



# CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION

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January 23, 2009

The Honorable Darrell Steinberg  
Senate President pro Tempore  
State Capitol  
Sacramento, CA 95814

Dear Senator Steinberg:

The California District Attorneys Association, representing 57 elected district attorneys, 12 prosecuting city attorneys, and more than 2,500 deputy district attorneys, deputy city attorneys, and deputy attorneys general statewide, has reviewed the Governor's proposed budget and wishes to express its firm opposition to several provisions concerning public safety in California.

We recognize the magnitude of the unprecedented budget shortfall facing our state and the sacrifice necessary to put California's fiscal house in order. However, we believe that many of the proposals contained in the Governor's budget disproportionately impact prosecutors, irrevocably damage public safety in California, and serve only to exacerbate our economic problems.

A plummeting economy will increase crime in California, endangering our residents, and making it more difficult for our communities to protect existing businesses and attract new ones. The programs targeted for elimination are essential to law enforcement's efforts to protect public safety in such critical areas as **child abuse, gang violence, the proliferation of methamphetamine, crimes against our vital agricultural industry, and the escalating use of the Internet and technology to exploit children and the elderly.**

The enacted 2008-09 budget already reduced expenditures by 10 percent in critical criminal justice grant programs overseen by the Office of Emergency Services (OES), the entity now included within the California Emergency Management Agency. These programs include War on Methamphetamine (Cal-MMET), Vertical Prosecution Block Grant, High Technology Theft Apprehension and Prosecution, Rural Crime Prevention, and Sexual Assault Felony Enforcement.

The Administration's most recent budget plan proposes **the complete elimination of these programs, crippling the ability of prosecutors to protect public safety.** We cannot emphasize strongly enough that whatever short-term savings might be realized from these cuts will be dwarfed by a corresponding increase in criminal activity in these areas.

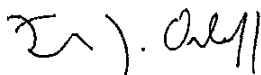
County governments are already reeling from substantial declines in Proposition 172 and property tax revenues. Deeper cuts are anticipated as counties struggle to balance their budgets. These local reductions will be compounded by the proposed cuts to COPS funding, which augments law enforcement programs statewide. The proposed elimination of OES funding for critical prosecution programs will eviscerate the efforts of many counties to protect the most vulnerable segments of our communities.

As you confront the daunting task of trying to restore California's financial stability, we respectfully urge you to remember the admonition contained in Article 1, Section 28 of the state constitution setting forth the paramount importance of providing for the public safety.

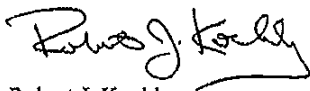
Or, as Governor Schwarzenegger has said, "The first duty and highest obligation of government, and my number one priority as Governor is to protect public safety."

Attached is a list and description of some of the programs targeted for elimination in this budget. Please contact your elected district attorneys and/or prosecuting city attorneys for more information on how these cuts would affect their ability to protect your constituents.

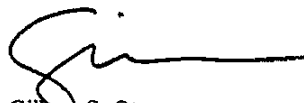
Very truly yours,



Thomas J. Orloff  
District Attorney  
Alameda County



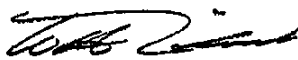
Robert J. Kochly  
District Attorney  
Contra Costa County



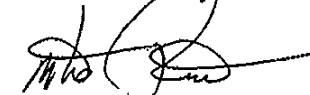
Gilbert G. Otero  
District Attorney  
Imperial County



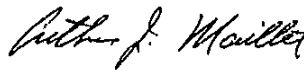
Rockard J. Dellgadillo  
City Attorney  
City of Los Angeles



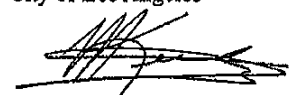
Will Richmond  
District Attorney  
Alpine County



Michael D. Riese  
District Attorney  
Del Norte County



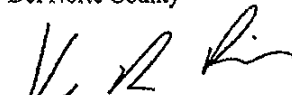
Arthur Maillet  
District Attorney  
Inyo County



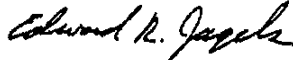
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District Attorney  
Madera County



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District Attorney  
Amador County



Vernon Pierson  
District Attorney  
El Dorado County




Edward R. Jagels  
District Attorney  
Kern County



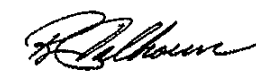
Edward Berberian  
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District Attorney  
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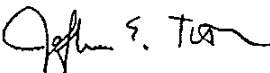
Elizabeth Egan  
District Attorney  
Fresno County



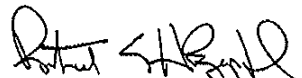
Ronald L. Calhoun  
District Attorney  
Kings County



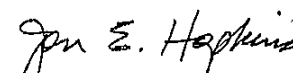
Robert H. Brown  
District Attorney  
Mariposa County



