

**COUNTY OF MADERA
BUDGET UNIT EXPENDITURE DETAIL
BUDGET FOR THE FISCAL YEAR 2014-15**

Department: **DISTRICT ATTORNEY
(03510)**
Function: **Public Protection**
Activity: **Judicial - Other**
Fund: **General**

<u>ACCOUNT CLASSIFICATION</u>	<u>ACTUAL EXPENDITURES 2012-13</u>	<u>BOARD APPROVED EXPENDITURES 2013-14</u>	<u>DEPARTMENT REQUEST 2014-15</u>	<u>CAO RECOMMENDED 2014-15</u>
SALARIES & EMPLOYEE BENEFITS				
710102 Permanent Salaries	950,885	1,402,198	1,430,190	1,330,190
710103 Extra Help	264,185	86,161	194,221	194,221
710105 Overtime	4,331	5,000	5,000	5,000
710200 Retirement	299,721	420,573	453,905	428,905
710300 Health Insurance	138,729	259,328	202,974	202,974
710400 Workers' Compensation Insurance	110,980	161,762	161,762	138,077
710500 Other Benefits	1,140	0	0	0
TOTAL SALARIES & EMPLOYEE BENEFITS	1,769,970	2,335,022	2,448,052	2,299,367
SERVICES & SUPPLIES				
720300 Communications	3,781	5,300	8,500	8,500
720600 Insurance	105,034	152,640	152,640	233,510
720702 Witness Fees	750	1,500	1,500	1,500
720800 Maintenance-Equipment	815	1,000	1,000	1,000
721100 Memberships	8,345	10,520	10,520	10,520
721300 Office Expense	77,339	34,100	39,024	39,024
721400 Professional & Specialized Services	37,615	30,150	40,000	40,000
721600 Rents & Leases - Equipment	40,815	42,900	42,900	42,900
721900 Special Departmental Expense	17,702	16,000	16,000	16,000
721910 Juvenile Justice Commission	0	2,000	2,000	2,000
721912 Special Departmental Expense - POST Training	0	2,000	3,000	3,000
722000 Transportation & Travel	14,467	21,750	21,750	21,750
TOTAL SERVICES & SUPPLIES	306,662	319,860	338,834	419,704
TOTAL - DISTRICT ATTORNEY	2,076,632	2,654,882	2,786,886	2,719,071

DISTRICT ATTORNEY

COMMENTS

The District Attorney is responsible for criminal prosecution of all violations of State and County laws, as well as civil prosecutions of certain violations of State and County laws.

WORKLOAD

	<u>Actual</u> <u>2012-13</u>	<u>Estimated</u> <u>2013-14</u>	<u>Projected</u> <u>2014-15</u>
FILES OPENED*	7,953	7,600	7,900
CONSOLIDATED COURTS			
Juvenile Petitions	611	550	550
Jury Trials	75	83	85
Felonies Filed	1,702	1,600	1,700
Misdemeanors Filed	3,026	2,900	3,000

* In December 2009, the District Attorney instituted direct filing of misdemeanor driving-without-a-license cases. These cases are now direct-filed to the court by the law enforcement agencies. While the filing is no longer the responsibility of the DA's office, prosecutor's still make appearances on these cases within traffic court, impacting attorney workload. In Fiscal Year 2012-13, there were 2,124 direct-filed cases. As of December 2013, there have been 1,041 direct-filed cases in the 2013-14 Fiscal Year.

REVENUE

	<u>Actual</u> <u>2012-13</u>	<u>Estimated</u> <u>2013-14</u>	<u>Projected</u> <u>2014-15</u>
Bad Check Restitution	\$2,323	\$2,000	\$2,000
Cancel Warrants	218	150	150
Miscellaneous reimbursement & Refunds	1,590	130	380
DA Seized Funds (Consumer Protection or Other)	7,333	12,250	5,000
Asset Forfeiture	44,884	47,750	5,000
AB 109*	0	39,100	40,000
Total	\$56,348	\$101,380	\$52,530

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*AB 109 REVENUE

On September 27, 2011, Madera County Board of Supervisors adopted the County of Madera Public Safety Realignment Plan. As part of this plan the District Attorney will receive a share of the state realignment revenue. This additional revenue (estimated \$40,000) will offset part of the Extra Help Deputy District Attorney I that will backfill the vacated spot that resulted from transferring a DDA I to the Office of Traffic Safety DUI grant.

OUT-OF-COUNTY TRIAL COST ESTIMATE

During the 2014-15 Fiscal Year, the District Attorney is anticipating a homicide trial that will require a change of venue and added travel expenses. The County Administrative Office acknowledges this potential; however additional funding is not recommended as part of the budget. If additional travel expenses are actually incurred during the 2014-15 Fiscal Year and exceed the budgeted allocations, the District Attorney will be advised to request a mid-year budget adjustment.

