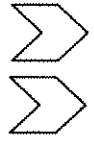
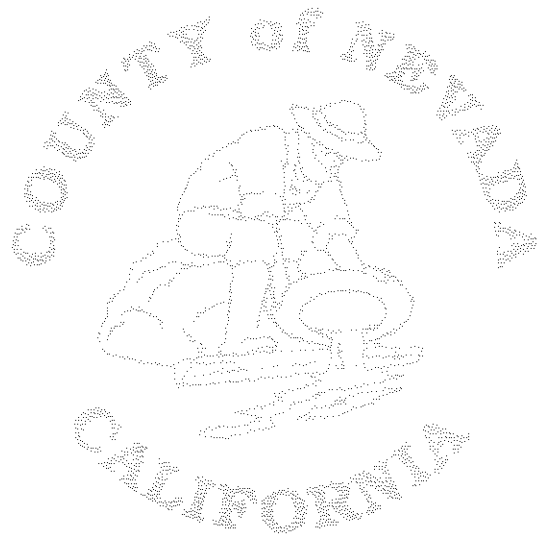


DISTRICT ATTORNEY
Clifford Newell



District Attorney (20103) \$ 3,263,407





District Attorney Summary

	<u>05/06</u> <u>Actual</u>	<u>06/07</u> <u>Adopted</u>	<u>06/07</u> <u>Estimated</u>	<u>07/08</u> <u>Proposed</u>	<u>07/08</u> <u>Adopted</u>	<u>% Change</u> <u>From Prior</u> <u>Adopted</u>
Revenues						
Taxes	-	-	-	-	-	NA
Licenses, Permits & Franchises	-	-	-	-	-	NA
Fines, Forfeitures, & Penalties	8,909	11,875	1,500	10,800	10,800	-9.1%
Use of Money & Property	1,319	975	1,834	1,834	1,834	88.1%
Federal/State Intergovernmental	216,841	251,011	318,428	339,033	339,033	35.1%
Charges for Services	20,916	26,340	20,500	28,000	28,000	6.3%
Miscellaneous Revenues	22,551	22,750	39,842	22,000	22,000	-3.3%
Other Financing Sources	728,447	761,016	761,016	790,028	790,028	3.8%
General Fund Transfers	-	-	-	-	-	NA
General Fund Allocation	1,980,612	2,046,779	1,985,553	2,072,333	2,072,333	1.2%
Total Revenues	2,979,595	3,120,746	3,128,673	3,264,028	3,264,028	5%
Expenses						
Salaries & Benefits	2,472,554	2,638,957	2,601,090	2,753,329	2,753,329	4.3%
Services & Supplies	321,604	249,504	289,168	369,008	369,008	47.9%
Other Charges	-	-	-	-	-	NA
Overhead Cost Allocation (A87)	192,709	239,915	239,915	175,616	175,616	-26.8%
Capital Assets	-	-	-	-	-	NA
Other Financing Uses	-	-	-	4,579	4,579	NA
Interfund Activity	(7,272)	(7,780)	(1,500)	(39,125)	(39,125)	402.9%
Contingency	-	-	-	-	-	NA
Total Expenses	2,979,595	3,120,596	3,128,673	3,263,407	3,263,407	5%
Fund Balance Added (Used)	-	150	-	621	621	
Staffing:	25.50	26.50	26.50	28.50	28.50	

		June 30, 2007 Projected Fund Balance	FY 07/08 Revenue	FY 07/08 Expense	FY 07/08 Net Change	June 30, 2008 Projected Fund Balance
General Fund	Fund #0101	*	3,221,194	3,221,194	-	*
DUI Lab Fees	Fund #1369	4,915	41,000	42,213	(1,213)	3,702
DA Asset Forfeiture	Fund #1454	10,953	444	-	444	11,397
DA Auto Ins Fraud	Fund #1455	19,877	716	-	716	20,593
DA Environmental Enforcement	Fund #1457	18,715	674	-	674	19,389
			3,264,028	3,263,407	621	

* See General Fund Balance and Reserves in Section I for the FY 2007-08 General Fund analysis.



