Mission Statement

Uphold Alameda County as a safe and livable community through the fair and effective administration of justice; compassionate and committed support of crime victims; innovative programs that provide opportunities for rehabilitation and reintegration; and programs designed to enhance the lives of vulnerable populations, children and youth for a bright, healthy future.

Values

**Truth** - Always pursue the truth.

**Justice** - Demonstrate commitment to fair and equitable justice for all.

**Integrity** - Uphold the public trust and operate with the highest integrity.

**Courage** - Have the courage to do what is right.

**Innovation** - Value innovative thought and programs that improve outcomes for the community.

**Collaboration** - Work collaboratively with the public safety partners, community-based organizations and the community at large to achieve justice.

**Communication** - Value and practice open, transparent communication.

**Respect** - Acknowledge and hear diverse views and respect all persons.

**Civility** - Treat all persons with civility.

**Diversity** - Value the rich diversity of Alameda County and ensure that it is reflected in the women and men who serve in the Alameda County District Attorney's Office.
## District Attorney

### Financial Summary

<table>
<thead>
<tr>
<th>District Attorney</th>
<th>2018-19 Approved Budget</th>
<th>2019-20 Maintenance of Effort Budget</th>
<th>Change from 2018-19 Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Amount</td>
</tr>
<tr>
<td>Appropriations</td>
<td>$84,828,937</td>
<td>$84,280,690</td>
<td>$(548,247)</td>
</tr>
<tr>
<td>Revenue</td>
<td>$15,782,514</td>
<td>$12,808,054</td>
<td>$(2,974,460)</td>
</tr>
<tr>
<td>Net County Cost</td>
<td>$69,046,423</td>
<td>$71,472,636</td>
<td>$2,426,213</td>
</tr>
<tr>
<td>FTE - Mgmt</td>
<td>243.66</td>
<td>245.66</td>
<td>2.00</td>
</tr>
<tr>
<td>FTE – Non-Mgmt</td>
<td>84.88</td>
<td>87.88</td>
<td>3.00</td>
</tr>
<tr>
<td>Total FTE</td>
<td>328.54</td>
<td>333.54</td>
<td>5.00</td>
</tr>
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</table>
## Major Components of Net County Cost (NCC) Change (in millions)

<table>
<thead>
<tr>
<th>Component</th>
<th>NCC Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary and Employee Benefits. COLAs &amp; Retirement</td>
<td>($4.71)</td>
</tr>
<tr>
<td>· Major Drivers - Retirement of Pension Obligation Bonds (- $4.83 million)</td>
<td></td>
</tr>
<tr>
<td>Internal Service Fund Adjustments</td>
<td>$2.48</td>
</tr>
<tr>
<td>· Major Drivers - Increases in Risk Management Charges and BMD Space Rental</td>
<td></td>
</tr>
<tr>
<td>Increased costs related to Discretionary Services &amp; Supplies</td>
<td>$0.19</td>
</tr>
<tr>
<td>· Major Drivers - Closed file scanning project &amp; employee wellness</td>
<td></td>
</tr>
<tr>
<td>Total Revenue adjustment</td>
<td>$4.47</td>
</tr>
<tr>
<td>TOTAL NCC Change</td>
<td>$2.43</td>
</tr>
</tbody>
</table>
Appropriation by Department

- District Attorney Grants: $7,413,197 (8.80%)  
- Realignment: $1,250,000 (1.48%)  
- District Attorney: $71,677,130 (85.05%)  
- Public Assistance Fraud: $861,869 (1.02%)  
- Family Justice Center: $2,490,234 (2.95%)  
- Grand Jury: $588,260 (0.70%)  

Total Appropriations: $84.3M
Total Appropriation by Major Object

Salaries & Employee Benefits
$75,052,648
86.81%

Services & Supplies
$11,400,287
13.19%

Intra Fund Transfers
-$2,172,245
Total Revenue by Source

- State Aid: $8,809,547 (68.78%)
- Federal Aid: $620,462 (4.84%)
- Use of Money & Property: $135,620 (1.06%)
- License Fees: $968,175 (7.56%)
- Other Revenue: $1,970,750 (15.39%)
- Fines, Forfeits & Penalties: $303,500 (2.37%)
Implement robust criminal justice strategies that lead to a crime free county through responsive and innovative community engagement while providing effective support for victims and reentry populations.
Community Safety

Provide equitable and effective crime reduction strategies.

Objective 1
Promote strong County-wide community engagement through safety education, awareness, and civic responsibility.

