

**COUNTY OF MADERA  
BUDGET UNIT EXPENDITURE DETAIL  
BUDGET FOR THE FISCAL YEAR 2012-13**

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

<u>ACCOUNT CLASSIFICATION</u>	<u>ACTUAL EXPENDITURES 2010-11</u>	<u>BOARD APPROVED EXPENDITURES 2011-12</u>	<u>DEPARTMENT REQUEST 2012-13</u>	<u>CAO RECOMMENDED 2012-13</u>
<b>SALARIES &amp; EMPLOYEE BENEFITS</b>				
710102 Permanent Salaries	1,098,432	1,311,582	1,223,407	1,223,407
710103 Extra Help	185,978	113,385	164,239	164,239
710105 Overtime	8,436	5,000	5,000	5,000
710200 Retirement	294,324	401,430	384,633	384,633
710300 Health Insurance	130,020	174,537	213,759	213,759
710400 Workers' Compensation Insurance	121,359	93,820	110,980	110,980
710500 Other Benefits	1,200	0	0	0
<b>TOTAL SALARIES &amp; EMPLOYEE BENEFITS</b>	<b>1,839,749</b>	<b>2,099,754</b>	<b>2,102,018</b>	<b>2,102,018</b>
<b>SERVICES &amp; SUPPLIES</b>				
720300 Communications	5,892	5,300	5,300	5,300
720600 Insurance	93,419	99,682	105,034	105,034
720702 Witness Fees	1,107	1,500	1,500	1,500
720800 Maintenance-Equipment	3,523	1,000	1,000	1,000
721100 Memberships	6,175	8,000	8,000	8,000
721300 Office Expense	34,955	30,000	29,624	29,624
721400 Professional & Specialized Services	18,991	28,150	47,050	28,150
721600 Rents & Leases - Equipment	31,121	27,750	35,000	30,000
721900 Special Departmental Expense	4,284	16,000	16,000	16,000
721910 Juvenile Justice Commission	883	5,850	3,500	3,500
721912 Special Departmental Expense - POST Training	0	2,000	2,000	2,000
722000 Transportation & Travel	6,884	14,000	18,750	18,750
722100 Utilities	673	0	0	0
<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>207,907</b>	<b>239,232</b>	<b>272,758</b>	<b>248,858</b>
<b>FIXED ASSETS</b>				
740300 Fixed Assets - Equipment/Furniture	5,107	0	0	0
<b>TOTAL FIXED ASSETS</b>	<b>5,107</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL - DISTRICT ATTORNEY</b>	<b>2,052,763</b>	<b>2,338,986</b>	<b>2,374,776</b>	<b>2,350,876</b>

## 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

	<b>Actual</b> <b><u>2010-11</u></b>	<b>Estimated</b> <b><u>2011-12</u></b>	<b>Projected</b> <b><u>2012-13</u></b>
FILES OPENED*	7,928	8,600	8,900
CONSOLIDATED COURTS			
Juvenile Petitions	798	1020	1,000
Jury Trials	76	80	90
Felonies Filed	1,593	1,500	1,600
Misdemeanors Filed	3,797	3,520	3,600

\* 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 2010-11, there were 1,972 direct-filed cases. As of March 2012, there are 1,211 direct-filed cases in the 2011-12 Fiscal Year.

### REVENUE

	<b>Actual</b> <b><u>2010-11</u></b>	<b>Estimated</b> <b><u>2011-12</u></b>	<b>Projected</b> <b><u>2012-13</u></b>
Bad Check Restitution	\$3,948	\$8,000	\$5,000
Copies	175	0	100
Cancel Warrants	316	0	500
Misc reimbursement & Refunds	2,113	140	150
Asset Forfeiture	<u>11,146</u>	<u>16,000</u>	<u>18,750</u>
Total	\$17,698	\$24,140	\$24,500

