



Executive Office  
County of Riverside

Larry Parrish  
County Executive Officer

March 19, 2008

Honorable Board of Supervisors  
County of Riverside  
Robert T. Andersen Administrative Center  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, California 92501-3651

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Subject: **REQUEST FOR FOUR POSITIONS IN THE DISTRICT ATTORNEY'S OFFICE**

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Board Members:

The District Attorney is requesting the addition of four Supervising Deputy District Attorney (SDDA) positions to staff the Vertical Calendar Departments (VCD) and Pre-preliminary Hearing Conference Departments (PPCD). The net-county-cost impact would be \$289,472 in the current fiscal year, with an annual impact of \$990,367.

This request is related to needs identified by the Riverside Criminal Backlog Reduction Working Group (The Working Group), comprised of criminal justice partners within Riverside County including the District Attorney, Public Defender, Conflict Panel Attorneys, Probation Department, Sheriff's Office and judges, which is focusing on case management to achieve backlog reduction in case load activity. The Board recently approved increases to the conflict panel services (Criminal Defense Lawyers and Barbara Brand) by amending their existing indigent defense contracts on March 11, 2008. These contracts are for a specific period of time and do not have long-term funding implications, unlike increases to County departments. Due to the nature of this effort, impacts on other criminal justice partners (Public Defender, District Attorney, Probation Department and the Sheriff) should also be considered to maintain system balance.

It is our practice to recommend that *off-budget requests* such as this be referred to the upcoming budget hearings. We appreciate that the District Attorney has indicated that he can temporarily shift positions to support this program. This will allow the Board to consider this request among other general fund priorities as part of a comprehensive budget planning process.

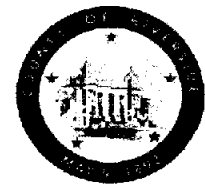
Therefore, it is **RECOMMENDED** that the Board of Supervisors refer this request back to the District Attorney to submit as part of the FY 2008/09 budget process.

Respectfully Submitted,

LARRY PARRISH  
County Executive Officer

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

424



**FROM:** District Attorney

**SUBMITTAL DATE:**

March 11, 2008

**SUBJECT:** Amend Ordinance No. 440 pursuant to Resolution 440-8774 submitted herewith.

**RECOMMENDED MOTION:** Move that the Board of Supervisors:

1. Approve the attached Resolution 440-8774 to add 4 Supervising Deputy District Attorney positions.
2. Approve and direct the Auditor Controller to make budget adjustments as shown in Attachment A.

**BACKGROUND:** In August 2007, the Chief Justice of California, Ronald M. George, sent a task force of judges to Riverside County to assist with the backlog of criminal cases that had accumulated because the chronic shortage of judicial resources. In addition to sending a task force of trial judges, the Chief Justice assigned Justice Richard Huffman of the Fourth District Courts of Appeal to lead an effort to reorganize the Riverside County Superior Court's case management system to prevent a similar backlog in the future. Since then, Justice Huffman has led the Riverside Criminal Backlog Reduction Working Group (The Working Group) comprised of criminal justice partners within Riverside County including the District Attorney, the Public Defender, Conflict Panel Attorneys, the Probation Department, the Sheriff's Office, and the judges from the Riverside Superior Court.

(continued)

Rod Pacheco, District Attorney

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 289,472	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 289,472	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 990,367	For Fiscal Year:	2007-2008

<b>SOURCE OF FUNDS:</b> General Funds	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input checked="" type="checkbox"/>

**C.E.O. RECOMMENDATION:** See attached letter.

BY:   
Steve P. Schubert

**County Executive Office Signature**

FISCAL PROCEDURES APPROVED  
 ROBERT E. BYRD, Auditor-Controller  
 BY: Samuel Wong, Deputy  
 3/17/08 Departmental Concurrence

Dep't Recomm.:  Consent  Policy  
 Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.:

District: ALL

Agenda Number:

3.8

This Working Group collaborated to develop a new criminal court case management system that will be implemented on March 17, 2008. The goal is to focus criminal justice resources on the tens of thousands of criminal cases filed each year at an early stage of the proceedings to more effectively handle criminal cases. The new system is expected to bring justice to victims sooner and save them and witnesses from the time and expense required under the old system where they must continuously return to court as cases age in the judicial system.

Under the new system, the Riverside County Superior Court has adopted the Working Group's plan to create Vertical Calendar Departments (VCD) and Pre-preliminary Hearing Conference Departments (PPCD). Five VCD and one PPCD courts will be in Riverside. Three VCD and one PPCD courts will be in Southwest. The Indio Larson Center will have three VCD and one PPCD courts. As a result, additional resources are needed to staff the newly created courtrooms. The Board has already addressed a similar need by the Criminal Defense Lawyers and Barbara Brand in the Desert Region by amending their existing Indigent Defense Contracts on March 11, 2008.

