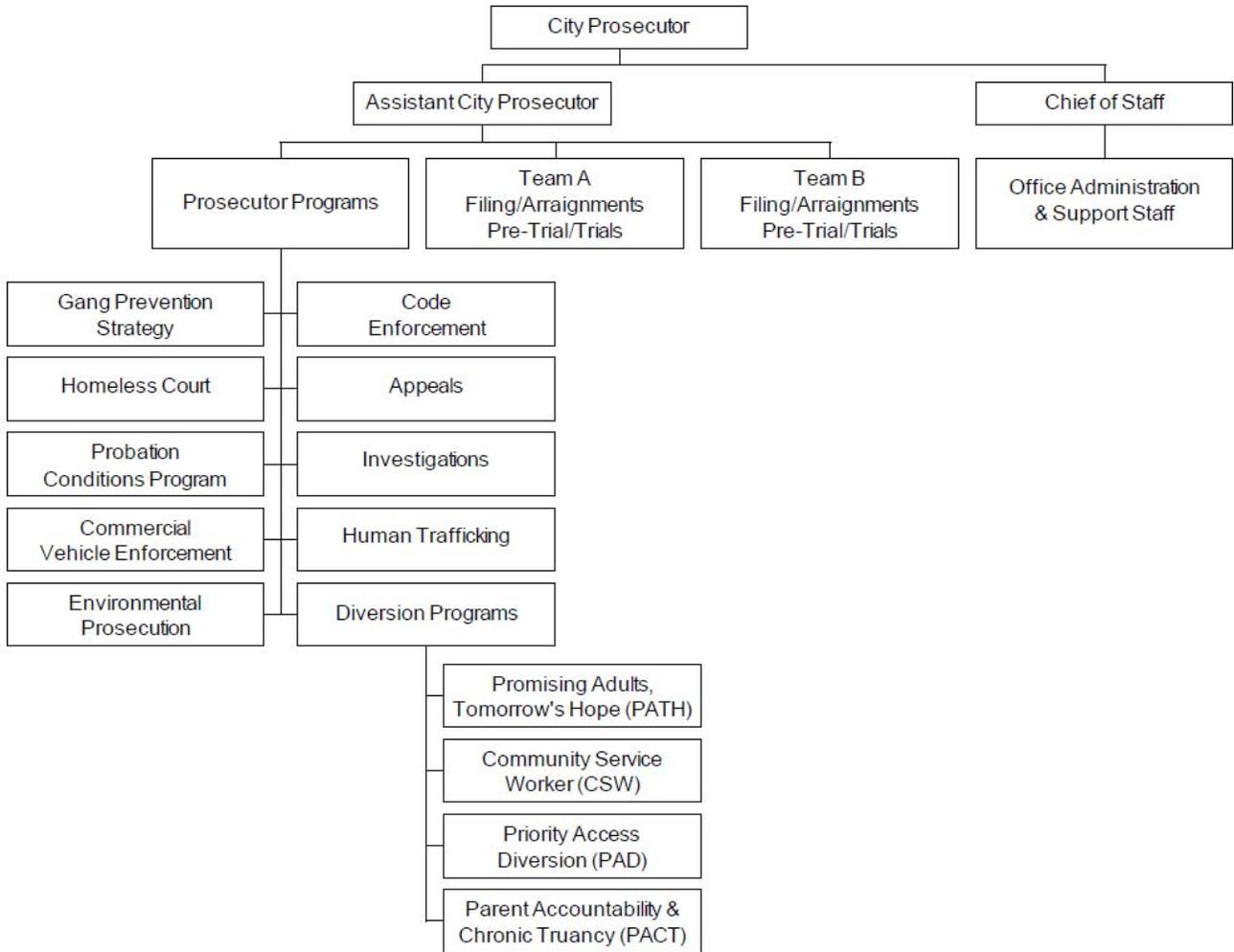


City Prosecutor



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 20 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; and (4) an increasing number of criminal defendants do not appear for their court dates, resulting in a large volume of arrest warrants. Court activity increased toward the end of Summer 2020, but jury trials did not resume so the backlog of cases continued to intensify.

The work of the Los Angeles Superior Court is deemed essential, so courts remained open during the pandemic. The City Prosecutor's Office quickly adapted to an ever-changing court environment. To the extent work could be done remotely, the City Prosecutor's office adopted flexible work schedules allowing employees to alternate between working from home and working in the court and office.

Criminal Justice Innovations

In 2019, the City Prosecutor's Office received the largest grant in its history. The U.S. Department of Justice awarded \$360,000 from the Innovative Prosecution Solutions 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 is the largest grant given to a California agency. 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 expected to be functioning by Summer 2021.

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.

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

FY 20 Accomplishments

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 will provide significant resources to those detained or arrested for drug or prostitution-related offenses with the goal of providing services in lieu of the traditional criminal justice process. Data has been collected and will be analyzed to determine whether pre-booking LEAD diversion is successful, and whether it can be replicated in other jurisdictions.

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.

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.

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. In November 2018, the City Prosecutor’s Office launched the Restoration Initiative for Safety and Employment (RISE), which provides post-conviction relief as well as 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 events will be held. Funds not used in FY 19 nor FY 20 will be used to continue RISE in FY 21.

FY 20 Accomplishments

Gang Prevention Strategies

The City Prosecutor's Office is recognized as a national leader in many respects, including the prevention and suppression of gang activity. The City Prosecutor's *Gang Prevention Strategy* has been recognized by Neighborhoods USA as one of the nation's "Best Neighborhood Programs." At the award presentation to City Prosecutor Doug Haubert at Neighborhoods USA's annual conference in Minneapolis, MN, the *Gang Prevention Strategy* was described as follows:

"In Long Beach, police and prosecutors have developed a three-part strategy that suppresses gang violence, creates community partnerships, and keeps at-risk kids in school. Combining new technology with a neighborhood-based approach, the Gang Prevention Strategy could become a model for prosecutors across the nation."

