



Board Agenda Item 27

DATE: September 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney-Public Administrator

SUBJECT: Waiver of Extra-Help Maximum Hours Limitation

RECOMMENDED ACTION(S):

Authorize a waiver of the 960 hours per calendar year 2018 maximum hours limitation for Extra-Help positions listed on Attachment A, pursuant to the provisions set forth in the Salary Resolution, Section 1000 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-Public Administrator's Office (DA-PA) to address operational needs to sustain essential services affecting public safety. The seven Extra-Help Senior District Attorney Investigator and Investigative Technician positions listed on Attachment A are recommended for waiver. This item is countywide.

ALTERNATIVE ACTION(S):

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

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations for the positions and for any additional costs, which could be assessed under the Affordable Care Act (ACA), are included in the FY 2018-19 District Attorney Org 2860 Recommended 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 the Salary Resolution Amendments, the Department is recommending a waiver of the 960 hours per calendar year limitation for Extra-Help Senior District Attorney Investigator and Investigative Technician

positions as listed on Attachment A.

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 Unit assist Deputy District Attorneys and permanent Senior District Attorney Investigators with the prosecution and reduction of domestic violence in the county. The cases from this unit are some of the most difficult to handle due to elements of family crime, dating violence, stalking, and sexual assault. Investigators develop cases involving reluctant victims and witness to successfully prosecute cases in trial. Duties include collecting evidence, locating victims and witnesses, serving subpoenas for trial, and serving body attachments for uncooperative witnesses. The Extra-Help Senior District Attorney Investigator assigned to the Environmental Crimes Unit is responsible for identifying and remediating illegal waste tire disposal, in accordance with state regulations. Duties include surveillance of illegal disposal, reporting of activity, and preparing investigative reports for prosecution of environmental crimes.

Investigative Technicians assist Senior District Attorney Investigators in the Major Crimes, General Investigations, and Special Operations divisions of the Bureau of Investigations. Extra-Help Investigative Technicians are responsible for listening to and transcribing jail calls, watching and transcribing surveillance video, and testifying in court on the validity of handled evidence. Cases generated from these high-volume violent crime units involve homicide, aggravated assault, robbery, and weapon possession.

The DA-PA will still be subject to and will comply with all other Extra-Help rules and requirements.

REFERENCE MATERIAL:

BAI #37 - June 7, 2016

BAI #19 - January 13, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

Jeannie Z. Figueroa