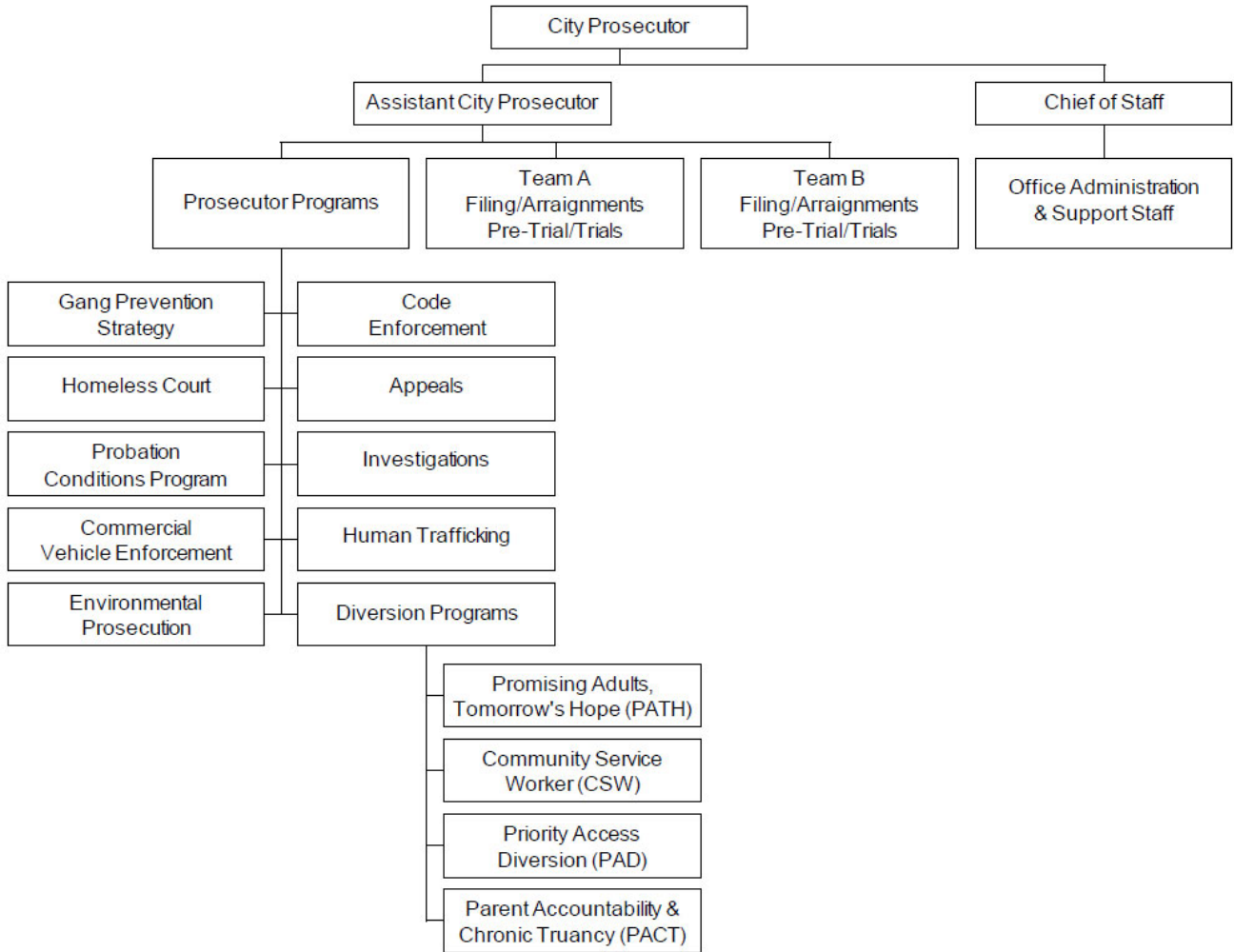


City Prosecutor



Mission Statement

It is our mission to ethically and effectively prosecute the guilty, protect crime victims, and improve the quality of life in Long Beach. We are committed to ensuring that justice is done.

Department Goals

Overview

The City Prosecutor is responsible for the prosecution of adult misdemeanor and infraction violations of state and local law, typically about 14,000 cases each year. The City Prosecutor's Office also handles appeals and writs of habeas corpus, and drafts and renders legal opinions regarding penal ordinances.

Types of Cases Prosecuted

Cases prosecuted by the City Prosecutor range from relatively minor crimes to significant acts of violence; however, the District Attorney, not the City Prosecutor, prosecutes all felonies and juvenile cases.

