

District Attorney

Patrick McGrath - District Attorney

108-2500	FY 15/16 Adopted Budget	FY 16/17 CAO Recommended	Change
EXPENDITURES			
Salaries and Benefits	1,911,198	2,004,107	92,909
Services and Supplies	84,634	146,915	62,281
Other Charges	141,406	216,022	74,616
Fixed Assets	0	0	0
TOTAL EXPENDITURES	2,137,238	2,367,044	229,806
REVENUE			
Fed/State	232,474	229,642	(2,832)
Grant	13,500	13,500	0
Realignment	30,000	30,000	0
Fees/Misc	93,000	185,526	92,526
TOTAL REVENUE	368,974	458,668	89,694
FUND BALANCE	31,635	180,000	148,365
NET COUNTY COST	1,736,629	1,728,376	(8,253)

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 allocated 18 positions: 11 prosecutor positions (including the District Attorney), 3 District Attorney Investigators and 4 support persons. Currently, three prosecutor positions and two Investigator positions are vacant. It is anticipated that one prosecutor position and one Investigator position will be filled in FY 16-17. The proposed budget requests to delete one prosecutor position and one Investigator position due to ongoing funding imitations, leaving one prosecutor positions unfunded and unfilled.

All senior Yuba County prosecutors are extremely skilled, with an average of 19 years of prosecution experience in the office, and have specialized expertise in handling sexual assault, gang violence, major narcotic and violent offenses. Every senior prosecutor has homicide case experience. The two junior prosecutors have just completed their first year of service. Over the past eight years prosecutors have reviewed over 4,000 investigations per year on average, 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. Historically, DA Investigators are highly specialized in the investigation of adult and

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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.

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 locate and organize the case files for over 20 court calendars during each week.

The support staff has previously been honored for exceptional teamwork and efficiency. It is the smallest – currently 4 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 2015-2016

Workload Management and performance in CY 2015 was measured in the areas of prosecutorial timeliness, consistency, and case outcomes.

- 3,885 case reports were submitted for review and evaluation in CY 2015. The CY 2015 ratio of reports reviewed per

prosecutor was 410:1, a reduction from the previous year's ratio of 476:1. The average over the past 5 years is 433:1.

- 2,815 cases were filed with the court for prosecution, an overall filing rate of 68%. The CY 2015 ratio of cases per prosecutor decreased to 297:1. The CY 2014 ratio was 334:1 and average for the prior 5 years was 303:1.
- The recommended ratio for case review per prosecutor is 300:1. The recommended standard for cases per prosecutor is 200:1.
- 683 felony cases were filed in CY 2015. Case filing action was made within 15 working days in 85% of the referred cases.
- 668 felony cases were tracked to closure in CY 2015. Of these, 72% were completed within eight months. Convictions were obtained in 84% of cases, with 71% of those cases resulting in a conviction to a charged felony offense.
- Of the 668 closed cases, 29% (192) included charges classified as either serious or violent felonies, or involved defendants with a prior serious or violent felony offense. In areas of specialized prosecution, gang prosecutors initiated felony gang cases against 27 defendants. Child abuse prosecutors and DA Investigators conducted 86 child forensic interviews and reviewed 34 potential cases; the total caseload of filed cases was 47.
- 2,132 misdemeanor cases were filed in CY 2015. Case filing action was made within 15 working days in 97% of the referred cases.
- 1,922 misdemeanor cases were tracked to closure in CY 2015. Of these, 75% of misdemeanor cases were completed within four months, and 90% of cases were completed within eight months. Convictions were obtained against 72%

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- of misdemeanor defendants.
- 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, and child and adult sexual assault.

Leadership

- The office worked with the Yuba County Probation Department to develop and institute a pre-trial release program to provide more jail capacity for offenders sentenced to local prison under Realignment.
- The office worked with the Sutter County District Attorney's Office to coordinate and implement a bi-county officer involved critical incident review protocol. The effort created a team of law enforcement investigators from five different agencies working together to present investigative findings for review by the District Attorney.
- The office entered into a Memorandum of Understanding with the Yolo County District Attorney's Office and State Department of Insurance to share Yolo County investigative and prosecution resources for worker's compensation fraud occurring in Yuba County.
- Vertical prosecutors and DA Investigators continued to provide specialized assistance to law enforcement officers investigating gang and child abuse cases.
- The office continues to be a member agency of the California State Anti-Gang Intelligence Network, a group which includes federal, state, and local law enforcement agencies. The network shares intelligence and reviews best practices relative to both street level and institutional gang investigations. Deputy District Attorney Mike Byrne continued