In 2014, the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, awarded a grant to the City Prosecutor's Office to expand its mission of reducing gang violence. The grant funds are working to keep chronic truants in school, so they do not become gang recruits or victims of gang violence.

This year, the City Prosecutor's Office updated its policies and procedures related to gang court orders and provided notice to all affected persons. The Office is seen as a leader in the fair and effective enforcement of court orders, and, working with LBPD, the City Prosecutor's Office continues to target the most active and dangerous gang members in a successful effort to prevent and reduce violent crimes in Long Beach.

While being proactive in reducing gang violence, the City Prosecutor's Office is also working with community groups to help keep youth out of gangs and to curb gang recruitment. Additionally, efforts are made to assist former gang members get jobs or return to school.

To prevent the persistence of street gangs, the City Prosecutor works with the Police Department, Long Beach Unified School District, and community groups on gang prevention and anti-truancy programs. According to LBUSD Board Member Dr. Felton Williams, "Long Beach schools have never had this level of support and assistance from a City Prosecutor...making our schools and our community safer." The Parent Accountability and Chronic Truancy (P.A.C.T.) Program is now in its eighth year and continues the effort to keep kids in school and out of trouble.

Budget Constraints

One of the most important priorities for the City Prosecutor's Office is to stabilize funding which was significantly cut during the last recession. Although the cuts have been partially restored, the City Prosecutor's Office has taken on 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.

Although General Fund cuts to the City Prosecutor's Office have been severe, 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 shortages.

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

Financial Summary by Category

	Actual FY 19	Adopted* FY 20	Adjusted** FY 20	Adopted* FY 21
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	-	-	360,000	-
Charges for Services	81,056	118,645	118,645	118,517
Other Revenues	81,412	-	-	-
Intrafund Services	-	-	-	-
Intrafund Transfers	-	-	-	-
Interfund Services	-	-	-	-
Interfund Transfers	109,330	-	-	-
Other Financing Sources	-	-	-	-
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Total Revenues	271,798	118,645	478,645	118,517
Expenditures:				
Salaries and Wages	3,251,577	3,367,916	4,281,765	3,102,236
Employee Benefits	1,907,855	2,127,861	2,070,489	2,166,771
Overtime	19,170	4,000	(14,964)	4,000
Materials, Supplies and Services	188,523	245,416	651,696	245,416
Interfund Support	250,558	357,838	358,278	477,930
Intrafund Support	123	-	-	-
Capital Purchases	-	-	-	-
Insurance Premiums and Losses	1,299	1,841	1,513	1,841
Other Non-Operational Expenditures	-	-	-	-
Operating Transfers	109,330	-	-	-
Intrafund Transfers Out	-	-	-	-
Purchase of Gas & Water	-	-	-	-
Depreciation and Non Cash Expenditures	-	-	-	-
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Total Expenditures	5,728,434	6,104,872	7,348,777	5,998,194
Personnel (Full-time Equivalents)	38.38	38.38	38.38	38.38

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

**Adjusted Budget as of August 31, 2020

Note: With the conversion to the new financial system, the amounts and character categories have been updated to match the revised Chart of Accounts in the system. The City is still going through a stabilization period with the new system and future reports may have further adjustments.

Personnel Summary

Classification	FY 19 Adopt FTE	FY 20 Adopt FTE	FY 21 Adopt FTE	FY 20 Adopted Budget	FY 21 Adopted Budget
City Prosecutor	1.00	1.00	1.00	239,152	246,402
Assistant City Prosecutor	1.00	1.00	1.00	193,034	196,894
Chief of Staff - Prosecutor	1.00	1.00	1.00	126,096	126,096
Community Service Worker Program Coord	1.00	1.00	1.00	68,553	68,553
Deputy City Prosecutor	2.00	2.00	2.00	168,995	169,782
Deputy City Prosecutor I	2.70	2.70	2.70	278,283	282,374
Deputy City Prosecutor II	2.00	2.00	2.00	193,228	197,963
Deputy City Prosecutor III	4.00	4.00	4.00	505,934	505,934
Deputy City Prosecutor IV	3.50	3.50	3.50	483,091	495,214
Investigator - City Prosecutor	1.23	1.23	1.23	98,360	101,942
Legal Technologist - Prosecutor	1.00	1.00	1.00	102,289	102,289
Office Specialist - Prosecutor	0.45	0.45	0.45	44,506	44,506
Paralegal-Prosecutor	3.50	3.50	3.50	241,025	245,506
Program Specialist - City Prosecutor	1.00	1.00	1.00	62,834	62,834
Prosecutor Assistant	1.00	1.00	1.00	55,051	56,337
Prosecutor Assistant I	6.00	5.00	5.00	318,552	318,552
Prosecutor Assistant II	-	1.00	1.00	66,064	66,064
Prosecutor Assistant III	3.00	3.00	3.00	222,477	221,016
Senior Prosecutor Asst	2.00	2.00	2.00	156,936	158,398
Supervising Prosecutor Asst	1.00	1.00	1.00	90,968	90,968
Subtotal Salaries	38.38	38.38	38.38	3,715,429	3,757,624
Overtime	-	-	-	4,000	4,000
Fringe Benefits	-	-	-	2,048,474	2,085,823
Administrative Overhead	-	-	-	79,388	80,948
Attrition/Salary Savings	-	-	-	(347,513)	(655,388)
Expenditure Transfer	-	-	-	-	-
Total	38.38	38.38	38.38	5,499,777	5,273,007

Key Contacts

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