

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

**Meeting of
March 13, 2007**

AGENDA TITLE: District Attorney's Elder and Consumer Protection Unit

DEPARTMENT: District Attornev

DEPT SIGNOFF:

CAO USE ONLY: D

CONTACT: John Mitchell

DATE: 2/20/2007

PHONE: 6421

V. R. R.

Kelly Webb 2/23/07

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

- (1) Approve the attached Personnel Resolution that increases the personnel allocation by five positions as follows: Deputy District Attorney IV, DA Investigator (2), Accountant/Auditor, Legal Secretary II
- (2) Approve the attached Budget Transfer Request that increases revenue and expense by \$112,589 for the balance of FY 06/07.

Sources of revenue include. Prop 64

<i>Real Estate Fraud Trust</i>	<i>33,595</i>
<i>Workers' Comp Ins. Fraud</i>	<i>28,357</i>
<i>Auto Fraud</i>	<i>41,927</i>
	<u><i>8,710</i></u>
	<i>\$112,589</i>

CAO RECOMMENDATIONS: *Recommend approval. Laura A 2/23/07*

Financial impact? Yes () No

Funding Source: () Gen Fund (X) Other
Other: grants: trust & agency funds

BUDGET SUMMARY:

Total Est. Cost	<u>\$112,589.00</u>
Funding	
Budgeted	<u>\$0.00</u>
New Funding	<u>\$112,589.00</u>
Savings*	
Other	<u>\$0.00</u>
Total Funding	<u>\$112,589.00</u>
Change in Net County Cost	<u>\$0.00</u>

CAO Office Use Only:

4/5's Vote Required Yes () No

Change in Policy () Yes No

New Personnel Yes () No

CONCURRENCES:

Risk Management

County Counsel

Other

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



**OFFICE OF THE
DISTRICT ATTORNEY
EL DORADO COUNTY, CALIFORNIA**

VERN PIERSON, DISTRICT ATTORNEY

February 22, 2007

PAUL S. SUTHERLAND
Assistant District Attorney
Placerville

HANS M. UTHE
Assistant District Attorney
South Lake Tahoe

ROBERT A. BROWN
Acting Chief Investigator

TERESE V. CLUSIAU
Office Manager
Criminal Division

SUE MEYER
Victim/Witness Coordinator
Placerville

El Dorado County
Board of Supervisors
330 Fair Lane
Placerville, California 95667

Subject: District Attorney's Elder and Consumer Protection Unit

Dear Board Members:

Recommendation:

(1) Approve the attached personnel resolution that increases the personnel allocation by five positions as follows:

Deputy District Attorney IV
DA Investigator (2)
Accountant/Auditor
Legal Secretary II

Please Reply To:

■ 515 Main Street
Placerville, CA 95667
(530) 621-6472
Fax (530) 621-1280

(2) Approve the attached Budget Transfer Request that increases revenue and expense by \$112,589 for the balance of FY 06/07.

Reason for Recommendation:

□ 1360 Johnson Blvd., Ste.
105
South Lake Tahoe, CA 96151
(530) 573-3100
Fax (530) 544-6413

Retirees have come to El Dorado County in growing numbers, leading to a greater increase in the older population than the general population. The U.S. Census Bureau reported a 60 percent growth in the 60+ populations in the county between 1980 and 1990.

	1980	1990	Increase
United States	37,000,000	42,344,492	14%
California	3,4000,372	4,234,871	24%
El Dorado County	12,969	20,757	60%

WEB SITE:
www.co.el-
dorado.ca.us/eldoda

During the ten years between 1990 and 2000, the county experienced over a 25 percent growth in the 60+ population. There is a tremendous decrease in the percentage rate but only a small decrease in the actual numbers because of the increased base.

	1990	2000	Increase
United States	42,344,482	45,797,200	8%
California	4,234,871	4,742,499	12%
El Dorado County	20,757	26,023	25%

*Source: 2000 Census data, U.S. Census Bureau

These retirees often possess a lifetime of accumulated wealth on which they intend to retire. Unfortunately, retirees are very often the target of scam artists and predatory business practices. Between July, 2006 and December, 2006, 100 cases involving elders were referred to the District Attorney for investigation. We anticipate an increase in prosecutions and prevention of crimes against elders.

The El Dorado County Board of Supervisors has recognized the growing retiree population in this county and acted aggressively to protect its seniors.

In 2001 and 2002, this Board reorganized elder and dependent adult service providers to streamline and coordinate all services. As a result, in September of 2002, APS and IHSS were moved under the direction of Community Services Department to co-locate with MSSP/Linkages, Information and Assistance, and Public Guardian. This continuum of services was known as Home of the Elder and Adult Resources Team (HEART). The move was very successful. The ability to intervene quickly was utilized to the benefit of many clients. Prior to this we had a strong MDT which was only enhanced by the change.