Objective 2
Implement robust, effective neighborhood crime prevention programs.

Objective 3
Ensure geographic based access to the justice system services.
Objective 1

Community Safety

The District Attorney’s Office designs and produces numerous public awareness campaigns to educate our community on public safety issues that affect all of us, including:

- “Art of Peace” – converting seized firearms into works of art
- “STOP HATE” – community campaign against hate crimes
- “Save a Life, Lock Up Your Gun” – firearm safety and awareness
  - AB 688 - Life-Saving Gun Safe Storage Bill
Objective 1

- We also participate in numerous community events where we hear community concerns that help us assess our performance to ensure that we are meeting the needs and expectations of our community.
  - Barbershop Forums
  - National Night Out
  - Chinatown Street Faire
  - Dia de los Muertos Street Festival
  - Solano Stroll
  - St. Patrick’s Day Parade, Dublin
  - Farmer’s Market, Union City
  - Senior Centers

Community Engagement

We attend community events and engage in dialog with community leaders, members and groups.
 Victim Support
Ensure victims of crime are treated with respect, dignity, empathy, and effective support.

Objective 1
Uphold victims’ rights and protections afforded by the criminal justice system.

Objective 2
Provide victim services that are effective and easily accessible.

Objective 3
Implement public safety policies for victims that include options for a restorative justice model.

Objective 4
Enhance victim restitution payments and improve offender accountability.

Objective 5
Educate the public on Victim Rights issues and the community’s role in providing support and services.
We provide over 75,000 services each year to an average of 15,000 victims of crime and their families.

We process 3,000+ applications annually to the California Victims Compensation Board ("VCB").

Over the last decade, we have secured more than $25 million in assistance from the VCB for counseling, witness relocation, funeral-burial and other services for Alameda County residents.

During that same period, we have obtained restitution orders for crime victims totaling in excess of $160 million dollars.

Objective 1 & 4

Victim-Witness Assistance Division

Our Victim-Witness Division consists of 42 dedicated professionals who provide the highest levels of compassionate, trauma-informed care for our community.
We are a model for the State and the Nation.

We are the only Family Justice Center to be designated as an official Trauma Recovery Center.

In support of our Vision 2026 goals, we have secured grant funding and are currently scouting locations to open a second branch of the Family Justice Center to better serve clients in the South and Eastern parts of the county.

Alameda County Family Justice Center

Our Alameda County Family Justice Center provides services to more than 14,000 visitors each year, including 2,000 children.
Re-entry Support

Provide the reentry community with the opportunities to become contributing and productive members of the society.

Objective 1
Reduce re-entry barriers

Objective 2
Develop wrap-around re-entry services that are easy to navigate.

Objective 3
Support services that provide for effective family reunification.

Objective 4
Leverage community partnerships, including public, private and nonprofit organizations, in support of the reentry community.

Objective 5
Provide employment opportunities for individuals who have been justice involved.
Objective 1

- **Project Clean Slate** – Created in 2002, the D.A. partnered with the Superior Court and the East Bay Community Law Center to reduce and expunge 300 criminal convictions in a single-day event at Laney College.

- The event was so successful, our office agreed to continue to host quarterly Clean Slate calendars in partnership with East Bay Community Law Center.

- In 2010, our office expanded Clean Slate to local colleges and trade schools, with Deputy District Attorneys providing on-campus clinics and direct assistance with completion of petitions to expunge and seal criminal records.

- We are now in our 17th year of Project Clean Slate, and are proud to say that we have achieved more than 7,500 reductions and dismissals of criminal convictions through this program.

Reduce re-entry barriers

We will continue our efforts to assist individuals obtain relief from the negative consequences of prior criminal justice system involvement.
Proposition 47 – Passed by the voters in 2014, this Initiative reclassified certain criminal offenses from felonies to misdemeanors.

In 2015, the first full year following passage, the District Attorney provided direct assistance to 1,246 persons seeking reductions of former or current charges under this section.

We currently have NO BACKLOG of Prop 47 petitions in Alameda County.

Reduce re-entry barriers

We will continue our efforts to assist individuals obtain relief from the negative consequences of prior criminal justice system involvement.
The District Attorney’s Office lead the County’s effort to secure a Social Impact Bond grant from the Board of State and Community Corrections (BSCC) for the Alameda County Justice Restoration Project (ACJRP).

We are one of just three counties in the State to receive a Social Impact Bond grant for criminal justice reform.