The Working Group has determined that staffing the VCD and PPCD courts with Supervising Deputy District Attorneys (SDDA) is critical to the success of the new case management system. As indicated by Justice Huffman in the attached letter, only experienced Supervising Deputy District Attorneys can ensure that criminal cases are best handled according to the demands for justice in the VCD and PPCD courts. While the District Attorney's Office can temporarily shift SDDAs to staff the VCD and PPCD courts, this is not a long term solution since it leaves other units within the District Attorney's Office without experienced supervision. One example is that the SDDAs in charge of the homicide units in Riverside, Murrieta and Indio will now be required to handle courtroom responsibilities instead of homicides and death penalty cases.

Currently, only eight SDDAs regularly staff courts in Riverside, Southwest, and in the Desert. The new demand of the court reorganization will require fourteen SDDAs to staff courtrooms. The requested four SDDA positions are critical to ensure that the District Attorney's Office meets its commitment to staff the VCD and PPCD appropriately to ensure the success of the new system while at the same time continuing to supervise Deputy District Attorneys. Even with four additional SDDAs our management resources will still be stretched to their maximum capacity. When the new system is implemented on March 17, 2008, we will have only seven SDDAs who are not staffing a courtroom available to supervise our prosecutors and paralegals countywide. So we have an urgent need to add SDDAs now and cannot wait until the end of the fiscal year that's almost four months from now. Therefore, we are requesting partial funding for the remainder of FY 07-08 and full funding for future years.

RESOLUTION NO. 440-8774

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on \_\_\_\_\_, 2008, that pursuant to Section 5.A. of Ordinance No. 440, the District Attorney is authorized to make the following listed change(s), operative on the date of approval, as follows:

<u>Job Code</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
78536	+ 4	2200100000	Supervising Deputy District Attorney

**Attachment "A"**

Increase Appropriation:

10000-2200100000-510040:	Regular Salaries	\$	157,231
10000-2200100000-518100:	Budgeted Benefits		57,201
	Subtotal Appropriation 1		<u>214,432</u>

10000-2200100000-520200:	Communications		2,000
10000-2200100000-522310:	Maint-Building and Improvement		8,000
10000-2200100000-523640:	Computer Equip-Non Fixed Asset		10,000
10000-2200100000-523680:	Office Equip Non Fixed Assets		34,000
10000-2200100000-523700:	Office Supplies		9,840
10000-2200100000-526700:	Rent-Lease Bldgs		9,000
10000-2200100000-527840:	Training-Education/Tuition		<u>2,200</u>
	Subtotal Appropriation 2		75,040

**Net County Cost \$ 289,472**

Note <These costs are to be offset by an increase in our fund balance.>

For Steve Schubert in the Executive Office

**Attachment "A"**

	Current Year Budget Impact	Current Year Annual Budget Impact	FY '08-'09 Annual Budget Impact
<b>Increase Appropriation:</b>			
10000-2200100000-510040: Regular Salaries	\$ 157,231	\$ 628,924	\$ 628,924
10000-2200100000-518100: Budgeted Benefits	57,201	228,803	228,803
Subtotal Appropriation 1	214,432	857,727	857,727
10000-2200100000-520200: Communications	2,000	8,000	8,000
10000-2200100000-522310: Maint-Building and Improvement	8,000	8,000	-
10000-2200100000-523640: Computer Equip-Non Fixed Asset	10,000	10,000	-
10000-2200100000-523680: Office Equip Non Fixed Assets	34,000	34,000	-
10000-2200100000-523700: Office Supplies	9,840	27,840	24,000
10000-2200100000-526700: Rent-Lease Bldgs	9,000	36,000	36,000
10000-2200100000-527840: Training-Education/Tuition	2,200	8,800	8,800
Subtotal Appropriation 2	75,040	132,640	76,800
<b>Net County Cost</b>	<b>\$ 289,472</b>	<b>\$ 990,367</b>	<b>\$ 934,527</b>

Note <These costs are to be offset by an increase in our fund balance.>

JUSTIFICATION:

**Court Reorganization Task Force**

3

Months

**Salaries & Benefits**

Object Code	PosNo	Description	Ave Actual	Actual	Number of Positions	Position Type
510040	78536	SUPV DDA	157,231	628,924	4	Regular Salaries
518100		BUDGETED BENEFITS	36.38%	228,803		
		Salaries	3,289,286	628,924	Total	4
		Benefits	22.9380	228,803		
		<b>Total Salaries/Benefits</b>		<b>857,727</b>		<b>214,432</b>

**Services & Supplies**

Object Code	Description	Projected Actual	Actual	
	<b>One time start up cost</b>			
522310	Maint - Bldg	2,000	2,000	
523640	Computer Equipment	2,500		
523680	Office Equipment	8,500		
524580	Background/Ref Serv	575	2,300	
524840	Fingerprinting Serv	85	340	
525220	Pre-Employment Services	300	1,200	
	<b>Total One time start up cost</b>	<b>17,460</b>	<b>55,840</b>	<b>55,840</b>
	<b>On going cost</b>			
520200	Communications	2,000	8,000	2,000
523100	Memberships	1,000	4,000	1,000
523700	Gen Operating Exp	5,000	20,000	5,000
526700	Building Rent/Lease	9,000		
527840	Training	2,000		2,000
527840	Training	200		200
	<b>Total On going cost</b>	<b>30,950</b>	<b>76,800</b>	<b>19,200</b>