With improved response time and improved intervention and protection it became apparent that we didn't have the mechanism in place for active prosecution of these "paper crimes". Then last year the BOS filled that need by the action that was taken that we now call EPU (Elder Protection Unit). This pioneering unit brings together the respective members of law enforcement, Health and Human Services (APS, Public Guardian and Conservator, Elder Legal Services), and County Counsel.

The proposed expansion of this unit will complete this effort by enhancing staffing to include supplemental investigative resources and a forensic auditor. Elders are often the target of financial scam which involve numerous documents and bank records. A forensic auditor would be a necessary resource in the prosecution of financial crimes. The expanded resources will largely target fraud-related activities to include consumer and environmental protection, real estate fraud, and workers' compensation fraud. This proposed expansion will be completed and sustained by the use of existing grants and trust fund revenue.

These positions will complete the organization of the new Elder and Consumer Protection Unit as indicated on the attached organization chart. The new organization incorporates the existing District Attorney component of the Elder Protection Unit, Workers' Compensation Insurance Fraud program, and Real Estate Fraud program.

Fiscal Impact:

The Elder Protection component will continue to be funded by the general fund and the Elder Vertical Prosecution grant. Real Estate Fraud component will be funded from the fees collected on new real estate recordings and deposited in the Real Estate Prosecution Trust. New funding will come from the Workers' Compensation Insurance Fraud grant (\$175,000) and several trust accounts containing funds received in prior civil settlements.

All funding sources are shown on the attached spreadsheet.

Note that the existing trust funds can support the program for several years without receiving any new incoming settlement funds (except for the Real Estate Fraud Prosecution Trust that is currently generating about \$110,000 per year).

There is no impact on Net County Cost; Net County Cost is \$0.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Pierson', with a stylized flourish at the end.

VERN PIERSON
District Attorney

VP:nva



RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
AMENDING THE AUTHORIZED PERSONNEL ALLOCATION RESOLUTION
WITHIN EL DORADO COUNTY**

BE IT RESOLVED AND ORDERED, that the El Dorado County Board of Supervisors authorize the Director of Human Resources to make any technical corrections if needed;

NOW BE IT FURTHER RESOLVED AND ORDERED, that the Board of Supervisors of El Dorado County does hereby amend, modify and/or alter its Authorized Personnel Allocation Resolution of Positions of El Dorado County as set forth below:

Department	Class No.	Class Title	Departmental Total Positions			Grand Total
			Allocated	Filled	Proposed	
District Attorney	5201-5204	Deputy District Attorney I/IV	18	17	+1	19
District Attorney	5603	Investigator (Dist Attorney)	7	7	+2	9
District Attorney	3305	Accountant/Auditor	0	0	+1	1
District Attorney	2401/02	Legal Secretary I/II	7	7	+1	8

Director of Human Resources

Date

Department Head confirms that the above represents the department's current and proposed allocation of positions.

[Handwritten Signature]

Department Head

2/21/07

Date

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 2006, by the following vote of said Board:

Ayes:

Noes:

Absent:

Attest:
Cindy Keck
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: CINDY KECK, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By: _____

Elder and Consumer Protection Unit

02/20/2007

	Current Allocation	New Allocation	Estimated Total Cost	General Fund	Elder Grant	Workers' Comp. Grant	RE Fraud Trust	Prop 64 Trust
Deputy DA IV*		1	144,562			20% 28,912	30% 43,369	30% 43,369
Deputy DA IV (Mas)	1		144,562		100% 144,562			
DA Investigator (Lindholm)	1		128,517	98% 126,098	2% 2,419			
DA Investigator		1	128,517			100% 128,517		
DA Investigator		1	128,517				50% 64,259	50% 64,259
Accountant/Auditor (Forensic Auditor)		1	87,000			15% 13,050	20% 17,400	65% 56,550
Legal Secretary II**		1	59,266			30% 17,780		40% 23,706
	2	5	820,941	126,098	146,981	188,259	125,027	187,884

* 20% in Auto Fraud Grant

** 30% in Auto Fraud Grant

auto fraud

Eastman 133,000
 Deputy DA IV 20% 28,912
 Legal Secty II 30% 17,780

179,692

matrix - Elder and Consumer Protection Unit

AUDITOR / CONTROLLER'S USE	
TRANSFER #	27149
DATE	
CODE BY	

EL DORADO COUNTY APPROPRIATION TRANSFER (29130 GOV. CODE)

