



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Mark A. Peterson
DISTRICT ATTORNEY

To: Honorable Supervisor John Gioia

April 21, 2015

Board of Supervisors

From: District Attorney Mark Peterson

Re: 2015/2016 Budget Request (**Revision of 1/25/15 Budget Memo**)

I want to thank you for the opportunity to address you at the Board of Supervisors meeting on December 2, 2014. I was grateful for the opportunity to share with you some of our office's accomplishments over the past four years. As you prepare the county budget for 2015/2016 I was asked to provide a written document that explains some of our office's specific budget needs.

ACCOMPLISHMENTS

You can be very proud of the Contra Costa District Attorney's Office and the 185 employees who work here. We're comprised of approximately 100 deputy district attorneys, 35 investigators, and 50 support staff. Our office is one of the busiest in California, and we are noted for the quality of our attorneys, and for the high number of cases we take to trial. Each year we consistently try more cases than virtually any other office of our size in the state, and we achieve convictions in 80% of our felony jury trials.

Our office is responsible for evaluating all of the police reports submitted to us from over 25 police agencies, including the 19 cities within this county, which results in our office filing approximately 4,000 felony and 8,000 misdemeanor cases every year. We're also responsible for investigating all officer involved shootings in the county.

During the last four years, our **Special Prosecutions Unit** has prosecuted numerous consumer fraud cases, including a recent metal recycling fraud case which resulted in a \$4 million settlement against a multi-national corporation. This unit also prosecuted numerous environmental crime cases, including a criminal case against the Chevron Corporation for the 2007 Richmond refinery fire. Chevron pled guilty to six misdemeanor charges, paid a \$2 million fine, and agreed to make numerous changes to make the refinery safer. It should be noted that our department is one of the few departments in the county that actually returns monies to the county. Over the past decade, the Special Prosecutions Unit has returned an average of approximately \$500,000 to the county every year.

In 2014, our **Narcotics Unit** participated in an undercover operation which resulted in the seizure of 475 pounds of methamphetamine, valued at \$17 million, and \$950,000 in cash. This was the largest drug seizure in the history of Contra Costa County.

OFFICE PRIORITIES:

Our office priorities continue to be as follows:

Crime Prevention
Reduce gun and gang violence
Innovation and Change
Implement Realignment
Always prosecute misdemeanors

INITIATIVES:

West County Violence Reduction

Since January of 2011, our office has been heavily involved in efforts to reduce gun violence in West Contra Costa County, and specifically, within the City of Richmond. Working closely with the Richmond Police Department, the Sheriff's Office, the Probation Department, and other law enforcement agencies, gun violence in Richmond has dramatically decreased. The homicide rate in Richmond has fallen to its lowest point in three decades. Our office has been very involved in the **Ceasefire** program, and we meet with our other law enforcement partners on a quarterly basis, to strategize how to best continue our efforts.

Anti-Truancy Program

Since January 2011, our office has focused on preventing crime by working to keep kids in school. This program focuses on **increasing school attendance** by sending out letters to truant students, and to their parents, and meeting with those individuals. We employ a deputy district attorney part-time, whose responsibility it is to work with schools in the county to teach classes on topics such as bullying, gun violence, drug abuse, etc. The DDA will assist any school which requests our help.

2013 NEW PROGRAMS

In 2013, our office participated in several new crime prevention programs including partnership with the **West County Family Justice Center**. We also sponsored a **countywide gun buyback event** with took several hundred guns off our county's streets. Our office led the way on a state-wide basis by conducting a **Best Practices survey** of innovative programs used by District Attorney Offices throughout this state.

2014 NEW PROGRAMS

In response to the rise in human trafficking, we began a **Human Trafficking Awareness** campaign in collaboration with Zero Tolerance. This was an educational effort which included billboards to remind the public that human trafficking occurs daily within our county. We improved our **county website** to better serve our citizens.

East County Violence Reduction

In 2014, in order to better address rising gang and gun violence in East Contra Costa County, our office formed the East County Violence Reduction Coalition. We meet quarterly with the police chiefs of the Pittsburg Police Department, the Antioch Police Department, the Brentwood Police Department, the Oakley Police Department, the Sheriff's Office, and other law enforcement agencies including the CHP, FBI, DEA, ATF, and the U.S. Marshall's Office. We strategize about ways in which we can reduce and prevent crime in East County. One of our recent successes was reducing the amount of problems which were occurring at a shopping center next to Deer Valley High School. We will continue these efforts.

2015 NEW PROGRAMS:

In 2015 we established a **Cold Case Unit** to investigate unsolved rape and murder cases throughout our county. Using our investigative unit, we'll partner with local law enforcement to analyze cold cases and determine if our newer scientific methods that can help us solve these types of crimes. We'll also examine the issue of untested rape kits within our county. We're establishing a **Mandatory Reporting protocol** and Best Practices for all of the school districts within the county regarding reporting suspected child abuse. We'll also be partnering with **Family Justice Centers in Central and East County**. We hope to begin our **Courthouse Canine** program to assist young sexual assault victims struggling with the trauma of having to testify in court.

Safe Streets Task Force

In 2015, we established the **FBI/DA "Safe Streets Task Force"** consisting of several FBI agents, District Attorney investigators, and police officers from the Sheriff's Office, Richmond Police Department, Pittsburg Police Department, and Antioch Police Department. The mission of the task force is to reduce gang and gun violence throughout Contra Costa County. They will utilize innovative tactics to accomplish this task by working throughout the county, and will specifically focus on any "hot spots" of crimes, or criminals.

ON-GOING PROGRAMS:

Some of the other programs that our office is involved with include the following:

Attending city council meetings to explain our programs.

Meetings with city attorneys to discuss city issues.

Placing Deputy District Attorneys at the Sheriff's Office, Richmond Police Department, and the Pittsburg Police Department to better meet their needs.

Mailing out Real Estate Fraud Notices when properties are sold or being foreclosed.

Participating in a Risk Assessment Tool trial to help make better bail decisions as to who stays in custody on pending criminal charges.

Expanding the Diversion Program for first-time offenders.

Meeting regularly with our CCP partners.

2014/2015 BUDGET

Our office budget for 2014/2015 was \$33.8 million. Of that total, \$12.6 million (37%) was revenue from Prop 172. \$6.8 million (20%) comes from state and federal grants. Only \$14.4 million (43%) was from county general purpose monies (NCC). 91% of our budget is devoted to salaries and benefits. Thus, any cut to our budget results in fewer employees to do the work.

BUDGET SUCCESSES:

One of the ways in which our office keeps our costs down is our **Fixed-Term contract attorney system**. All new Deputy District Attorneys are hired for three year contract terms. For their initial three years of employment they're paid a significantly lower salary than their counterparts in other counties.

They then undergo a rigorous screening and examination process before they can become permanent employees. This program saves the county tens of thousands of dollars every year.

We recently added the program **Lawyers for America** in conjunction with the Hastings college of Law. Under this program, law students work as law clerks and then as attorneys for our office for approximately two years as full-time employees, at greatly reduced rates. This program is the first of its kind in the United States.

Under Budget:

In each of the past four years, our office has come in under budget:

2010/2011: \$1.2 million under budget

2011/2012: \$1.3 million under budget

2012/2013: \$1.1 million under budget

2013/2014: \$400,000 under budget.

2015/2016 BUDGET:

Status Quo Budget:

Just to maintain a status quo budget, that is, to simply keep and pay the employees we currently have, will require a **\$36 million dollar budget**. This is due to the fact that we'll incur an additional \$2.2 million cost consisting of an \$800,000 increase due to COLAs and step increases, as well as the fact that we've now filled our vacancies, resulting in an additional \$1.4 million dollar cost as well.

Office Needs Budget:

Our office currently needs to hire 4 more deputy district attorneys and to fill three civilian positions. These employees are needed in the following areas:

4 Deputy District Attorneys (\$600,000):

- 1 Deputy District Attorney to prosecute Sexual Assault cases.
- 1 Deputy District Attorney to handle Domestic Violence cases at the Family Justice Centers.
- 1 Deputy District Attorney to prosecute Gang cases in East County.
- 1 Deputy District Attorney to prosecute Public Corruption cases.

3 Civilian Positions (\$200,000):

- 1 Grant Writer
- 1 Crime Scene Reconstruction Specialist
- 1 Victim Restitution Specialist

Thus, our office needs the following budget:

2014/2015 Budget: \$33.8 million
2015/2016 Budget: \$36 million (Status Quo)
 \$2.2 million increase:
 \$800,000 COLAs and Steps
 \$1.4 million - filled vacancies

2015/2016 Budget: \$36.8 million needed

 \$800,000 increase – DDAs/ employees

It should be noted that the increase in Net County Costs for each of the other law enforcement partners' budgets over the past five years have exceeded ours:

Sheriff: 15.7%
Probation: 9.7%
Public Defender: 12.4%
Conflicts: 17%
District Attorney: 7.6%

Net County Costs in the District Attorney's Office over the past five years have averaged less than 2%. In fact, while the Public Defender and Conflicts have received a \$3 million increase in NCC monies over the last five years, the NCC increase for the District Attorney's Office has been only \$1 million.

OUR MISSION

The mission of the District Attorney's Office is to seek justice and to enhance public safety for all our residents. We do this by fairly, ethically, aggressively, and efficiently prosecuting those who violate the law, and by working to prevent crime.

As an office, we have many accomplishments to be proud of over the last four years. We've instituted numerous crime prevention programs and initiatives to help us fulfill our mission. I'm very appreciative of the leadership of the Board of Supervisors in making certain that public safety is a priority in Contra Costa County. I am hopeful that our office budget will continue to reflect that priority. If you have any questions, please don't hesitate contact me at your convenience. Again, thank you for your leadership.

Sincerely,

Mark Peterson
District Attorney