ACJRP seeks to reduce recidivism and assist persons aged 18 to 34 who have both prior criminal history and new pending charges through the active involvement of peer coaches -- formerly incarcerated individuals and counselors -- who help ACJRP participants to overcome adversity and addiction, access employment, housing, and other services that will ultimately reduce the likelihood of future criminal justice system involvement.
Criminal Justice Strategies

Reduce reliance on incarceration through the development of evidenced-based community justice alternatives.

Objective 1
Create early intervention opportunities through the development of a robust and comprehensive continuum of care system.

Objective 2
Support criminal justice strategies that are based upon data-driven outcomes.

Objective 3
Invest in proven prevention and intervention strategies for youth and adults.

Objective 4
Provide opportunities for successful reintegration of clients into the community.

Objective 5
Incorporate progressive evidence based and quality control practices.
○ Justice Restoration Project (ACJRP): Provides intensive, individualized peer coaching for persons aged 18-34, who have non-serious felony conviction(s) in their history, and have committed a new realigned felony.

○ Early Intervention Court (EIC): Serves non-violent offenders charged with 1170(h) offenses – primarily theft, property crimes and drug sales.

○ Pacific Educational Services (PES) Misdemeanor Pre-Charging Diversion: Pre-charging alternative that diverts individuals away from the criminal justice system in favor of an education-based program.

○ Veterans Treatment Court: Serves Veterans suffering from psychological trauma and/or substance abuse related to their service.

○ Mentor Diversion Court: Diverts persons aged 18-25 who are charged with drug sales.

○ Behavioral Health Court: Serves persons with a diagnosed Axis 1 mental disorder who are charged with non-strike crimes.

○ Drug Court: Secures intense substance abuse treatment for "high risk, high needs" persons charged with drug-related offenses.

○ Reentry Court: Provides increased support for reintegration into the community for felons active to parole or PRCS who are at high/moderate risk to recidivate or violate their supervision terms.

○ Homeless and Caring Court: Community court serving formerly homeless individuals by dismissing tickets, fines, and court fees from previous traffic offenses and non-violent misdemeanor convictions.

○ Transitional Age Youth (TAY) Per PC 1000.9, serves young men, aged 18-20, diverted with a deferred entry of judgment on a first felony.

Alternatives to Incarceration: Collaborative Courts and Programs

The District Attorney diverted 874 arrests to pre-charging diversion programs in 2018.

The District Attorney supports and staffs 10 collaborative courts and programs. These courts and programs handled over 1,000 cases in 2018.
Objective 5

- Prison Pipeline is a myth in Alameda County.
- We account for just 2.66% of the State’s total Prison Population (3,461 out of 129,649 total)
- More than 1/3 of all prison commitments from Alameda County are for homicide offenses (1,251 out of 3,461)
- 95% of prison commitments from Alameda County are for serious/violent felonies
- 91% are crimes against persons
- Drug manufacturing, sales and possession for sale offenses account for just 0.4% of prison commitments from Alameda County (14 commitments total)

Breaking the Prison Pipeline

Official reports from California Department of Corrections and Rehabilitation confirm, NO prison pipeline in Alameda County.
Juvenile Justice

Break the inter-generational cycle of incarceration.

Objective 1
Actively engage youth to provide a pathway to a safe, healthy and empowering future.

Objective 2
Promote the rights of all children to have a strong, inspired, transformational education.

Objective 3
Develop intervention and prevention strategies that focus on reducing youth involvement in the juvenile justice system.

Objective 4
Create alternatives to incarceration for youth who commit low level offenses, first time offenders, and those with special needs.

Objective 5
Promote research based programs for transitional age youth to improve outcomes.
Engage Youth & Transformational Education

Programs for children of all ages in Alameda County who are affected by trauma as a result of crime or interpersonal violence.

- ACFJC Youth Empowerment Programs
- Talk, Read Sing – Early Childhood Literacy
- KidZone/Natalie’s Nook
- Children’s Art Project
- Annual Holiday Party
- Camp Hope
Objective 1

- District Attorney’s Justice Academy (DAJA)
  - A six month learning and working experience for high school students, ages 16 and up, who are interested in pursuing the study of law, justice, social justice, and the courts

- Youth Summer Employment

- In the Schools
  - Coaching Debate Teams
  - Mock Trials
  - Know Your Rights assemblies

Engage Youth & Transformational Education

Engaging and educating youth in the community about the criminal justice system.
Since 2012, we have reduced juvenile court filings by 2/3 (from 1700+ in 2012 to just 598 in 2018)

We have developed successful programs and evidence-based practices to better serve at-risk youth and our community,