**Includes 0 Vehicle**

**Net**

990,367

289,472



## Court of Appeal

FOURTH DISTRICT, DIVISION ONE  
750 B STREET, SUITE 500  
SAN DIEGO, CALIFORNIA 92101

CHAMBERS OF  
RICHARD D. HUFFMAN  
ASSOCIATE JUSTICE

March 10, 2008

Honorable Roy Wilson, Chairman  
Riverside County Board of Supervisors  
4080 Lemon Street, 4th Floor  
Riverside, CA 92501

Sent via Federal Express c/o District Attorney Rod Pacheco

Dear Mr. Wilson:

I understand that Riverside District Attorney Rod Pacheco is requesting four Supervising Deputy District Attorney positions to support the new criminal case management system recently implemented by the Superior Court. I am writing in support of that request.

Last year I was assigned by Chief Justice Ronald M. George to work with the Riverside Superior Court and its justice partners to help that court deal with its crushing caseload and a significant backlog of criminal and civil cases. As I am sure you are aware, Riverside County has experienced dramatic growth in population, which has brought with it a substantial growth in criminal and civil cases. The court, however, has not had any significant increase in resources until this past year when seven new positions were authorized by the Legislature. Those are the first of what we hope will be a total of 20 new positions over the next few years.

In an effort to assist the Riverside court with its significant backlog of cases the Chief Justice commissioned a strike force of judges to work on the older criminal cases. Twelve full-time judicial positions were provided to Riverside for a period of four months. In January 2008, the strike force positions were reduced to six full-time positions to serve until June 30, 2008. The reduction in staffing took into account the authorization of seven new positions, which positions have now been appointed. At the request of the Riverside Presiding Judge, the Chief Justice also authorized three additional full-time judicial positions to handle civil trials at the former Hawthorne Elementary School.

The strike force judges and those assigned to civil trials have successfully handled hundreds of matters for the court. However, the caseload in Riverside County is so high and the backlog of civil and criminal cases is so substantial that simply providing additional judicial resources on a short term basis will not solve the problem of delay in the trial court. In addition to the judicial resources that have been provided, the Administrative Office of the Courts has obtained assistance from a consultant with expertise in criminal case management and has brought substantial technical and administrative support to the court and its justice partners to assist the group in finding long term solutions to the backlog and delay problems facing the local court.

A working group, which includes the leaders of the criminal justice system in Riverside, was convened and the members have invested countless hours examining the current system and making recommendations for change. The group has agreed on significant changes to the case management system, which we hope will permit the court to process its cases in a more timely fashion.

One of the key components of the new system will be the addition of four calendar management courts throughout the county. The addition of those courts will provide the court and the parties the opportunity to obtain just and fair resolutions to many of the cases at an earlier point in the process than has been the case under the current system. Earlier resolution of cases should reduce the number of court appearances and should also reduce the time defendants spend in the county jail as pretrial detainees. Reduction in the number of appearances and the length of pretrial delay should reduce the overall per-case cost for criminal cases.

In order to make this new system function the District Attorney will need to staff the new calendar departments with experienced supervising attorneys. Any effort to find early resolutions, that are consistent with the need to achieve just and proper outcomes in all cases, is heavily dependent on having consistent, experienced prosecutors in each of the calendar departments. District Attorney Pacheco is committed to making the necessary staffing changes in his office and to work collaboratively with the court and the other justice partners to make the new system both expedient and fair.

The current backlog of cases and the attendant delays experienced by civil and criminal litigants are costly in financial as well as human terms. The length of pretrial detentions has increased, the cost of multiple appearances is high, and inability to handle criminal cases in a timely manner has adversely impacted the right of the citizens of Riverside to have full access to their courts.

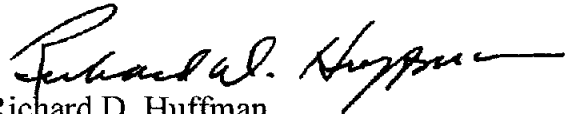
Honorable Roy Wilson, Chairman  
Riverside County Board of Supervisors  
March 10, 2008  
Page 3

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Staffing the calendar courts is but one step in a complex process that has been addressed by all of the Riverside justice partners in a collaborative fashion with one overarching goal and that is to better serve the citizens of your community. So, on behalf of the strike force judges, the consultant and the administrative staff who have worked with the leaders of your criminal justice system, I urge your favorable consideration of the request of the District Attorney for four Supervising Deputy District Attorney positions.

I would be pleased to speak with you or any member of your staff if I can be of assistance in reviewing the current request.

Sincerely,



Richard D. Huffman  
Associate Justice

cc: Members, Riverside County Board of Supervisors  
Mr. William Vickrey, Administrative Director of the Courts