District Attorney

Mission Statement:

The mission of the Office of the District Attorney of Nevada County is to provide exemplary legal services to enhance public safety and create a sense of security in the community through vigorous enforcement of the law in a just, honest, efficient and ethical manner, and, while doing so, to treat all people in a professional, honest, and respectful manner.

Service Description:

The department of the Nevada County District Attorney has offices in both Nevada City and Truckee. The District Attorney's office reviews investigations conducted by law enforcement agencies, sometimes conducts its own investigations or joint investigations, makes filing decisions regarding criminal complaints, and handles misdemeanor and felony cases at all stages of the proceedings, both adult and juvenile.

Specialized vertical prosecution units have been established to handle child abuse, spousal abuse, sexual assault, statutory rape, drug cases, driving under the influence cases, and auto theft cases.

The office also has a Non-Sufficient Funds bad check diversion program that educates those who qualify for this fee for service program and collects restitution.

Major Accomplishments in 2006-07

For the calendar year ending December 31, 2006,

- The Criminal Division has processed 998 felony referrals resulting in 641 felony complaints. There were 2987 misdemeanor referrals leading to 2264 misdemeanor complaints. There have been 6 felony jury trials, 10 felony court trials, 12 misdemeanor jury trials and 13 misdemeanor court trials.
- Cleared 89% of felony cases filed, and 87% of misdemeanor cases filed
- The District Attorney's Office has handled 880 law enforcement direct files and 38 violations of probation.
- On the juvenile side, there have been 183 new petitions for juvenile wardships and 1 contested juvenile court hearing.

Objectives & Performance Measures for 2007-08:

Objective:

Identify, purchase and install by June 2008 a new Case Management System.

Performance Measures:

- Obtain ISSB approval to release RFP by May 31, 2007.
- Evaluate and select a vendor by Jul 31, 2007.
- Obtain ISSB approval of vendor by Sep 1, 2007.
- Award contract by Sep 30, 2007.
- New system in place by Jun 30, 2008.

Objective:

Clear approximately 93% of both felony and misdemeanor cases filed in calendar year 07.

Performance Measures:

- Continue to evaluate cases, insist on pleas, and argue for appropriate sentences.

Objective:

Reduce by 10% the number of criminal cases dismissed because of insufficient evidence.

Performance Measures:

- Evaluate and only file criminal cases in which a plea of guilty or less serious charge can be obtained.
- Continue to track the number of cases dismissed outright because of insufficient evidence. (Note: Sometimes a case is dismissed because of insufficient evidence or because witnesses were unavailable.)

Objective:

Insure maximum input and discussion among attorneys in select cases involving difficult factual or legal issues by staffing more of these cases at weekly attorney meetings.

Performance Measures:

- Meet regularly to discuss facts of case and defendants background for disposition or filing purposes.
- Brief the staff on the open opportunity to promote the discussion of these cases.



District Attorney

Objective:

Continue to identify and target repeat felony offenders.

Performance Measures:

- Track the number of cases in a calendar year involving a defendant with one or more prior felony convictions.
- There were 76 such cases in 2002, 34 such cases in 2003, 75 such cases in 2004, and 141 such cases in 2005 and 82 in 2006.

Objective:

Increase cooperation and expand partnerships with local law enforcement.

Performance Measures:

- Provide in-house training to each of the four law enforcement agencies.
- Require each attorney commit to at least training a class or participate in a "ride-along" with a local law enforcement agency.

Objective:

Develop a more aggressive asset forfeiture unit within the District Attorney's Office.

Performance Measures:

- Collect and distribute \$10,000 in asset forfeiture dollars.

Objective:

Revise the countywide interagency MOU on marijuana growing and possession consistent with Proposition 215 and SB420.

Performance Measures:

- Have new guidelines determined by April 1, 2007.
- Implement new policy by May 1, 2007.

Objective:

Increase the availability for appropriate treatment for non-violent drug users consistent with the mandates of Proposition 36.