STAFFING

<u>Permanent</u>	<u>2013-14 Authorized</u>		<u>2014-15 Recommended</u>	
	<u>Funded</u>	<u>Unfunded</u>	<u>Funded</u>	<u>Unfunded</u>
Administrative Analyst I/II	0.75 ⁽¹⁾		0.75 ⁽¹⁾	
Assistant District Attorney	0.40 ⁽²⁾		0.40 ⁽²⁾	
Chief Criminal Investigator	0.25		0.25	
Deputy District Attorney I/II/III/Senior	9.50	.06	9.50	.06
District Attorney	0.95 ⁽³⁾		0.95 ⁽³⁾	
District Attorney Investigator I/II/Senior	2.00 ⁽⁴⁾		2.00 ⁽⁴⁾	
Investigative Assistant	0.00	1.00	0.00	1.00
Office Assistant I/II	1.00		1.00	
Office Services Supervisor I/II, or Senior Legal Secretary	1.00		1.00	
Program Assistant II, Senior Program Assistant, or Legal Secretary I/II (Not to exceed two Legal Secretaries)	6.00	.20	6.00	.20
Supervising Deputy District Attorney	<u>1.00⁽⁵⁾</u>		<u>1.00⁽⁵⁾</u>	
Total Permanent	22.85	1.26	22.85	1.26

(1) 0.25 of the Administrative Analyst position is funded in the District Attorney-Welfare Fraud budget.

(2) 0.60 of the Assistant District Attorney position is funded in the District Attorney – COPS budget (03530).

(3) 0.05 of the District Attorney position is funded in the District Attorney-Welfare Fraud budget.

(4) Only one District Attorney Investigator can be Senior.

(5) The department is authorized for three Supervising Deputy District Attorneys, which historically have been underfilled with DDA I positions.

DISTRICT ATTORNEY

SALARIES & EMPLOYEE BENEFITS

- 710102** **Permanent Salaries** (\$1,330,190) are recommended reduced \$72,008 based on the cost of recommended staff. Salary and Benefit savings of \$125,000 is included and reflects anticipated savings due to normal attrition and associated time required for recruitment, background check and ultimate selection to fill a vacancy.
- 710103** **Extra Help** (\$194,221) is recommended increased \$108,060 based on current actual costs for Extra Help staff and the need to add a part-time Senior Deputy District Attorney and full-time Investigative Assistant/Student Assistant. Additional staff is needed to take the Gang Homicide cases which require voluminous prosecution packages involving research and case preparation beyond regular cases. We are requesting the investigative assistant position be flex staffed between the Investigative Assistant or Student Assistant positions which will allow the District Attorney to hire the most appropriate person for the position.
- 710105** **Overtime** (\$5,000) is recommended unchanged for District Attorney Investigators to serve papers and contact witnesses after hours and on weekends.
- 710200** **Retirement** reflects the County's anticipated contribution to Social Security and the Public Employee's Retirement System.
- 710300** **Health Insurance** is based on the employer's share of health insurance premiums.
- 710400** **Workers' Compensation** reflects the Department's contribution to the County's Self-Insurance Internal Service Fund.

SERVICES & SUPPLIES

- 720300** **Communications** (\$8,500) is recommended increased \$3,200 based on current actual costs for cell phones for the investigators and office phones for staff (\$5,000) and the need to install radios for three District Attorney Criminal Investigator vehicles (\$3,500).
- 720600** **Insurance** reflects the Department's contribution to the County's Self-Insured Liability Program.
- 720702** **Witness Fees** (\$1,500) is recommended unchanged for witness fees, which are the responsibility of the District Attorney.
- 720800** **Maintenance – Equipment** (\$1,000) is recommended unchanged for maintenance agreements, mobile radio repairs, computer and photo equipment repairs, and CLETS maintenance.

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SERVICES & SUPPLIES (continued)

- 721100** **Memberships** (\$10,520) are recommended unchanged based on actual expenses for membership in the California District Attorneys' Association for the District Attorney (\$2,755), all Deputy District Attorneys (\$2,980), Fresno-Madera Chiefs' Association (\$200), and payment of the California State Bar dues for each Attorney in the Department (\$4,585), as required in the MOU.
- 721300** **Office Expense** (\$39,024) is recommended increased \$1,500 for general office supplies, copying costs, maintaining legal periodicals and books, and the purchase of printed forms.
- 721400** **Professional & Specialized Services** (\$40,000) is recommended increased \$9,850 for the DAMION Case Management System maintenance (\$15,000) and for polygraph and handwriting analysis, expert witness fees, interpreters, laboratory technician cost, auto accident experts, on-line legal services, background investigations, and various other classes of experts or exams (\$25,000). This does not reflect increases necessary to cover the rising costs of pathology and pathologist's testimony at trial.
- 721600** **Rents & Leases – Equipment** (\$42,900) is recommended unchanged for the leasing of five vehicles from Central Garage (\$38,100) and for rental of a copy machine (\$4,800) based on prior year expenses. The five vehicles are used by the investigators in performance of their duties and average 7,300 miles per month.
- 721900** **Special Departmental Expense** (\$16,000) is recommended unchanged for witness expenses, CD and DVD media, photographic services, prison and court records, investigator's equipment, and \$5,000 for special funds.
- 721910** **Juvenile Justice Commission** (\$2,000) is recommended unchanged in accordance with the submitted request by the commission and includes compensation and mileage reimbursement for the 12 commission members, plus photo copy and postage charges.
- 721912** **Special Departmental Expense - POST Training** (\$3,000) is recommended increased \$1,000 for annual training and POST compliance expenses for the District Attorney Investigators. Any funds expended for this purpose are reimbursed to the County by POST.
- 722000** **Transportation & Travel** (\$21,750) is recommended unchanged for meetings, conferences, private mileage and transportation of prisoners if required. The training costs in this line item will be partially offset by Asset Forfeiture funds that have been included in the revenue estimate, or Consumer Protection funds awarded to the District Attorney's Office.