The following is a small sampling of some of the crimes prosecuted by the City Prosecutor:

- Driving under the influence of alcohol or drugs
- Battery
- Supervising a Prostitute
- Overweight commercial vehicles
- Vehicular manslaughter
- Commercial Burglary
- Failure to register as sex offender
- Child and Elder abuse
- Lewd conduct in public
- Resisting or obstructing a law enforcement officer
- Cruelty to animals
- Vandalism
- Graffiti
- Reckless driving
- Building without a permit (e.g., garage conversion)
- Driving on suspended license
- Public Intoxication/Under the influence of drugs
- Violation of court order (includes gang injunctions)
- Domestic violence
- Hit and run
- Carrying concealed weapon
- Code Enforcement
- Unlicensed business
- Contributing to the Delinquency of a minor
- Possession of heroin, cocaine, methamphetamine

Investigating Agencies

A number of state, county and city agencies and departments present cases to the City Prosecutor's Office. After an investigating agency presents a case for potential criminal prosecution, the City Prosecutor must independently review the facts and law to determine if the matter is appropriate for criminal prosecution. Examples of some investigating and referring agencies include:

- Long Beach Police Department
- Other City Departments including: Code Enforcement, Health and Human Services Department, Animal Care Services, Harbor Patrol, Fire Department, Building & Safety
- CA Contractors State Licensing Board
- CA Highway Patrol
- LA Sheriff's Department
- CA Department of Fish & Game
- Cal-OSHA
- Cal-EPA
- CSU Police Department
- Other prosecuting agencies (e.g., District Attorney, Attorney General)

FY 22 Accomplishments

Priorities and Accomplishments

The Long Beach City Prosecutor's Office is true to its Mission Statement, which states, "It is our mission to ethically and effectively prosecute the guilty, protect crime victims, and improve the quality of life in Long Beach." All City Prosecutor employees recognize the duty to fairness to which we are charged: "We are committed to ensuring that justice is done."

Response to COVID-19

As the most significant public health crisis of this generation, the COVID-19 global pandemic has affected every aspect of the criminal justice system. The handling of misdemeanor cases has changed in many significant ways, including the following: (1) virtually all misdemeanor arrestees are released on \$0 bail; (2) many persons serving their post-conviction sentences were released to reduce jail congestion; (3) most cases scheduled for court have been continued multiple times creating a backlog of pending cases which are just now starting to be scheduled for trial; and (4) an increasing number of criminal defendants did not appear for their court dates, resulting in a large volume of arrest warrants.

Criminal Justice Innovations

In 2019, the City Prosecutor's Office received what was then the largest grant in its history. The U.S. Department of Justice awarded \$360,000 from the Innovative Prosecution Solutions (IPS) Grant Program to the City Prosecutor's Office to develop a mobile app called GUIDES, designed to connect or reconnect persons suffering from mental illness, substance abuse, or homelessness to the services they need.

The Long Beach City Prosecutor's Office's IPS grant was one of only 20 grants awarded nationally, and was the largest grant given to a California agency in 2019. The grant includes funding for development of the app, training, and an evaluation. Although the COVID-19 pandemic has caused delays, the GUIDES app is currently in beta testing by Long Beach police officers. The app should be fully operational by the end of 2022.

In December 2021, the City Prosecutor's Office was notified it had won the largest grant in the history of the office. The award amount of \$900,000 will be expended over 3 years and allow for the previous Law Enforcement Assisted Diversion (LEAD) pilot program to be expanded to the areas where it is needed most in Long Beach. LEAD is a pre-booking diversion program which involves law enforcement connecting people directly into social services from an initial contact. The first LEAD pilot was administered by the County of Los Angeles. Much was learned from the pilot program and we are well-positioned to expand LEAD citywide with this new grant opportunity. In addition, the GUIDES app will be used in this new grant program since police officers are often the ones making the initial contact with persons needing services.

Leader in Court Diversion

The City Prosecutor's Office continues to be a leader in creative diversion programs that will reduce crime long term, save taxpayers money, and reduce court congestion. In 2016, the Office initiated the Promising Adults, Tomorrow's Hope (PATH) program to assist 16-24 year-old offenders. Diverting youthful offenders into employment services and career opportunities not only saves taxpayers money, but it helps to improve the rehabilitative outcomes for justice-involved persons.

FY 22 Accomplishments

The PATH program is believed to be the first of its kind in the country. PATH has grown since its inception and will change more in the future as the services needed by youthful offenders also changes. One change under consideration is the expansion of PATH to those over the age of 24.

Another program for which the department is nationally known is the City Prosecutor's Community Service Worker (CSW) program, also known as CSW. In 2016, the City Prosecutor's Office was recognized by Neighborhoods USA, as the "Best Neighborhood Program" in America. This award was given by NUSA at its annual conference in Memphis, TN, in the *Physical Revitalization* category. NUSA stated:

"In Long Beach, Calif., neighborhood groups and non-profit organizations get more done in less time with help from the City's Community Service Worker program, implemented by the Long Beach City Prosecutor's Office. What started as court diversion has grown into an innovative program that beautifies and restores public areas while empowering individuals and saving taxpayers money."

The CSW program allows low level, first-time offenders to perform community labor in lieu of facing jail time or significant fines (which often go unpaid). The CSW program has saved taxpayers hundreds of thousands of dollars over the past 8 years, while beautifying and improving our public beaches, wetlands, parks, and streets.

In 2017, the City Prosecutor's Office was notified that it was selected to participate in the first State-funded pre-booking diversion program known as Law Enforcement Assisted Diversion (LEAD). The LEAD grant provided significant resources to those detained or arrested for drug or prostitution-related offenses and provided services in lieu of the traditional criminal justice process. Data has been collected and analyzed and the successes of the pilot will provide valuable information for the newly awarded grant.

Also created in 2017, the Priority Access Diversion (PAD) program focuses on the most chronic offenders in Long Beach who also suffer from mental health and/or substance abuse. PAD provides a residential (live-in) treatment program as an alternative to incarceration in jail, and the City Prosecutor's Office has dedicated one prosecutor and one social worker to focus on assisting PAD-eligible defendants. Due to the continuing rise in homelessness and the reluctance of some people to accept treatment, the PAD program is expected to become a growth area for the City Prosecutor's Office. In conjunction with PAD, the City Prosecutor's Office started a Homeless Court project with funding from Los Angeles County Supervisor Janice Hahn. This project assists homeless people with services as well as old, nonviolent criminal cases.

Environmental Prosecution

The City Prosecutor's Office continues to expand the work of its Environmental Prosecutions section started six years ago with a \$50,000 grant from the National Fish and Wildlife Foundation (NFWF). In addition to handling cases referred by the California Department of Fish and Game, the office looks for other areas where it can advance the work of protecting the environment.

One area that remains active is in commercial vehicle enforcement. While most trucking companies go to great lengths to comply with all environmental and safety regulations, some businesses attempt to gain a competitive advantage by carrying unsafe loads. Recently, the City Prosecutor's Office secured what is believed to be the largest misdemeanor court fine ever in the history of the Long Beach Courthouse against Oakland-based Pacific Coast Container. PCC pleaded "no contest" to 47 misdemeanor counts and was ordered to pay fines and penalties in excess of \$460,000 for transporting dangerous and overweight loads in violation of State law.

FY 22 Accomplishments

RISE Program

The FY 19 budget included one-time funding for the City Prosecutor's Office to aid with post-conviction relief for persons who are eligible to have their records cleared, and a number of other case clearing assistance. The City Prosecutor's Restoration Initiative for Safety and Employment (RISE) provides post-conviction relief and expands pre-filing diversion programs designed to hold first-time offenders accountable while reducing the impact of criminal convictions. In partnership with several local community groups throughout Long Beach, free "fresh start" events were held to assist residents. Although the program is no longer receiving funds, the City Prosecutor's Office continues to hold fresh start expungement events on a periodic basis ensuring that the community has access to post-conviction relief.

Neighborhood Impact Prosecution

For the FY 23 Budget, the City Council approved \$100,000 to provide Neighborhood Impact Prosecution. This is a localized strategy that works closely with the Long Beach Police Department, neighborhood and business associations, and other stakeholders to address persistent crime problems. After the fiscal year, an evaluation will be provided to explain how the program has impacted the affected neighborhoods.

Budget Constraints

One of the most important priorities for the City Prosecutor's Office is to stabilize funding which was significantly cut and has never been fully restored. Despite those cuts, the City Prosecutor's Office has taken on even more responsibility, including the development of diversion and alternative sentencing programs. Future cuts could impair the department's ability to continue some of its programs or fulfill its charter-mandated duties and jeopardize public safety.

The Department continues to look for new sources, such as grants and cost recovery programs, to stabilize funding so it can accomplish its duties. Innovative programs, such as the PATH diversion program, the Community Service Worker (CSW) program, and environmental prosecution each year are threatened with elimination by budget uncertainty.

