

BUDGET AND FINANCE COMMITTEE REPORT relative to a request for additional positions of prosecutors and filing staff to meet the increase in cases resulting from the passage of Proposition 47, The Safe Neighborhoods and Schools Act.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. RESOLVE that the following positions are APPROVED and CONFIRMED for the City Attorney's Office from January 1 through June 30, 2015, in order to prosecute the dramatic increase in cases resulting from the passage of Proposition 47, The Safe Neighborhoods and Schools Act:

Positions Class Title/Code

8	Deputy City Attorney I
7	Legal Clerk II

2. AUTHORIZE the transfer of six months funding for these positions and appropriate \$437,582 from the Reserve Fund to the Unappropriated Balance, and appropriate therefrom to the City Attorney's Office (Fund 100, Department 12, Appropriation Account 1010, Salaries, General).
3. INSTRUCT the Chief Legislative Analyst (CLA) to expedite the exemption of these positions from the Managed Hiring Committee process.
4. REQUEST the Mayor to continue these positions with funding in the Fiscal Year 2015-16 budget to meet the ongoing workload resulting from the passage of Proposition 47.
5. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer (CAO), and AUTHORIZE the Controller to implement the instructions.
6. INCLUDE in the City's 2015-2016 State Legislative Program support for legislation or regulatory action that will recoup a portion of the savings generated by Proposition 47 for City use on implementation of this measure.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted.

**(Personnel and Animal Welfare Committee waived consideration of the above matter)**

SUMMARY

At its regular meeting of December 1, 2014, the Budget and Finance Committee considered a City Attorney report relative to a request for additional positions to meet the increase in cases resulting from the passage of Proposition 47, The Safe Neighborhoods and Schools Act. The City Attorney reports that the voters of California passed Proposition 47 in November 2014

resulting in a wide variety of drug and theft offenses immediately becoming misdemeanor crimes instead of felonies in the State of California. As detailed in the Chief Legislative Analyst's report dated October 2, 2014, the passage of Proposition 47 will result in an immediate shift of misdemeanor cases to the City Attorney that would have previously been handled as felonies by the District Attorney.

The City Attorney further reports that his Office anticipates a dramatic increase in cases being presented - approximately 13,500 new drug and theft-related cases for review annually. From these cases, the Office expects to file approximately 8,800 additional cases on an annual basis - a 17% increase over the current workload. The City Attorney report, attached to the Council file, provides additional background information and a caseload analysis of the request.

During Committee discussion, City Attorney representatives provided an overview of the proposal and responded to related questions from Committee members. After further consideration and having provided an opportunity for public comment, the Committee recommended approval of the City Attorney's recommendations as amended in Committee and detailed in the above recommendations. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

**BUDGET AND FINANCE COMMITTEE**

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
KREKORIAN:	YES
ENGLANDER:	ABSENT
KORETZ:	ABSENT
BLUMENFIELD:	YES
BONIN:	YES

ep  
14-1523\_rpt\_bfc\_12-1-14

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**