

District Attorney

Patrick McGrath - District Attorney

108-2500	FY 13/14 Adopted Budget	FY 14/15 CAO Recommended	Change
EXPENDITURES			
Salaries and Benefits	1,891,665	1,878,868	(12,797)
Services and Supplies	87,953	94,213	6,260
Other Charges	187,317	207,072	19,755
Fixed Assets	0	0	0
TOTAL EXPENDITURES	2,166,935	2,180,153	13,218
REVENUE			
Fed/State	226,374	226,374	0
Grant	13,500	13,500	0
Realignment	121,270	30,000	(91,270)
Fees/Misc	118,000	110,600	(7,400)
TOTAL REVENUE	479,144	380,474	(98,670)
FUND BALANCE	70,000	60,000	(10,000)
NET COUNTY COST	1,617,791	1,739,679	121,888

Program Description

The District Attorney is an elected, state Constitutional Officer, whose responsibilities include prosecuting and investigating public criminal offenses, advising the Grand Jury, and representing the interests of the People of California in criminal justice matters.

The Yuba County District Attorney's office is currently staffed with 9 prosecutors (including the District Attorney), 2 District Attorney Investigators, and 3 support persons.

All Yuba County prosecutors are extremely skilled, with an average of 17 years of prosecution experience, and have specialized expertise in handling sexual assault, gang violence, major narcotic, and violent offenses.

Every prosecutor has homicide case experience. On average, prosecutors will review over 4,000 investigations per year, submitted by local, state, and federal law enforcement agencies. Of

these referrals, almost 2,900 criminal cases will be filed and presented in Yuba County courts.

Prosecutors are assisted by District Attorney Investigators, who are sworn peace officers acting as specialized detectives. DA Investigators have diverse duties, which range from conducting and analyzing complex criminal investigations to locating and securing the court attendance of uncooperative witnesses. The current DA Investigators are both highly specialized in the investigation of adult and child sexual assault crimes, and work as a team with other the officers of our local law enforcement agencies.

Both the prosecutors and DA Investigators are supported by legal office assistants. Their duties include inputting all case referrals into the case management system, preparing physical case files, copying and providing discovery to defense attorneys, preparing subpoenas and notifying witnesses of case status, and closing case files upon case completion.

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Each year, the support staff handles approximately 20,000 phone calls, meets over 5,000 members of the public who enter the office seeking assistance, issue over 5,000 subpoenas for witness attendance, and “pull” files for 26 court calendars during each week.

The support staff has previously been honored for exceptional teamwork and efficiency. It is the smallest – currently only 3 members – but arguably the most productive among the small county DA offices in California. Support staff in other comparably sized small counties range from 6 to 11 staff.

As with all public agencies, the Office has been faced with budgetary challenges over the past five years, which has reduced the office staffing levels by 25% and impacted all positions and levels of service.

Accomplishments FY 2013-2014

WORKLOAD MANAGEMENT

- During the past year, the office continued to process the prosecution and investigation of more homicide/manslaughter cases at one time (16 at one point) than at any other time in the history of the office. The homicide workload was shared by 6 of the 9 prosecutors in the office and by both DA Investigators.
- Workload performance in CY 2013 was measured in the areas of prosecutorial timeliness, consistency, and case outcomes. Of felony cases closed in CY 2013, 86% were completed within eight months. Convictions were obtained in 87% of cases, with 73% of those cases resulting in a conviction to a charged felony offense. Case filing decisions were

made within 15 working days in 85% of the referred cases.

- 66% of misdemeanor cases were completed within four months, and 86% of cases were completed within eight months. Convictions were obtained against 73% of misdemeanor defendants. Case filing decisions were made within 15 working days in 73% of the referred cases.
- Vertical prosecution – where one prosecutor handles a case from the start to the finish – is the gold standard of prosecution. Specialized vertical prosecution assignments continued in major narcotics, gang suppression, juvenile offenders, child physical abuse, and child and adult sexual assault.
- An emphasis on successful and timely driving under the influence cases continued. Office records show that 354 DUI cases were filed in CY 2013. A total of 385 cases (reflecting cases filed in CY 2013 and in previous years) reached disposition. Of these, 76% of offenders were convicted of driving under the influence and 95% of charged offenders were convicted of an alcohol impaired driving offense.
- In CY 2013, 33% of the felony caseload consisted of either crimes statutorily defined as either serious or violent, or cases in which defendants had suffered a prior serious or violent felony offense. In areas of specialized prosecution, gang prosecutors initiated 40 felony gang cases. Child abuse prosecutors and DA Investigators conducted 100 child forensic interviews and reviewed 79 potential cases, and handled 46 filed cases.

LEADERSHIP

- The office continued to be selected by the California District Attorney’s Association to provide statewide training on the interpretation and implementation of the statewide criminal justice realignment program.