For a more detailed list of the City Prosecutor's programs and accomplishments, visit: www.CityProsecutorDougHaubert.com.

Financial Summary by Category

	Actual FY 21	Adopted* FY 22	Adjusted** FY 22	Adopted* FY 23
Revenues:				
Property Taxes	-	-	-	-
Sales and Use Taxes	-	-	-	-
Other Taxes	-	-	-	-
Utility Users Tax	-	-	-	-
Franchise Fees	-	-	-	-
Licenses, Permits and Fees	-	-	-	-
Fines and Forfeitures	-	-	-	-
Use of Money & Property	-	-	-	-
Revenue from Other Agencies	150,501	-	-	-
Charges for Services	43,173	121,327	121,327	129,616
Other Revenues	1,788	-	-	-
Intrafund Services	-	-	-	-
Intrafund Transfers	-	-	-	-
Interfund Services	-	-	-	-
Interfund Transfers	29,630	-	-	-
Other Financing Sources	-	-	-	-
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Total Revenues	225,091	121,327	121,327	129,616
Expenditures:				
Salaries and Wages	3,049,231	3,279,366	3,555,829	3,499,319
Employee Benefits	1,893,351	2,214,748	2,214,748	2,349,316
Overtime	11,125	4,000	4,000	4,000
Materials, Supplies and Services	179,012	258,016	423,164	258,016
Interfund Support	437,816	581,591	581,591	542,395
Intrafund Support	-	-	-	-
Capital Purchases	-	-	-	-
Insurance Premiums and Losses	1,460	1,841	1,841	1,841
Other Non-Operational Expenditures	-	-	-	-
Operating Transfers	29,630	-	-	-
Intrafund Transfers Out	-	-	-	-
Purchase of Gas & Water	-	-	-	-
Depreciation and Non Cash Expenditures	-	-	-	-
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Total Expenditures	5,601,624	6,339,562	6,781,172	6,654,887
Budgeted FTEs	38.38	38.38	38.38	38.38

* Amounts exclude all-years carryover. See budget ordinance in back of this document.

**Adjusted Budget as of April 30, 2022.

Note: The City is currently maintaining two different financial systems and until a new budget development software is established, the financial information displayed in the future may have further adjustments.

Personnel Summary

Classification	FY 21 Adopt FTE	FY 22 Adopt FTE	FY 23 Adopt FTE	FY 22 Adopted Budget	FY 23 Adopted Budget
City Prosecutor	1.00	1.00	1.00	249,930	266,775
Assistant City Prosecutor	1.00	1.00	1.00	204,829	217,368
Chief of Staff - Prosecutor	1.00	1.00	1.00	131,179	136,477
Community Service Worker Program Coord	1.00	1.00	1.00	73,307	82,127
Deputy City Prosecutor	2.00	2.50	2.50	240,962	236,033
Deputy City Prosecutor I	2.70	2.70	2.70	294,261	311,017
Deputy City Prosecutor II	2.00	2.00	2.00	210,188	226,848
Deputy City Prosecutor III	4.00	4.00	4.00	516,053	537,056
Deputy City Prosecutor IV	3.50	3.00	3.00	461,777	501,127
Investigator - City Prosecutor	1.23	1.23	1.23	107,766	108,352
Legal Technologist - Prosecutor	1.00	1.00	1.00	105,644	108,317
Office Specialist - Prosecutor	0.45	0.45	0.45	45,396	46,545
Paralegal-Prosecutor	3.50	3.50	0.50	249,375	36,994
Program Specialist - City Prosecutor	1.00	1.00	1.00	70,197	74,852
Prosecutor Assistant	1.00	1.00	-	59,930	-
Prosecutor Assistant I	5.00	5.00	5.00	341,723	320,766
Prosecutor Assistant II	1.00	1.00	5.00	70,278	364,410
Prosecutor Assistant III	3.00	3.00	1.00	237,619	79,620
Prosecutor Assistant IV	-	-	2.00	-	171,929
Senior Prosecutor Asst	2.00	2.00	2.00	164,542	173,005
Supervising Prosecutor Asst	1.00	1.00	1.00	96,770	101,173
Subtotal Salaries	38.38	38.38	38.38	3,931,725	4,200,790
Overtime	-	-	-	4,000	4,000
Fringe Benefits	-	-	-	2,138,907	2,243,676
Administrative Overhead	-	-	-	89,341	105,640
Attrition/Salary Savings	-	-	-	(665,859)	(701,471)
Expenditure Transfer	-	-	-	-	-
Total	38.38	38.38	38.38	5,498,114	5,852,634

Key Contacts

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