BUDGET TRANSFER REQUEST #1

TO BE COMPLETED BY THE DEPARTMENT	
DOCUMENT TOTAL	
NUMBER OF LINES	
TRANSACTION CODE TOTAL*	

D.A.
DEPARTMENT OR AGENCY NAME

2/20/07
DATE

John Mitchell
DEPARTMENT AUTHORIZATION SIGNATURE AND PHONE NUMBER

COMPLETE THE INFORMATION BELOW WITH JUSTIFICATION NARRATIVE OR ATTACH A MEMO.
REMOVE THE GOLD COPY AND SUBMIT COMPLETE REQUEST TO THE AUDITOR / CONTROLLER'S OFFICE.
A BUDGET TRANSFER MUST BE AT LEAST TWO LINES, NOT EXCEED TWENTY-SIX LINES AND USE AN "ODD AND EVEN" NUMBERED TRANSACTION CODE*
* 002 = INCREASE ESTIMATED REVENUE * 011 = INCREASE IN APPROPRIATION / BOS APPROVED
* 003 = DECREASE ESTIMATED REVENUE * 012 = DECREASE IN APPROPRIATION / BOS APPROVED

S F X	TRANS CODE NO.*	INDEX CODE NUMBER	SUB OBJECT NUMBER	USER CODE NUMBER	AMOUNT	DESCRIPTION (50 CHARACTERS MAX.)
1	011	7722330	7000		8710 30,000	FY06/07 AUTO FRAUD BUD EXP AUTO FRO
2	002	220230	2020		8710 30,000	" " BUD REV AUTO FRO
3	011	220230	3000		8710 30,000	" " BUD EXP AUTO FRO
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						

REVIEWED FOR FORMAT BY *Joe Harn* 2/21/07
JOE HARN, C.P.A. AUDITOR / CONTROLLER DATE
Keely Webb 2/23/07
CHIEF ADMINISTRATIVE OFFICE - ANALYST DATE
Laura A. Grel 2/23/07
CHIEF ADMINISTRATIVE OFFICE DATE

APPROVED AND SO ORDERED THAT THE ABOVE TRANSFERS BE MADE (AS REQUESTED OR AMENDED) AND INCORPORATED IN THE MINUTES OF THIS MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

SIGNATURE: CHAIRMAN, BOARD OF SUPERVISORS DATE
ATTEST: CLERK, BOARD OF SUPERVISORS

AUDITOR / CONTROLLER'S USE	
TRANSFER #	27149
DATE	
CODE BY	

EL DORADO COUNTY APPROPRIATION TRANSFER (29130 GOV. CODE)
BUDGET TRANSFER REQUEST #1

TO BE COMPLETED BY THE DEPARTMENT	
DOCUMENT TOTAL	450,356
NUMBER OF LINES	16
TRANSACTION CODE TOTAL*	104

DEPARTMENT OR AGENCY NAME: D.A.

DEPARTMENT AUTHORIZATION SIGNATURE AND PHONE NUMBER: [Signature]

DATE: 2/20/07

PAGE 1 OF

COMPLETE THE INFORMATION BELOW WITH JUSTIFICATION NARRATIVE OR ATTACH A MEMO.
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 * 002 = INCREASE ESTIMATED REVENUE * 011 = INCREASE IN APPROPRIATION / BOS APPROVED
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S F X	TRANS CODE NO.*	INDEX CODE NUMBER	SUB OBJECT NUMBER	USER CODE NUMBER	AMOUNT	DESCRIPTION (50 CHARACTERS MAX.)
1	002	7722363	0343		33,595	PROP 64 ^{BUD} FY06-07 REVENUE PROP 64
2	011	7722363	3000		33,595	PROP 64 FY06/07 ^{BUD} SALARIES EXPENSE PROP 64
3	002	220500	2020		33,595	PROP 64 FY06/07 BUD REV PROP 64
4	011	220500	3000		33,595	PROP 64 FY06/07 BUD EXPENSE PROP 64
5	002	7722362	1000		28,357	RE FRAUD ^{FY06-07} BUD REV RE FRAUD
6	011	7722362	7000		28,357	" BUD EXPENSE " "
7	002	220800	2020		28,357	" BUD REV " "
8	011	220800	3000		28,357	" BUD EXPENSE " "
9	002	7722340	0886		41,927	WORK COMP ^{FY06/07} BUD REV WORK COMP
10	011	7722340	7000		41,927	" BUD EXP " "
11	002	220250	2020		4,927	" BUD REV " "
12	011	220250	3000		41,927	" BUD EXP " "
13	002	7722330	0885		8710 30,000	AUTO FRAUD ^{FY06/07} BUD REV AUTO FRAUD

REVIEWED FOR FORMAT BY: [Signature] DATE: 2/21/07
 JOE HARN, C.P.A. AUDITOR / CONTROLLER

[Signature] DATE: 2/23/07
 CHIEF ADMINISTRATIVE OFFICE - ANALYST

[Signature] DATE: 2/23/07
 CHIEF ADMINISTRATIVE OFFICE

APPROVED AND SO ORDERED THAT THE ABOVE TRANSFERS BE MADE (AS REQUESTED OR AMENDED) AND INCORPORATED IN THE MINUTES OF THIS MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

SIGNATURE: CHAIRMAN, BOARD OF SUPERVISORS DATE: _____

ATTEST: CLERK, BOARD OF SUPERVISORS