

Chief Administrative Office Comments – Revised

The Recommended Budget for the District Attorney's Office incorporates staffing and operating changes made during FY 2009-10 required to meet budget reductions. It also incorporates the Department's FY 2010-11 fiscal target, but does not include a specific plan to achieve the target. The difference between the District Attorney's requested budget and the Chief Administrative Office Recommended budget is \$539,310.

Revenue in the District Attorney budget is declining overall by a net of \$55,511. Due to an accounting change, \$250,000 for the Welfare Fraud function coming from the Human Services Department has been moved from the Charges for Services category to the Interfund Abatement category. Notable areas of reduction in revenue include Proposition 172 (1/2 cent Public Safety Sales Tax) which is reduced by \$37,884 and Federal Office of Emergency Services \$108,159. An increase of \$89,225 is reflected in Operating Transfers from revenue coming from grant sources.

The District Attorney submitted a requested net county cost budget of \$5,923,109 which was greater than the CAO requested target of \$5,375,863. In order to achieve the required target, the Chief Administrative Office reduced requested appropriations have been reduced in a number of areas as follows:-

In Salaries and benefits have been reduced overall by a net of \$35,594. A significant decrease in the amount of \$512,583 reflects reductions made to achieve the Department's FY 2010-11 target. Of this amount \$53,532 is in was reduced from Temporary Help. This reduction to Temporary Help still results in an overall increase in Temporary Help from the FY2009-10 Approved Budget of \$150,000. The Temporary Help budget has increased due to the Department's choosing to support certain grants with Temporary Help totaling \$114,987. The remainder of Temporary Help is budgeted in Core Prosecution. In addition to the Temporary Help reduction The remaining \$459,051 is in salaries. It has not yet been determined how the District Attorney will achieve this overall salary reduction; however, full year funding for one Deputy District Attorney II position that became vacant at the end in April of FY 2009-10 and funding for and was unfunded. Another Deputy District Attorney III position which is anticipated to become vacant in early 2010-11 was removed from the requested budget. The savings value from of these two positions less payoffs is \$203,298. The total of reductions in Temporary Help and for these two positions is \$256,830.

It should be noted that the two positions that have been unfunded from the requested budget have been unfunded in both the prior two years in order for the Department to achieve budget targets. This was possible because the incumbents were on active military leave.

In Services and Supplies and Fixed Assets, miscellaneous reductions were made totaling \$26,727. The Department's request for fixed asset computer replacements has been reduced from \$17,000 for 10 replacement computers to \$8,500 for 5 replacement computers.

After making the reductions explained above there still remains a gap of \$255,753 in order to achieve the requested target. This amount has been deleted from the Department's salaries and benefits.

The District Attorney will need to identify a plan to achieve the remaining \$255,753. The \$255,753 has been removed from is not in the Recommended budget. To illustrate possible options, an average Deputy District Attorney III annual salary is approximately \$125,000. An average District Attorney Investigator annual salary is approximately \$140,000. Depending on the position, it would take approximately 3.0 FTE to achieve the required reduction. If other positions are eliminated in lieu of these two examples, the amount of salary and number of FTE's will vary. These examples are provided for illustrative purposes. The District Attorney will need to evaluate the organization to determine where additional reductions may be made. The District Attorney has virtually no vacancies so any staff reductions would impact filled positions. The District Attorney needs to return to the Board by July 2010 with his plan and associated personnel requisition outlining any allocation changes. To delay beyond that point is to place a greater impact on any staff reductions given the length of RIF processes and payoff costs. Additionally, extra help will need to be eliminated if there are regular positions being eliminated in classifications being filled by extra help.

At the request of the District Attorney the following is included to memorialize in past discussions with the Board about meeting reductions. The District Attorney has indicated that eliminating additional staff would put grant funding in jeopardy. The District Attorney has increased grant funding substantially since taking over the Department. This provides funding for salaries for 14.515 positions. In an effort to avoid grant funding reductions, the Department will likely no longer prosecute misdemeanor cases except for DUI's and possibly not prosecute some felony cases excluding those that involve crimes of violence.

As indicated above staffing continues to be of concern to the District Attorney's office. There are currently numerous murder trials in process as well as one high profile kidnapping case in process. Two of those cases include the death penalty. All murder cases require more staff time and resources, however, death penalty cases are significantly more staff resource intensive and expensive, often requiring significant expenditures for investigation and expert witnesses. One of the two death penalty cases is currently scheduled for trial in the summer of 2010. The second death penalty case is a cold case involving triple homicide. In addition to the murder trials, District Attorney staff is also dedicated to the kidnapping case and cases involving various kinds of fraud such as Mortgage & Real Estate, Auto and Environmental fraud.

~~Other reductions include services and supplies which have been reduced overall by \$114,550. Interfund transfers have been reduced by \$30,733 and a request for fixed asset computer replacements has been reduced from \$17,000 for 10 replacement computers to \$8,500 for 5 replacement computers.~~