- to serve on the Executive Steering Committee as the sole prosecution representative.
- Yuba County gang prosecutors Mike Byrne and Mechele Cook initiated a working group of both Yuba and Sutter County gang prosecutors and investigators meeting monthly to share intelligence and case information.
- 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 jury selection procedures and leadership / management.
- District Attorney Patrick McGrath began serving a one-year term as President of the California District Attorney's Association in July of 2015. As such, he was heavily involved in the Association's legislative and public outreach efforts.
- Legal Services Supervisor Tonya English serves on the Board of Directors of the SunGard Public Sector West Regional Training user's group. SunGard is the vendor chosen to provide the data management system linking the Superior Court, Probation Department, Sheriff's Office, Jail, and District Attorney's Office. The user's group coordinates training and proposes new applications and uses for the SunGard data management systems. Ms. English has been a Board member for 7 years.
- The office continued to provide case review and assistance to military prosecutors at Beale Air Force Base assuming jurisdiction over local cases for prosecution under the Uniform Code of Military Justice.

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Goals and Objectives

FY 2016-2017

Significant goals for FY 15/16 include:

- Continuing the comprehensive training to two new prosecutors who have recently completed their first year of service in the office.
- Complete an update of the Office Policy and Procedures manual.
- Create a new web presence for the office.
- Participate in a bi-county law enforcement policy review and protocol development regarding the anticipated use of body cameras.

Pending Issues/Policy Considerations

FY 2016-2017

- The potential voter approval of the Governor's "Public Safety and Rehabilitation Act of 2016," which would significantly impact felony sentencing outcomes and the early release of State's Prison inmates.
- The transition of the Yuba County Superior Court from the current integrated SunGard data management system to an independent system will present data transfer challenges to this Office, the Sheriff's Office, and the Probation Department.
- The current case management system is functionally competent but outdated and no longer effectively supported by the vendor. A new system needs to be reviewed and an acquisition plan developed.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2013-2014	ACTUAL EXPENDITURES 2014-2015	ORIGINAL BUDGET 2015-2016	CAO RECOMMENDED 2016-2017
DISTRICT ATTORNEY					
Salaries & Benefits					
108-2500-421.01-01	REGULAR	1,456,989	1,366,222	1,430,716	1,472,062
108-2500-421.01-07	VACATION PAY	0	21,202	0	0
108-2500-421.01-08	SICK LEAVE	0	4,994	0	0
108-2500-421.02-02	CO SHARE PERS	223,182	224,162	253,993	265,704
108-2500-421.02-04	GROUP HEALTH INSURANCE	166,584	154,453	168,304	173,625
108-2500-421.02-05	MEDICARE	16,226	16,385	17,713	18,115
108-2500-421.02-06	WORKERS COMP INS	21,944	25,221	29,990	64,865
108-2500-421.02-07	LIFE INSURANCE	1,088	1,140	1,306	1,303
108-2500-421.02-08	UNEMPLOYMENT INS	6,348	0	6,098	3,751
108-2500-421.02-09	RETIREE HEALTHCARE INS	1,415	2,734	3,078	4,682
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* Salaries & Benefits		1,893,776	1,816,513	1,911,198	2,004,107
Services & Supplies					
108-2500-421.12-00	COMMUNICATION	2,363	2,519	2,400	2,400
108-2500-421.15-00	INSURANCE	11,901	19,613	6,828	16,272
108-2500-421.16-00	PER DIEM FEES/MILEAGE	1,076	3,607	600	600
108-2500-421.17-00	MAINTENANCE/EQUIPMENT	23,212	21,228	26,736	21,624
108-2500-421.20-00	MEMBERSHIPS	7,435	6,725	6,490	6,490
108-2500-421.22-00	OFFICE EXPENSE	23,571	22,667	21,500	74,885
108-2500-421.23-00	PROFESSIONAL SERVICES	7,109	3,997	5,000	5,000
108-2500-421.25-00	RENTS & LEASES/EQUIPMENT	0	0	0	4,600
108-2500-421.28-00	SPECIAL DPMT EXPENSE	574	0	2,500	2,500
108-2500-421.29-00	TRAVEL	13,147	13,689	12,580	12,544
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* Services & Supplies		90,388	94,045	84,634	146,915
Other Charges					
108-2500-421.53-01	A-87 CHARGES	197,217	224,710	150,406	225,022
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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2013-2014	ACTUAL EXPENDITURES 2014-2015	ORIGINAL BUDGET 2015-2016	CAO RECOMMENDED 2016-2017
*	Other Charges	197,217	224,710	150,406	225,022
	Cost Reimbursements				
	108-2500-421.90-00 REIMBURSEMENTS	43,194-	17,247-	9,000-	9,000-
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*	Cost Reimbursements	43,194-	17,247-	9,000-	9,000-
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**	DISTRICT ATTORNEY	2,138,187	2,118,021	2,137,238	2,367,044
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