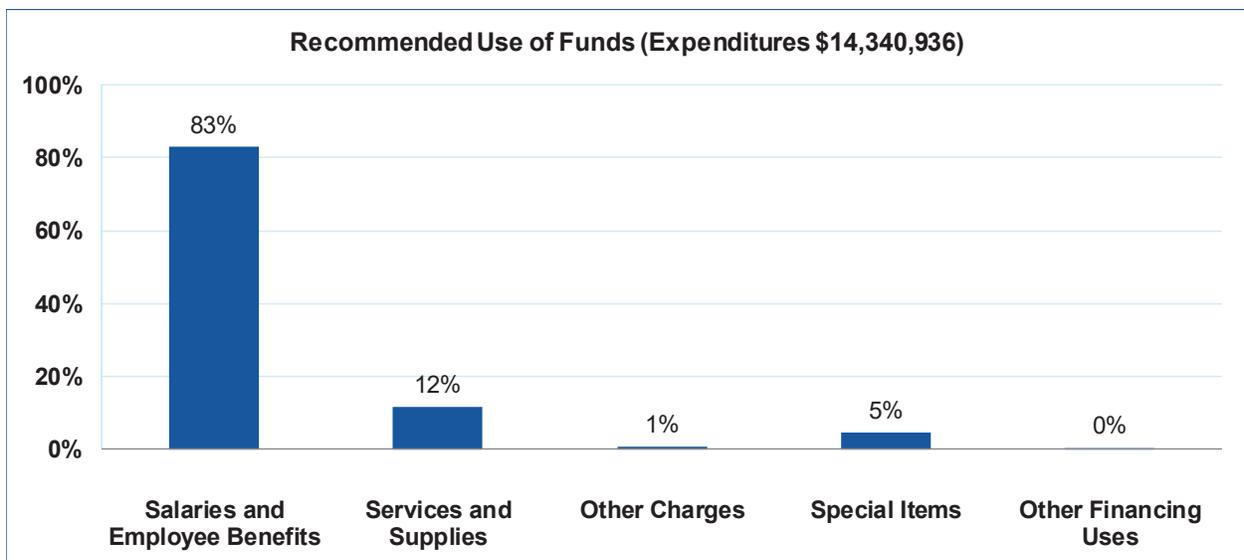
- General purpose revenue (GPR) from the General Fund is the largest revenue source for the department.
- Intergovernmental revenues include state and federal funds for domestic violence, child abduction, victim assistance, DUI cases, vehicular manslaughter cases, child abuse cases, sexually violent predator cases, and for welfare, auto, and workers’ compensation fraud prosecution.
- Other financing sources include transfers from non-operating special revenue funds that include drug and gang activity, real estate fraud, federal and State 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 such as dispatch services and subpoena service.



THIS SPACE INTENTIONALLY LEFT BLANK

### Use of Funds (Expenditures)

- Salaries and benefits is the largest expenditure category for the department.
- Services and supplies include implementation and 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, Treasurer and General Liability insurance.
- 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 requests funding to maintain current staffing levels.
- The department budget request includes funding for four extra-help 0.3 Law Clerk positions to establish a recruitment tool for full-time prosecutors.
- The department budget request includes funding for 1.0 Deputy District Attorney position for the retroactive felony murder retrials pursuant to SB1437.
- The department budget request includes funding for 1.0 Deputy District Attorney sunset position, 1.0 Paralegal sunset position, and 1.0 Investigator sunset position through June 30, 2021 for the Camp Fire investigation and potential prosecution.
- The department budget request includes funding to extend 2.0 Investigative Assistant sunset positions, 1.0 Crime Analyst sunset position, and 1.0 Investigator sunset position through June 30, 2020.
- The department budget request includes 500 hours of extra-help Investigator II time for Camp Fire trial specific work.

#### Full Time Equivalent

##### Position Allocations

##### Total

2015-16	Adopted Positions	94.50
2016-17	Adopted Positions	98.00
2017-18	Adopted Positions	93.00
2018-19	Adopted Positions	92.00
2018-19	Current Positions *	93.00
2019-20	Recommended Positions	96.00

\*As of 4/9/2019

#### Recommended

- The recommendation includes funding to maintain current staffing levels.
- The recommendation includes funding for the requested four extra-help 0.3 Law Clerk Positions.
- The recommendation includes funding for the requested 3.0 sunset positions for Camp Fire investigation and potential prosecution through June 30, 2021.
- The recommendation includes funding for the requested extension of 4.0 sunset positions through June 30, 2020.
- The recommendation includes funding for the requested 500 hours of extra-help Investigator II time for Camp Fire trial specific work.