- Restorative Justice
- Girls Court
- Collaborative Mental Health Court
- SafetyNet
- Young Women’s Saturday Program
- Stay in School/Male Mentors
- Every Day Counts – School Attendance
## Alameda County District Attorney’s Office

### Human Impacts of Funding Reductions

<table>
<thead>
<tr>
<th>Projected Impacts of Reduction in State Funding</th>
<th>Projected Impacts from the President’s Proposed Budget</th>
<th>Other Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potential cuts to DA training budgets would require more discretionary spending on mandatory continuing legal education, thus less money for discretionary programs.</td>
<td>Potential cuts in Victims of Crime Act (VOCA) funding would impact victim services in Alameda County with possible cuts in grant funding between $4-5 million.</td>
<td>Recent state legislation and Initiatives impose additional mandates on district attorneys offices without any additional resources or staffing.</td>
</tr>
</tbody>
</table>
Senate Bill 620 – Signed by the Governor 10/12/17 – Effective 1/1/18

Allows a court, in the interest of justice, to strike or dismiss a gun enhancement that resulted in the imposition of additional prison time. More than 30 felony cases have come back to us on appeal within the last 12 months under this new law.

Senate Bill 1393 – Signed by the Governor 9/30/18 – Effective 1/1/19

Allows a court to strike a defendant’s prior felony convictions for purposes of sentencing, thereby avoiding the requirement of imposing the additional 5-year prison term for such prior convictions. We expect every active case where a 5-year prior was imposed to come back to us on appeal. That will be literally hundreds of cases.

Staffing Needs and New Mandates

In addition to our increased efforts in support of the Vision 2026 goals, we are experiencing a literal landslide of new legislative mandates that impose even more obligations on our office.
Staffing Needs and New Mandates – cont.

Senate Bill 1437 – Signed by the Governor 9/30/18 – Effective 1/1/19

Existing law allows a defendant to be convicted of murder if they commit an intended felony, like a robbery, that results in someone’s death. These are commonly known as convictions under the “felony murder rule” and the “natural and probable consequences doctrine.” This law allows persons convicted of murder under either of those doctrines to petition the court to vacate such murder convictions and resentence under the lesser felony charge. Over 100 petitions for resentencing under this section have already been filed with the Court, with many more to come.

Assembly Bill 2942 -- Signed by the Governor 9/30/18 – Effective 1/1/19

Existing law allows the court, on its own motion, and within 120 days of imposition of a sentence, to recall and re-sentence the defendant to a lesser sentence. This bill allows resentencing beyond the 120-day jurisdictional limit upon the recommendation of the District Attorney. Current inmates have already begun writing our office requesting that we make a recommendation for resentencing in their case. This could conceivably result in thousands of requests for D.A. intervention.
Staffing Needs and New Mandates – cont.

Assembly Bill 1987 -- Signed by the Governor 9/18/18 – Effective 1/1/19

Existing law requires that, in every case where the defendant is convicted and sentenced to death or to life imprisonment without possibility of parole, the prosecutor shall provide the defendant with reasonable access to all “discovery materials” for purposes of pursuing an appeal. This law expands that right to anyone convicted of a serious or violent crime who is sentenced to 15 years or more in prison upon certain showings to the court. This will add an inordinate amount of work for our staff who are tasked with preserving and copying this discovery.

Senate Bill 1421 - Signed by the Governor 9/3/18 – Effective 1/1/19

This bill modifies the District Attorney’s obligations under the California Public Records Act (“CPRA”). Existing law exempts from disclosure under CPRA investigations or proceedings concerning the conduct of peace officers or custodial officers conducted by a Grand Jury, District Attorney’s offices or the Attorney General. This law creates an exception that would requires CPRA disclosure of certain peace officer/custodial officer personnel records as well as any records related to specific incidents, like officer-involved shootings.
Staffing Needs and New Mandates – cont.

The Impact of Body-worn Police Cams and Digital Discovery

The District Attorney is mandated by law under Penal Code section 1054.1, to provide “discovery” to the defendant in every criminal case. All Alameda County police agencies have now adopted body-worn cameras for their officers. Accordingly, complying with our discovery mandates now requires review and production to the defense of literally millions of hours of digital media from these body cams every year.

The Immediate Need for Resources

All of these new mandates have come without any up-front funding from the State and with no increase in staffing from the County. Although reimbursement of costs may be available to local governments under SB-90, we need additional resources now in order to meet these mandates.
Thank You

Nancy E. O’Malley
District Attorney

Alameda County District Attorney’s Office