



Board Agenda Item 23

DATE: September 24, 2024
TO: Board of Supervisors
SUBMITTED BY: Lisa A. Smittcamp, District Attorney
SUBJECT: District Attorney Waiver of Extra-Help Maximum Hour Limitation

RECOMMENDED ACTION(S):

Authorize a waiver of the 960 hours per calendar year 2024 maximum hours limitation for the Extra-Help position(s) listed on Attachment A, pursuant to the provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240.

There is no additional Net County Cost associated with this action. Approval of the recommended action allows the District Attorney's Office (DA) to address operational needs to sustain essential services affecting public safety. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board could opt not to approve the recommended action, resulting in additional staffing shortages to the core criminal units of the Office.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations and estimated revenues for the positions and for any additional related costs are included in the FY 2024-25 District Attorney Org 2860 Adopted Budget.

DISCUSSION:

On January 13, 2015 and June 7, 2016, your Board reiterated County policy that the use of Extra-Help employees should:

- be of limited duration;
- not be used as a first response to staffing requirements;
- not supplant work regularly performed by permanent employees; and
- only be used to meet the critical, seasonal, or temporary work needs of departments on a limited basis.

On June 7, 2016, your Board approved Salary Resolution Amendments that provided departments with the requested flexibility, while limiting the use of most Extra-Help employees. As provided in those Amendments, the DA is recommending a waiver of the 960-hour annual limitation for the positions listed on Attachment A due to the staffing needs.

Senior District Attorney Investigators are responsible for conducting complex and sensitive investigations to aid in the prosecution of criminal cases. The Extra-Help Senior District Attorney Investigators assigned to the

Domestic Violence, Felony Trials, and Juvenile/Prison Crimes Unit assist Deputy District Attorneys and permanent Senior District Attorney Investigators with the effective prosecution of criminal cases involving family crime, dating violence, stalking, sexual assault, armed robbery, and gun possession. The duties of this position include collecting evidence, locating victims and witnesses, serving subpoenas for trial, serving body attachments for uncooperative witnesses, and testifying in preliminary and jury trials.

Investigative Technician is the primary support position for the Bureau of Investigations in the District Attorney's Office. This position is responsible for assisting Senior District Attorney Investigators in all aspects of case investigations, including coordinating witnesses, pulling and transcribing jail calls, testifying in court, and preserving and collecting evidence. The Extra Help Investigative Technician assigned to the Family Protection and Financial Crimes Units assist on cases involving domestic violence, dating violence, stalking, sexual assault, child abuse, financial fraud, and identity theft.

Your Board's approval of the recommended action will allow the positions listed in Attachment A in the DA to exceed the annual maximum hour limitation for Calendar Year 2024.

REFERENCE MATERIAL:

BAI #37, June 7, 2016
BAI #19, January 13, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

Fine Nai