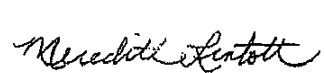
Jeffrey Tuttle  
District Attorney  
Calaveras County



Robert S. Holzapfel  
District Attorney  
Glenn County



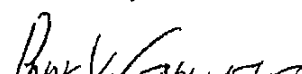
Jon Hopkins  
District Attorney  
Lake County



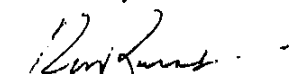
Meredith Lintott  
District Attorney  
Mendocino County



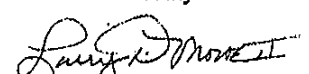
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Kamala Harris  
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J. Kirk Andrus  
District Attorney  
Siskiyou County

Donald Segerstrom  
District Attorney  
Tuolumne County

Tony Rackauckas  
District Attorney  
Orange County

James Willet  
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District Attorney  
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Stephan R. Passalacqua  
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Plumas County

James P. Fox  
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San Mateo County

Birgit Fladager  
District Attorney  
Stanislaus County

Patrick J. McGrath  
District Attorney  
Yuba County

Rod Pacheco  
District Attorney  
Riverside County

Christie Stanley  
District Attorney  
Santa Barbara County

cc: The Honorable Arnold Schwarzenegger

CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION  
STATEMENT REGARDING  
PROPOSED PUBLIC SAFETY FUNDING REDUCTIONS

We unanimously object to the Governor's proposed complete elimination of funding for the following vital district attorney programs:

- **High Technology Theft Apprehension and Prosecution Program – \$12 million:** Funds regional Identity Theft Units and High Technology Regional Crimes Task Forces. Criminals and predators now use high technology to victimize unsuspecting citizens and the most vulnerable members of our society including children and the aged. Each year, the funded task forces (including dedicated district attorney investigators and prosecutors) investigate, solve, and prosecute countless numbers of identity theft, child pornography, “traveler” child molest, and complex fraud cases. Task force members also use sophisticated forensic software to examine a huge volume of computer evidence on everything from a simple cell phone to large-scale main frame computers. For example, in Ventura County the task force annually examines computer evidence that would equate to a stack of paper more than a mile high. Without this funding, each regional task force will be forced to close its doors and law enforcement's ability to protect the public from these most insidious crimes will be permanently damaged.
- **Vertical Prosecution Block Grant Program – \$14.6 million:** Funds the use of experienced prosecutors to prosecute cases from beginning to end in the areas of child abuse, statutory rape, elder abuse, major narcotic vendors, and career criminals. Crimes against women, children, and the aged are unquestionably the most difficult cases we prosecute; the victims are often emotionally fragile, the applicable law and evidence is complex, and a high proportion of the cases proceed to trial. Moreover, the stakes for our communities are high because the probability of re-offense is greater among these predators. These cases demand highly trained prosecutors who have the time and expertise to focus on these cases from the filing of the complaint to conviction and sentencing.
- **Rural Crime Prevention Program – \$3.7 million:** Utilizes local and regional task forces to prevent the theft of agricultural equipment, livestock, and produce, and to apprehend and prosecute those responsible for the crimes. Agriculture is a leading industry in California that has direct impact on the state's economic health and resources. Each year, California's growers suffer millions in losses due to theft, vandalism, and fraud. These losses also translate into higher costs to California consumers. Agricultural crimes occur in remote locations in the dark of night, complicating law enforcement's ability to apprehend and prosecute the offenders. Rural Crime funds enable law enforcement to combat these economic crimes with highly trained rural crimes detectives and prosecutors and the use of specialized technology to capture images of the perpetrator during the commission of crimes. Elimination of this funding leaves one of California's leading industries unprotected from economic crime.

- **Sexual Assault Felony Enforcement – \$5.1 million**: Funds multi-jurisdictional efforts to identify, monitor, arrest, and assist in the prosecution of sex offenders who violate the terms and conditions of their parole or probation, who fail to comply with their registration requirements, or who commit new sex crimes. Sex offenders have very high recidivism rates and careful monitoring of these predators is essential to prevent them from preying on innocent adults and children.
- **CAL-MMET (California Multi-Jurisdictional Methamphetamine Enforcement Team) – \$19.5 million**: Funds combined teams of narcotics detectives and prosecutors to combat the scourge of large-scale methamphetamine manufacturing and distribution. Methamphetamine is the most dangerous illegal drug that has ever confronted law enforcement and our communities. This highly addictive, inexpensive, and easily manufactured drug is the most abused in California, destroying lives, profoundly impacting our youth, and contributing to violent crime.
- **Gang Violence Suppression Program – \$1.6 million**: Addresses the prevention, intervention, and suppression of violent gang activities through a multi-jurisdictional approach involving agencies that deal with law enforcement, prosecution, probation, prevention, and education. These funds are vital to allow prosecutors and police to work directly in the community to combat gangs through both tough prosecution and innovative crime prevention programs.