Performance Measures:

- Assist in the collaborative effort to develop a therapeutic court based on the "Drug Court" model to meet the needs of those that fall outside of Proposition 36 and are not eligible for existing drug court.
- Have a program in place in calendar year 2007.

Objective:

Insure that victim restitution is being made to victims prior to termination of any grant of probation.

Performance Measures:

- File violations of probation in any case where victim restitution is not being paid.
- Prevail in at least 50% of contested hearings. * (*If defendant is truly indigent we cannot prevail on a willful failure to pay action.)

Objective:

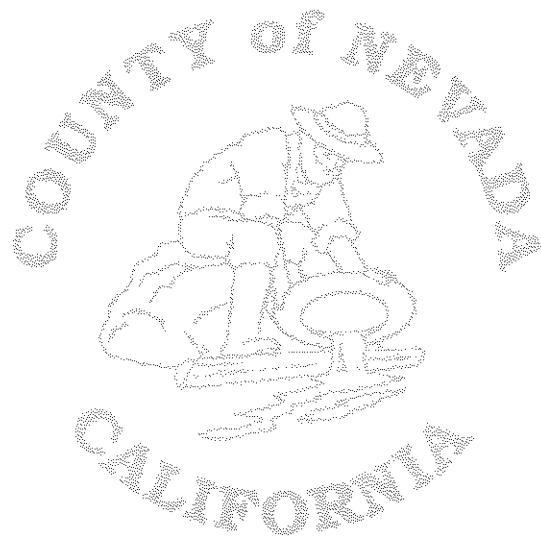
Continue to promote respect and compassion for victims of crimes by providing necessary information in a timely and professional manner.

Performance Measures:

- Explain reasons for decisions as measured by making 100% of all felony cases available to the Nevada County Victim Witness Program for review within 5 days of filing the case
- Make 100% of all SRVP and VAWA cases available to the Nevada County Victim Witness Program or Domestic Violence Sexual Assault Coalition advocates within 5 days of filing the case

Service Budget Unit Code	- 20103
Office/Department	- District Attorney
Major Service Area	- Public Protection/Judicial





District Attorney (20103)

	<u>05/06</u>	<u>06/07</u>	<u>06/07</u>	<u>07/08</u>	<u>07/08</u>	<u>% Change</u>
	<u>Actual</u>	<u>Adopted</u>	<u>Estimated</u>	<u>Proposed</u>	<u>Adopted</u>	<u>From Prior</u>
						<u>Adopted</u>
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Licenses, Permits & Franchises	-	-	-	-	-	NA
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Other Financing Uses	-	-	-	4,579	4,579	NA
Interfund Activity	(7,272)	(7,780)	(1,500)	(39,125)	(39,125)	NA
Contingency	-	-	-	-	-	NA
Total Expenses	2,979,595	3,120,596	3,128,673	3,263,407	3,263,407	5%
Fund Balance Added (Used)	-	150	-	621	621	
Staffing:	25.50	26.50	26.50	28.50	28.50	

2007-08 Fund Analysis:

		<u>Revenues</u>	<u>Expenses</u>	<u>Fund Balance</u>
				<u>Added (Used)</u>
General Fund	Fund #0101	3,221,194	3,221,194	-
DUI Lab Fees	Fund #1369	41,000	42,213	(1,213)
DA Asset Forfeiture	Fund #1454	444	-	444
DA Auto Ins Fraud	Fund #1455	716	-	716
DA Environmental Enforcement	Fund #1457	674	-	674
		3,264,028	3,263,407	621

Comments/Analysis of Differences:

Revenues will remain flat except for slight increases in Prop 172, VAWA and SRVP grant funding. Class one expenditures have decreased due to the retirement of senior staff and class two expenses have grown because of increases in training, professional services and office expense. In addition, in FY 2006-07, class two expenses were reduced to absorb leave payouts for retiring staff. Subcommittee approved 1 FTE Deputy District Attorney I and 1 FTE District Attorney Investigator.

Public Hearing Comments:

Adopted as proposed.