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- Vertical prosecutors and DA Investigators continued to provide specialized assistance to law enforcement officers investigating gang and child abuse cases.
- The office continued to co-chair the California District Attorney's Association statewide Training and Education Committee. The office also acted as the technical training advisor to statewide prosecutor trainings in felony sentencing, leadership / management, and search and seizure.
- The office took a leadership role in training Yuba Sutter law enforcement agencies, the courts, and community groups in the area of human trafficking. The work included community forums and networking with law enforcement agencies in surrounding counties.
- The office continued to provide case review and assistance to military prosecutors assuming jurisdiction over local cases for prosecution under the Uniform Code of Military Justice.
- The major external goals will be to convene a Yuba County law enforcement summit of command staff to review informant management practices, *Brady* discovery obligations and procedures, and officer involved critical incident procedures.

Pending Issues/Policy Considerations FY 2014-2015

- The continued impact of Realignment – related legislation from the State legislature, including additional changes to the felony sentencing structure and the possibility of a sentencing commission.
- The potential for instituting a pre-trial release program to provide more jail capacity for offenders sentenced to local prison under Realignment.
- Further revising case filing standards in the event of further staffing reductions to maintain a workable case review and caseload ratio. The CY 2013 ratio of reports reviewed per prosecutor was 442:1; the recommended ratio is 300:1. The case per prosecutor ratio was 296:1; the recommended standard is 200:1.

Goals and Objectives FY 2014-2015

- The major internal goal for FY 14/15 will be reviewing and modifying case disposition policies in light of the new felony sentencing practices under Realignment.
- Secondary goals will be to refresh the training of the prosecution and investigative staff in the areas of informant management, *Brady* discovery procedures and processes, and *Wheeler* jury selection criteria.
- An additional goal will be to review and update, as resources permit, the office web presence.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2011-2012	ACTUAL EXPENDITURES 2012-2013	BOS APPROVED 2013 - 2014	CAO RECOMMENDED 2014 - 2015
DISTRICT ATTORNEY					
Salaries & Benefits					
108-2500-421.01-01	REGULAR	1,397,810	1,409,807	1,450,334	1,402,562
108-2500-421.01-07	VACATION PAY	0	665	0	21,937
108-2500-421.01-08	SICK LEAVE	0	0	0	5,195
108-2500-421.02-02	CO SHARE PERS	198,699	206,730	225,696	229,928
108-2500-421.02-04	GROUP HEALTH INSURANCE	145,926	155,395	168,372	172,998
108-2500-421.02-05	MEDICARE	15,573	15,710	16,474	17,237
108-2500-421.02-06	WORKERS COMP INS	16,050	19,391	21,944	25,221
108-2500-421.02-07	LIFE INSURANCE	1,073	1,060	1,089	1,065
108-2500-421.02-08	UNEMPLOYMENT INS	6,013	6,078	6,348	0
108-2500-421.02-09	RETIREE HEALTHCARE INS	1,339	1,375	1,408	2,725
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* Salaries & Benefits		1,782,483	1,816,211	1,891,665	1,878,868
Services & Supplies					
108-2500-421.12-00	COMMUNICATION	1,629	2,237	2,400	2,400
108-2500-421.15-00	INSURANCE	35,647	16,430	11,901	19,613
108-2500-421.16-00	PER DIEM FEES/MILEAGE	55	844	600	600
108-2500-421.17-00	MAINTENANCE/EQUIPMENT	14,650	16,159	25,141	25,071
108-2500-421.20-00	MEMBERSHIPS	6,400	6,490	6,490	6,490
108-2500-421.22-00	OFFICE EXPENSE	18,705	16,850	19,561	19,600
108-2500-421.23-00	PROFESSIONAL SERVICES	5,414	5,936	5,000	5,000
108-2500-421.28-00	SPECIAL DPMT EXPENSE	0	0	2,500	2,500
108-2500-421.29-00	TRAVEL	17,190	17,101	14,360	12,939
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* Services & Supplies		99,690	82,047	87,953	94,213
Other Charges					
108-2500-421.53-01	A-87 CHARGES	197,866	168,035	197,217	224,710
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* Other Charges		197,866	168,035	197,217	224,710

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2011-2012	ACTUAL EXPENDITURES 2012-2013	BOS APPROVED 2013 - 2014	CAO RECOMMENDED 2014 - 2015
	Other Financing Uses				
108-2500-421.85-02	COMPENSATED ABSENCES	17,595	24,768	0	0
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*	Other Financing Uses	17,595	24,768	0	0
	Cost Reimbursements				
108-2500-421.90-00	REIMBURSEMENTS	40,736-	37,013-	9,900-	17,638-
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*	Cost Reimbursements	40,736-	37,013-	9,900-	17,638-
**	DISTRICT ATTORNEY	2,056,898	2,054,048	2,166,935	2,180,153
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