## DISTRICT ATTORNEY

### OUT-OF-COUNTY TRIAL COST ESTIMATE

During the 2012-13 Fiscal Year, the District Attorney is anticipating two homicide trials that will require a change of venue and added travel expenses. The District Attorney requested roughly \$324,000 to cover such 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 2012-13 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>2011-12 Authorized</u>		<u>2012-13 Recommended</u>	
	<u>Funded</u>	<u>Unfunded</u>	<u>Funded</u>	<u>Unfunded</u>
Administrative Analyst I/II	0.75 <sup>(1)</sup>		0.75 <sup>(1)</sup>	
Assistant District Attorney	1.00		0.40 <sup>(2)</sup>	
Deputy District Attorney I/II/III/Senior	7.37 <sup>(3)</sup>	2.16	8.50 <sup>(3)</sup>	1.06
District Attorney	0.95 <sup>(4)</sup>		0.95 <sup>(4)</sup>	
Chief Criminal Investigator	0.00		0.25	
District Attorney Investigator I/II/Senior	2.00 <sup>(5)</sup>		2.00 <sup>(5)</sup>	
Investigative Assistant	0.00	1.00	0.00	1.00
Office Assistant I/II	0.00	1.00	0.00	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)	3.00	3.20	3.00	3.20
Supervising Deputy District Attorney	<u>0.50</u>	<u>      </u>	<u>1.00</u>	<u>      </u>
Total Permanent	16.57	7.36	17.85	6.26

(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) 0.03 of a Deputy District Attorney was reallocated to this Budget from the Workers Comp Insurance Fraud Budget (03541)

(4) 0.05 of the District Attorney position is funded in the District Attorney-Welfare Fraud budget.

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

## DISTRICT ATTORNEY

### **STAFFING (continued)**

NOTE: In December 2007, the courts added Department 9, significantly impacting the prosecution staff since there was no increase in DA staff to compensate for the additional department. In 2011, there were 5,179 scheduled events requiring District Attorney staff within this newly created department. As of March 2012, there have been 1,186 scheduled events. Given the number of court appearances within the departments, it is imperative that the District Attorney assign two Deputy District Attorneys to each department.

### **SALARIES & EMPLOYEE BENEFITS**

**710102**      **Permanent Salaries** (\$1,223,407) are recommended reduced \$88,175 based on the cost of recommended staff.

**710103**      **Extra Help** (\$164,239) is recommended increased \$50,854 based on current actual costs for Extra Help staff.

Note: In 2011-12, appropriations of \$113,385 was significantly lower than actual costs for the year, while appropriations for Permanent Salaries of \$1,311,582 was higher than actual costs. The combined 2011-12 appropriations for Permanent Salaries and Extra Help was \$1,424,967, while the 2012-13 recommended combined expenditures are \$1,387,646, a reduction of \$37,321.

**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** (\$5,300) is recommended unchanged based on current actual costs for cell phones for the investigators and office phones for staff.

**720600**      **Insurance** reflects the Department's contribution to the County's Self-Insured Liability Program.

## DISTRICT ATTORNEY

### **SERVICES & SUPPLIES** (continued)

- 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.
- 721100**      **Memberships** (\$8,000) are recommended unchanged based on actual expenses for membership in the California District Attorneys' Association for all Attorneys (\$3,060), Fresno-Madera Chiefs' Association (\$200), and payment of the California State Bar dues for each Attorney in the Department (\$4,740), as required in the MOU.
- 721300**      **Office Expense** (\$29,624) is recommended reduced \$376 for general office supplies, copying costs, maintaining legal periodicals and books, and the purchase of printed forms.
- 721400**      **Professional & Specialized Services** (\$28,150) is recommended unchanged for the DAMION Case Management System maintenance and for polygraph and handwriting analysis, expert witness fees, interpreters, laboratory technician cost, auto accident experts, on-line legal services, and various other classes of experts or exams. The District Attorney is requesting an increase of \$18,900 related to seven cases requiring Pathologist testimony in trial, at a cost of \$2,700 each. Should these costs come to fruition, a transfer from Contingencies will be presented to your Board to cover these costs.
- 721600**      **Rents & Leases – Equipment** (\$30,000) is recommended increased \$2,250 for leasing of three vehicles from Central Garage and for rental of a copy machine based on prior year expenses. The District Attorney is requesting an additional \$5,000.
- 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. To comply with FCC Regulations, the Investigator's radios will have to be converted to narrow band by 12/31/2012; the estimated cost for four radio units is \$6,240.
- 721910**      **Juvenile Justice Commission** (\$3,500) is recommended reduced \$2,350 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** (\$2,000) is recommended unchanged for training expenses for the District Attorney Investigators. Any funds expended for this purpose are reimbursed to the County by POST.

**SERVICES & SUPPLIES (continued)**

**722000**      **Transportation & Travel** (\$18,750) is recommended increased \$4,750 for meetings, conferences, private mileage and transportation of prisoners if required. The actual training costs in this line item are offset by Asset Forfeiture funds that have been included in the revenue estimate.