

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 9/8/06
Department Name: District Attorney
Department No.: 021
Agenda Date: 9/26/06
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Thomas W. Sneddon, Jr.
District Attorney

STAFF Marnie B. Pinsker
CONTACT: District Attorney Assistant Director, x2304

SUBJECT: Expansion of the District Attorney's Vertical Prosecution Block Grant due to additional financing from the State Office of Emergency Services

Recommendation(s):

That the Board of Supervisors:

- a) authorize the District Attorney's Office to execute an amended grant award agreement with the State Office of Emergency Services increasing the grant amount from \$75,875 to \$146,981 to partially finance an Elder Abuse Vertical Prosecution Unit in Santa Maria and a Career Criminal Prosecution Unit in Santa Barbara;
- b) Adopt a budget revision in the amount of \$71,106 in appropriations and revenues to finance the additional costs associated with the expanded FY 06-07 State funding; and
- c) Adopt a Resolution to add:
 - 1.0 FTE Deputy District Attorney I/V (Classes (2250-2254), Ranges 6032/7132 (\$4,914-\$5,999/\$8,506-\$10,384 per month, effective 9/25/06.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No.2, A Safe and Healthy Community in Which to Live, Work and Visit.

Executive Summary and Discussion:

The Governor's budget included restoration of block grant funds to District Attorney Offices statewide for vertical prosecution units. This has doubled the funds budgeted from this funding source, enabling the Office to dedicate resources for enhanced prosecution of serious felony career criminal cases. An experienced Senior Deputy District Attorney will be assigned to this caseload, with an entry level attorney hired to backfill the existing caseloads.

The District Attorney's Office has received State grant funds to support various vertical prosecution efforts since 1995. Initially, \$150,000 was allocated to implement Statutory Rape Vertical Prosecution Units in both North and South County. Over time, annual funds were decreased over 50% to \$68,875, which only provided funding for a part-time unit in North County.

Beginning in FY 2002-03, the State Office of Emergency Services (OES) consolidated several of the grants into a Vertical Prosecution Block Grant Programs to allow District Attorney Offices the flexibility to target funds to meet local needs, vs. the single purpose grants. Given an increase in the incidence of Elder Abuse crimes in North County, coupled with the reduction in Statutory Rape case referrals to the unit, the office has changed the focus of the block grant resources to initiate an Elder Abuse Prosecution Unit focused on investigation and vertical prosecution of north county elder abuse cases.

With the increase in funding, our next highest priority is the need to enhance the investigation and prosecution of felony career criminal cases, as defined in Penal Code 999. Cases involving defendants who have serious prior convictions and commit additional serious offenses will be referred to a Senior Deputy District Attorney who has substantial three strikes, gang, and career offender experience, for filing review and prosecution. As with other vertical prosecution grants, the designated vertical deputy DA is assigned a reduced caseload in order to provide more intensive case management. This provides more time to evaluate the case and ensure that the correct substantive charges and correct priors are alleged, reducing the chances that a serious career criminal slips through the cracks.

These cases are currently being referred for prosecution, and will be given more intensive handling to maximize conviction and sentencing outcomes. Early investigative work and close liaison with law enforcement detectives will further strengthen prosecution efforts, thereby enhancing public safety. The additional attorney will not impact either the Public Defender or Court resources, since the grant attorney will simply be handling existing cases on a scaled down caseload. Consistent with OES requirements that prohibit use of grant funds to supplant existing local resources, an entry level Deputy District Attorney will be hired to backfill this position, handling the balance of the caseload previously assigned to the grant attorney.

Mandates and Service Levels:

Expanded State funding will provide the ability to more thoroughly review, investigate and prosecute cases where career criminals have committed serious crimes after prior conviction of felony charges as defined by statute.

Fiscal and Facilities Impacts:

State OES funding in the amount of \$71,106 will be used solely to finance salary and benefit costs for the backfill Deputy District Attorney for the balance of the current fiscal year. The full year cost is estimated at \$88,875, which will require the difference of \$17,864 to be financed by the District Attorney, using additional grant funds or excess 172 Public Safety Sales tax revenue. This program is included in the Criminal Operations cost center of the District Attorney's budget (021-1001).

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDING RESOLUTION)
NO. 06-206, AS AMENDED, BEING THE SALARY)
RESOLUTION OF THE COUNTY OF SANTA BARBARA)

RESOLUTION NO. _____

WHEREAS, Salary Resolution No. 06-206 established a Classification Plan, and authorized Departmental Position Allocation effective July 3, 2006; and,

WHEREAS, this Board of Supervisors finds that there is good cause for amending said Resolution No. 06-206, as amended, in the manner provided in this Resolution;

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

1. Resolution No. 06-206, adopted by this Board on July 11, 2006, is hereby amended by amending that (those) portion(s) of Section(s) 4 to read as follows effective September 25, 2006:

SECTION 4. Departmental Position Allocation

<u>DEPARTMENT/BUDGET UNIT</u>	<u>CLASS</u>	<u>P/T</u>	<u>TOTAL NO. POS.</u>	<u>TITLE</u>	<u>BARG UNIT</u>
<u>District Attorney (#2865)</u>					
Add 1 new	002250		48	DEPUTY DISTRICT ATTY I	OR 17
	002251			DEPUTY DISTRICT ATTY II	OR 17
	002252			DEPUTY DISTRICT ATTY II	OR 17
	002253			DEPUTY DISTRICT ATTY IV	OR 17
	002254			DEPUTY DISTRICT ATTY SR	17

2. Except as amended by this Resolution, Resolution No. 06-206 as amended, continues unchanged as in full force and effect.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2006, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL
NOVEMBER 1993
9/26/06

By: _____ (SEAL)
Deputy Clerk