

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

748



**FROM:** Executive Office

**SUBMITTAL DATE:**  
July 21, 2009

**SUBJECT: Response to 2008-2009 Grand Jury Report: Riverside County  
District Attorney's Office**

**RECOMMENDED MOTION:** That the Board of Supervisors receive and file the Executive Office response to the Grand Jury Report on the Distract Attorney's Office.

**BACKGROUND:** On June 2, 2009, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Riverside County District Attorney. The Executive Office has responded to items that are pertinent. The Executive Office has been advised that the District Attorney, an elected official, has forwarded responses to the above Grand Jury report directly to the Presiding Judge of the Superior Court.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to the matters under the control of the Board, and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

H:\GJURY\09\Jury response\DA\11.7.09.doc

Departmental Concurrences

*Gary Christmas*

**GARY CHRISTMAS**  
Chief Deputy County Executive Officer

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

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

**C.E.O. RECOMMENDATION:** APPROVE

BY: *Jay E. Orr*  
Jay E. Orr

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley  
Nays: None  
Absent: None  
Date: July 21, 2009  
xc: E.O., Grand Jury, Presiding Judge, DA, Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By: *[Signature]*  
Deputy

**Prev. Agn. Ref.:** 3.9 & 3.10 - 7/11/06 | **District:** | **Agenda Number:**

**3.100**

Dept's Recomm.:  Consent  Policy   
 Per Exec Ofc.:  Consent  Policy

**DISTRICT ATTORNEY'S OFFICE  
Response to Findings and Recommendations**

**FINDINGS:**

**The District Attorney's Office will respond to Finding Numbers 1, 2 and 3.**

**Number 4:**

In June 2007, the Board of Supervisors authorized the creation of an Executive Division, consisting of nine personnel, with the DA's office. Documentation disclosed that the Executive Division resulted in an increase of \$296,068 to the DA's office budget for FY 2007/2008 and \$492,190 in FY 2008/2009.

The Grand Jury review of the budget proposal reveals that the Executive Division's functions replicate duties previously performed by existing staff.

**Response:**

**Respondent agrees with the finding.**

**RECOMMENDATIONS:**

**The District Attorney's Office will respond to Recommendation Numbers 1, 2 and 3.**

**Number 4:**

Eliminate the Executive Division, returning its functions to the personnel previously performing them. In view of current economic conditions return the unused funds to the County.

**Response:**

**The recommendation requires further analysis.**

The Board of Supervisors determines the budget and the overall number of employees for all county departments and agencies. As an independent elected official, the District Attorney develops the organizational structure and staffing plan for his office within the final budget approved by the board.

The final county budget for the district attorney for FY 2009/2010 was set at \$93,952,398. This included both a 10% reduction in general fund budget and an additional 10% reduction in the net county cost portion of the payroll budget for management, confidential and unrepresented unit and those employees represented by the Deputy District Attorney Association and members of the Service Employees International Union (SEIU). Proposition 172 funding was originally not included in the district attorney's FY 2009/2010 proposed budget, but was restored by the board in the final budget.

The Executive Office will continue to work with District Attorney and his staff to ensure that the approved budget is implemented.