### Services & Supplies

#### Requested

- The department budget request includes funding to maintain current service levels.
- The department budget request includes one-time funding for emergency response safety equipment for investigators.

**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.

BUTTE COUNTY  
 FINANCING SOURCES AND USES BY BUDGET UNIT BY OBJECT  
 GOVERNMENTAL FUNDS  
 FISCAL YEAR 2019-20

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

Detail by Revenue Category and Expenditure Object	2017-18 Actual	2018-19 Estimated	2019-20 Requested	2019-20 Recommended	2019-20 Adopted by Board of Supervisors
1	2	3	4	5	6
<b>REVENUES</b>					
430 FINES,FORFEITURES & PNLTY	83,970	75,000	53,141	53,141	-
450 INTERGOVERNMENTAL REVENUES	1,002,811	1,355,917	1,321,902	1,321,902	-
460 CHARGES FOR SERVICES	746,957	759,000	739,667	743,562	-
470 MISCELLANEOUS REVENUE	10,496	10,059	7,428	7,428	-
480 OTHER FINANCING SOURCES	733,459	895,602	842,165	887,165	-
<b>TOTAL REVENUES</b>	<b>\$2,577,693</b>	<b>\$3,095,578</b>	<b>\$2,964,303</b>	<b>\$3,013,198</b>	<b>-</b>
<b>EXPENDITURES/APPROP.</b>					
510 SALARIES & EMPLOYEE BENE	10,471,947	11,345,432	11,922,837	11,890,296	-
520 SERVICES & SUPPLIES	1,520,341	1,529,094	1,728,530	1,651,053	-
550 OTHER CHARGES	100,469	98,244	98,244	98,244	-
570 OTHER FINANCING USES	39,180	26,595	40,800	40,800	-
590 SPECIAL ITEMS	856,989	808,437	643,500	660,543	-
<b>TOTAL EXPENDITURES/APPROP.</b>	<b>\$12,988,927</b>	<b>\$13,807,802</b>	<b>\$14,433,911</b>	<b>\$14,340,936</b>	<b>-</b>
<b>NET COSTS/USE OF FUND BALANCE</b>	<b>\$10,411,233</b>	<b>\$10,712,224</b>	<b>\$11,469,608</b>	<b>\$11,327,738</b>	<b>-</b>

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

Detail by Division	2017-18 Actual	2018-19 Estimated	2019-20 Requested	2019-20 Recommended	2019-20 Adopted by the Board of Supervisors
1	2	3	4	5	6

**REVENUES BY DIVISION**

3201 DA-PROSECUTION DIV	772,226	830,521	760,404	809,299	-
3202 DA-INVESTIGATION DIV	1,137,441	1,386,130	1,316,073	1,316,073	-
3203 DA-ADMIN DIV	668,026	878,927	887,826	887,826	-

<b>TOTAL REVENUES</b>	<b>\$2,577,693</b>	<b>\$3,095,578</b>	<b>\$2,964,303</b>	<b>\$3,013,198</b>	-
-----------------------	--------------------	--------------------	--------------------	--------------------	---

**EXPENDITURES/APPROPRIATIONS BY DIVISION**

3201 DA-PROSECUTION DIV	6,669,658	7,174,055	7,487,236	7,582,322	-
3202 DA-INVESTIGATION DIV	3,739,294	4,071,878	4,342,790	4,186,506	-
3203 DA-ADMIN DIV	2,579,975	2,561,869	2,603,885	2,572,108	-

<b>TOTAL EXPENDITURES/APPROPRIATIONS</b>	<b>\$12,988,927</b>	<b>\$13,807,802</b>	<b>\$14,433,911</b>	<b>\$14,340,936</b>	-
--	---------------------	---------------------	---------------------	---------------------	---

**NET COSTS/USE OF FUND BALANCE**

3201 DA-PROSECUTION DIV	5,897,432	6,343,534	6,726,832	6,773,023	-
3202 DA-INVESTIGATION DIV	2,601,853	2,685,748	3,026,717	2,870,433	-
3203 DA-ADMIN DIV	1,911,949	1,682,942	1,716,059	1,684,282	-

<b>TOTAL NET COSTS/USE OF FUND BALANCE</b>	<b>\$10,411,233</b>	<b>\$10,712,224</b>	<b>\$11,469,608</b>	<b>\$11,327,738</b>	-
--	---------------------	---------------------	---------------------	---------------------	---