



Legislation Text

File #: 20-32, Version: 1

Adopt a resolution to amend the List of Numbers and Classifications of Positions to add 1.0 FTE Deputy District Attorney V and delete 1.0 FTE Deputy District Attorney IV

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The District Attorney recommends that the Board of Supervisors adopt a resolution to amend the List of Numbers and Classifications of Positions to add 1.0 FTE Deputy District Attorney V and delete 1.0 FTE Deputy District Attorney IV.

SUMMARY/DISCUSSION:

The Deputy District Attorney V (DDA V) classification is characterized by the responsibility to lead others or perform difficult assignments involving complex factual and legal issues. The DDA V is distinguished from the Chief Deputy District Attorney classification in that the Chief Deputy District Attorney is responsible for supervising the operations of a Legal Division. The DDA V position is distinguished from the Deputy District Attorney IV (DDA IV) classification in that the DDA IV does not provide for leading and directing attorneys within a division. DDA Vs in the District Attorney's Office prosecute the most serious homicide, domestic violence, and sexual assault cases, supervise prosecution teams in the department, or a combination of both responsibilities. The District Attorney's Office is currently allocated 7.0 FTE DDA V.

The District Attorney seeks the addition of 1.0 FTE DDA V to supervise the Financial Crimes Unit. The Financial Crimes Unit consists of the Consumer and Environmental Crimes Unit, the Real Estate Fraud Unit, the Workers' Compensation Unit, and the Automobile Fraud Unit. The Financial Crimes Unit is unique as it includes both criminal and civil prosecution units, where final disposition includes financial restitution for victims of real estate fraud, auto insurance fraud, workers' compensation fraud, consumer fraud, and environmental fraud. Civil prosecution often requires knowledge and expertise in different types of laws and court procedures.

The DDA V assigned to the Financial Crimes Unit will coordinate and manage court coverage for the unit, act as a liaison between the prosecution unit and the Management Team regarding department policies, procedures, and legal updates, attend case filing meetings and assist with filing decisions, and review pre-plea agreements, making sure the proposed sentence matches the defendant's conduct.

The addition of a DDA V eliminates the need for future assignment pay to ensure there are adequate lead positions in the department to support the various crime units.

FINANCIAL IMPACT:

The current salary range per the Listing of Classes & Salaries for the Deputy District Attorney IV is between \$131,000 (Step 1) to \$159,232 (Step 5). The salary range for Deputy District Attorney V is \$150,650 (Step 1) to \$183,117 (Step 5). Based on the Step 5 salary, the add/delete of the Deputy District Attorney V for the Deputy District Attorney IV will result in additional cost to the District Attorney of \$23,885 at the time when the

new Deputy District Attorney V reaches step 5. The increase in labor cost for FY2019/20 will be absorbed by the Department's existing Budget and requires no General Fund contribution. The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

ALTERNATIVES:

The Board of Supervisors could elect not to adopt the resolution amending the allocation list; however, there's a substantial need for an additional DDA V in the District Attorney's Office to lead the work of the attorneys assigned to the Financial Crimes Unit.

OTHER AGENCY INVOLVEMENT:

The District Attorney has consulted with the County Administrator's Office and the Human Resources Department regarding the change in the classification from Deputy District IV to a Deputy District Attorney V.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION