



PUBLIC SAFETY CITIZEN TASK FORCE PUBLIC MEETING

Wednesday, September 18, 2013

6:00 p.m.

Santa Cruz Police Department Community Room
155 Center Street, Santa Cruz, CA 95060

MINUTES

- I. Chair Reyes Call to Order
 1. Meeting called to order at 6:00 p.m. by Chair Reyes.
 2. Theme Four (criminal justice system and governance structure) will be discussed.
 3. Task Force members absent: Jeff Cole and Rod Libbey.

- II. Approval of September 03, 2013 Minutes
 1. September 03, 2013 Minutes approved.

- III. Upcoming Task Force meetings are discussed.
 1. The October 2nd meeting will revolve around gang violence and gang activity.
 2. Originally, gang violence and violent crime were coupled. Now, this meeting will focus partly on violent crime and the next meeting will focus on gang violence.
 3. Deliberations and recommendations will fit into four different categories: actions the City can take; actions the County criminal justice and County can take; actions the citizens, non-governmental organizations, and nonprofits can take; and actions the voters can take.

- IV. Panel Presentation on Theme 4: Criminal Justice System and Governance Structure
 1. Bob Lee, District Attorney
 - a. The DA's office is the largest law firm in the County. 34 attorneys serve the DA's office.
 - b. The DA's employees are divided in many different ways. The DA's office is a County department and it deals with the Cities of Santa Cruz, Capitola, Watsonville, Scotts Valley, the Sheriff's jurisdiction and unincorporated areas, fish and game, the parks, the yacht harbor and UCSC. The attorneys are divided into certain units, or task forces. They focus on specific cases and types of cases.
 - c. Misdemeanor cases are different than muni-court citations, which come out of municipal code violations. John Barisone, the City Attorney, handles municipal code infractions.
 - d. The DA's office handles roughly 18,000 investigations and 13,000 cases annually.
 - e. If SCPD makes an arrest, the court only gives the DA's office a set amount of time to file those cases.

- f. The DA's standard when handling criminal behavior is beyond a reasonable doubt, where the Police Department focuses on probable cause.
 - g. Though the Police Department can arrest an individual, only the DA's office can bring the charges against that individual. The DA's office files, prosecutes and decides what the charges are for specific cases.
 - h. Within the past year, the DA has finished five murder trials (which were actual cases that went to a jury trial), and eight additional cases have been set up.
 - i. Two attorneys are assigned to each murder case.
 - j. If there are eight jury trials with homicides, sixteen attorneys are now busy for the next two months. This leaves 13 attorneys to handle the rest of the 13,000 or so cases.
 - k. The DA's office is very successful in addressing violent crime.
 - l. The DA is very pro-victim, in particular when an individual has been hurt.
 - m. There is a police department within the DA's office. It is the seventh largest police department in Santa Cruz County. It is comprised of inspectors who are assigned to cases.
 - n. The DA's office is on call for all major cases anywhere within the County.
 - o. There are advocates for victims within the County. These advocates/victims' centers help victims get their restitution back, or victim's compensation. The DA's office is so successful in assisting with victim's compensation it works also for the counties of Monterey, San Benito and Kings.
 - p. There are roughly 1,600 new victims that are interviewed every single year. Only three individuals handle this process.
 - q. There was a previous statement saying that if the homeless population were to disappear, the crime rate would not change. However, there is a lot of homeless on homeless violent crime. These cases are in fact a significant part of case work. However, the justice department focus on behaviors, not status.
2. Jerry Christensen and Larry Biggam, Public Defenders
- a. Santa Cruz outsources a contract for defense providers for the entire County.
 - b. It is the public defenders' jobs to make sure that everyone follows their job and does not make constitutional short cuts in assuring a conviction. Public defenders address the fragile line of the police's right to police and the citizens' rights to be left alone.
 - c. When an individual is defended, principle is being defended, not just the individual.
 - d. In a case, public defenders try to find out more than the police did while trying to reduce recidivism.
 - e. The public defenders' office handles about 10,000 cases a year. These cases revolve primarily around misdemeanors, felonies, juvenile cases, order to show cause, OSC, contempt for parents who do not pay child support, and parole violations. The office does not handle municipal code infractions.
 - f. The major risk factors that contribute to criminal behaviors: poverty, unemployment, under employment, alcohol, drugs, mental health challenges, poor, education, illiteracy and learning disabilities.

- g. 68% of individuals in the criminal system did not graduate from high school. A suspected 40% of these individuals are illiterate.
 - h. There are 33% more individuals suffering with mental health illnesses than in the mental hospitals. The largest mental health hospital in the State is Los Angeles County Jail.
 - i. There are 18 pending homicides in the County. This is partly because the courts have not processed these in a timely manner and also because violence has been high.
 - j. A prevalence of guns is possibly part of the reason for this. Past violent crimes seemed to revolve more around knives than guns, which are more commonly used now.
 - k. Some things that can be done to better address public safety concerns in Santa Cruz: hire more police officers and a community focus on early intervention.
 - l. Anything that can be done to address early intervention and prevention should be implemented.
 - m. Another hopeful resolution from the TF is the strong support of neighborhood groups, activist groups and neighborhood watch.
 - n. The Police Department can only do so much. When you get to know your neighbors, you better know your neighborhood. This will likely reduce false accusations and improve accurate reports of potential or actual criminal behavior.
 - o. Out of all reported crimes, only 20% result in an arrest. This percentage needs to rise.
 - p. Another potential solution for the TF to implement is a strengthened support for the Serial Inebriate Program (SIP). This is because the community is often worsened by the severely dependent alcoholics.
 - q. Mental health court could be another potential solution. Though it is expensive, if it could ever be implemented it would be a great help to the community.
 - r. Under ABA 109, non serious, non sex and non violent offenders are being kept locally instead of in state prisons.
 - s. Before AB 109, the release practice was to give an individual \$200, they had to contact their probation officer and that was about it. 65% of these individuals reoffend within three years. There is now real success with the local program.
 - t. Be weary of overreacting to certain issues and altering the values of the City.
 - u. The Police respond to the community's desires.
3. Exchange
- a. When you get really good lawyers, you get better justice.
 - b. One way to fight crime is by investing in children. The upstream approach is more important than the downstream approach. Once someone gets into the criminal justice system, it is often hard to get them out.
 - c. One way for a common community member to help is by mentoring a child and making sure they stay on track to graduate high school throughout their schooling. If you increase graduation rates by 10% in California or in Santa Cruz County, you'd reduce crime by 25%.
 - d. 17 of the 18 individuals from the pending homicide cases are locals (local meaning longer term residents, 15 of them went to Santa Cruz high schools, two of them lived in the area for 10 years and one lived in

the valley for 20 years). Most of these individuals are from the area and are therefore the community's responsibility. Solutions must come from families, schools, the faith community and neighborhoods.

- e. The courts do a good job separating the guilty from the innocent, however, time could be better spent on prevention and intervention.

V. Task Force Question and Answer Period

1. Question: How does the DA's office prioritize cases in terms of time, effort and space? How does the DA's office coordinate with the City especially when the jails are full? How do you react to someone who's an early or first offender?
2. Answer 1: The DA's office is one of the few offices that will prosecute anything. This is because the DA's office sees the broken window approach as an important tool in fighting crime. If the DA's office did not go after all crime, it is likely that Santa Cruz would watch its crime rate go up. All crimes affect the surrounding community in one way or another. For a felonious act, the court can give the offender terms such as search and seizure and up to a year in the County jail. However these things are only implemented about 50% of the time, especially under AB 109. Repeat offenders victimize the community and the DA's office thinks the community needs to take a break from these people. This is because these people should be put into custody. This is a frequent disagreement between the DA and the courts. If a criminal is caught and they claim to be addicted to drugs, their punishment is often much more lenient. The DA's office tries very hard to work closely with the City to try and save resources when creating the best case to get the individual to plead guilty. Intervention is appropriate and highly important in reducing crime.
3. Answer 2: The issue with sending more individuals to prison is the rise in costs. Also, prison frequently does not mitigate criminal behavior. Often, harsh punishment is not the right decision. The courts are tough in terms of violent crimes and are not soft on most other crimes. The lesser levels of crime seem to have the community more upset than anything, such as drug use, littering, etc. If you checked the courts in Santa Cruz, they are doing their jobs appropriately.
4. Question: If early intervention is key, are there two or three early intervention programs that are models within the City.
5. Answer: Schools seem to be the best resource. Any extra resources that can be added to the schools will help dramatically. Also, prenatal care and kindergarten are very important. Truancy is one of the first red flags for severe trouble; schools need to overreact to truancy. Big Brothers, PRIDE, CASA, etc. are great programs as models.
6. Question: My impression from the two judges that spoke recently was that the judges are tied to the sentences they can give out. How is going to rehabilitation a choice? Who is making these decisions? Is there something that can be done to make criminals more accountable?
7. Answer: It is difficult to coerce punishment. The only times the judge's hands are really tied are when the DA's office ties them. The DA's office can file charges that can make probation ineligible for certain crimes, etc. The DA's office is the charging function. For misdemeanors and general felonies, the judge has more power with charges. These are the majority of crimes that happen in the community.
8. Question: How many cases are direct files and are from the City of Santa Cruz? What are the demographics of these cases, particularly in relation to race?
9. Answer: When a person commits a violent crime in the state of California, Proposition 21 took some discretion away from the judges and gave it to the

District Attorney for direct file. For example, when a person is 17 years old and commits a murder, it gives the District Attorney, not the judge, the discretion to charge him/her as an adult or not. The DA's office does not follow demographics, especially in regards to a city-city comparison.

10. Question: There used to be severe accountability in regards to truancy, that seems to be lost now. Family should be held accountable for youths' actions. How do you create accountability within the family? Are there past practices that will force intervention?
11. Answer 1: In regards to juvenile crime, 85% are impulsive crimes. In other words, they are not repeat offenders. It is the 15% that are creating 50-60% of the problems. The challenge is to identify those with risk assessments. Parents need support, children's behavior is not always directly reflective of the quality of parenting. Now, probation is doing a good job of wrap-around services with the whole family, for they need help. Probation is doing a good job of reducing the population within juvenile hall without reducing public safety. Studies have shown that prolonged time in the hall increases the chance that he/she will reoffend when he/she gets out. Substance abuse, cognitive behavioral issues, need more help than most.
12. Answer 2: Society seems to be growing safer. Crimes are being addressed that did not used to be. Crime has dropped fairly consistently for 18 consecutive years, and now crime is back down to rates seen in the 1960s. Crime demographics in California, almost mirror the United States. If you compare California's crime rates now they almost equate the rates of 1967. The County of Santa Cruz crime rate is about the same as in California and throughout the United States. However, Santa Cruz City is sporadic. Capitola has more theft problems than Santa Cruz. This is due to population and per capita differences. Generally the City of Santa Cruz and Watsonville have a higher crime rate than the State and the nation, though they are both back down at about the 1970s level.
13. Question: The sentences that the judges hand out seem to reflect what the public will tolerate. You cannot have just one rogue judge handing out harsh or lenient sentences, because they can be subject to disqualification. This is with the intention of providing fair justice. If the community is not happy with what is going on in the courts, they have a voice during elections. On the local level, is SIP successful or not?
14. Answer: Judges try to avoid trials when a case is brought to trial counter. There is a lot of pressure to do this. To qualify for SIP, an individual must receive six citations for drunk in public in six months. This population disproportionately uses community resources. SIP is modeled after a San Diego program, where if an individual under SIP is brought into court for drunk in public (meaning they have now received six or seven drunk in public citations) he/she can receive 30 days in jail or 30 days in treatment. The individual will receive 90 days in treatment and 90 days in jail for their second time (which is now seventh or eighth citation). The third time an individual under SIP is cited for drunk in public receive six months treatment or six months in jail. About a quarter of the individuals under SIP turn their behaviors around. Funds are running low for this program. The City of Santa Cruz gives \$75,000 a year for SIP, but frankly it is not enough. Dominican Hospital's funding for SIP is currently on the fence. Jails need at least two beds for SIP individuals.
15. Question: The requirement to become eligible for the SIP Program seems very high. On a local level, could that be changed?
16. Answer: Yes, the only challenge is that alters the capacity issue. It is not impossible to make the list however. There are about 100 individuals who qualify

for this program. Not sure that the SIP Program is completely successful, but it is a good program and is valuable to the City of Santa Cruz.

17. Question: Would it be of any help if there were more jail beds for individuals under SIP?
18. Answer: Coerced treatment seems to work just as well as non-coerced treatment. In some ways it may work better.
19. Question: Is alcohol testing a component of the SIP Program? Who is funding this?
20. Answer: Yes, and SIP is funding itself. Individuals under SIP are tested for alcohol, they must work during the day, they have a curfew and have access to group therapy.
21. Question: Are you ethically/legally bound to get the lightest sentence possible with a plea bargain to get a sentence that might be better for the defendant? Say the jails and free treatment centers are full; is it possible to offer alternatives to incarceration, treatment, etc. versus paid treatment? Are enough of your defendants, or people on trial, able to pay for their own treatment?
22. Answer: With our clientele, there is often not that abundance of resources. It would be a very rare for an individual to pay for him/herself. In regards to the responsibilities to serve the client.
23. Question: When Judge Symons was here, she discussed the notion that Santa Cruz attracts criminal activity. When Monica Martinez was here, she stated some statistics that seemed to show that Santa Cruz crime was fairly similar to the State's. What is your take on this? Are people coming here to commit crimes?
24. Answer 1: The numbers have never really been looked at, particularly because the concern is behavior, not status. The perception is that the transient population is an issue. Anecdotally, Santa Cruz has a reputation for being soft on crime and abundant in offering services. This area is not a high profile location for large narcotics drop offs, unlike Stanislaus County. However, drugs do come here and they are prominent. With drugs come other criminal behaviors, which becomes somewhat of a domino effect.
25. Answer 2: This is an attractive town and it attracts a lot of people. Many of the high profile serial killers in Santa Cruz have roots from Santa Cruz. This place is an overall resort, it is a destination. This does address the tourist issue, and partially the transient issue.
26. Question: There are a lot of areas for potential magnets of issues throughout the City. Are there any suggestions to help relieve a crime corridor, primarily along the San Lorenzo River?
27. Answer: Getting the parks back is vital to helping the San Lorenzo River, in particular the San Lorenzo Park. Higher residential presence lowers the presence of the individuals who break the law. Pacific Ave has been cleaned up over the years. In regards to the heroin highway, the answer is unclear. Beach flats was targeted, but then these criminal individuals continued moving around. It seems a constant chase. One area is cleaned up and they pick up and go to another.
28. Question: What are people's perspectives on drug dealers. In terms of financial gains and repercussions?
29. Answer: It is very lucrative to be a drug dealer here. There is a huge market for drugs in Santa Cruz. Santa Cruz is not a waypoint or destination for the cartels. The reason why it is such an issue is because there are minimal penalties for drug use. When it comes a drug dealer gets caught with drugs, there is minimal punishment. Usually a convicted substance user is sent to treatment, if they reoffend, they are sent back to treatment. If that fails again, then they are put on probation. In other parts of the State, drug sellers are given harsher punishment

than drug users, that is not the case here. Most other parts of the State require jail time for drug sellers, disallowing probation. Under the current state of the law (AB 109), a person who has no violent criminal history can manufacture metric tons of methamphetamine and sell it to the community, and they will never set foot in a State prison. The only way an individual can set foot in a state prison is if the crime is violent, includes a firearm, or they are using minors to sell/use drugs. The repercussions for manufacturing/selling methamphetamines used to be very harsh, that is not the case anymore. The leniency is concerning.

VI. Closing Comment Period

1. Though crime is down, statistically it is still high. More SIP funding would be very beneficial to help the City. Consider looking into a mental health court. It seems mental health issues are being criminalized in the City. Look into veterans' courts as well. VA support and other administrations and organizations can participate and help. Other communities, such as San Luis Obispo are doing this. Keep in mind I feel safer here than Stockton or other places like that, and that area is not lenient on crime. Prison is expensive real estate, and it needs to be saved for those who really threaten public safety. When it comes to violent crime, this community's justice system does not tolerate it.
2. The DA's office puts more individuals in rehabilitation than anyone in this community. Some potential solutions, SIP needs more beds and more resources. These individuals severely affect the quality of life throughout the City. The parks need to be addressed, in particular, San Lorenzo Park. Make it so families frequently use it. Also, look at sober centers, in particular, Santa Barbara's downtown sober center. It costs about \$200,000 a year. Look into mental health issues. There are 113 individuals eligible for prosecution, there are 29 cases being addressed, 10 pending cases and 19 are resolved. Flash incarcerations really help an individual change. Flash incarcerations include short but frequent stays in jail, where jail becomes more of a nuisance and deterrent. This inflicted a huge change in criminal behaviors in Hawaii. There needs to be some sort of a timeout for many of these individuals. Resources and finances overall are lacking. You cannot have a system that just gives up on punishments for criminals and violators. Consider putting more funding into SIP. For the 113 muni-violators, their cases need to be filed. These people need to be addressed other than raising fines. Try to change one thing at a time, do not look and focus at the entire issue.

Adjournment -- The Public Safety Citizen Task Force adjourned from the public meeting of September 18, 2013 at 9:00 p.m. The next meeting is scheduled for October 2, 2013, 6:00 p.m., Santa Cruz Police Department Community Room.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 in advance so that we can arrange for such special assistance. The Cal-Relay system number: 1-800-735-2922.

Public Safety Task Force meetings will be recorded for the purpose of preparing minutes.

**Serial Inebriate Project
Client Flow and Procedures**

Revised 7/21/10

1. Person is arrested and booked at Main Jail.
2. In order to qualify for SIP, a person must have a history of 5 or more 647f (Public Inebriate) arrests in the last 6 months.
 - The most recent arrest must have been made by Santa Cruz PD, Sheriff's Office, Capitola PD, Scotts Valley PD or UCSC Police.
 - Based on a list provided monthly to Jail Booking (via FAX to 454-2844) by Homeless Persons Health Project, of persons with 5 or more 647f (Public Inebriate) arrests in the last 6 months.
 - Jail Booking will identify the person as a SIP candidate to the District Attorney's office.
 - HPHP will also provide the list to the law enforcement agencies listed above and to Probation.
 - It is also appropriate for the District Attorney's office to identify candidates based on the same criteria.
3. The SIP candidate list will be posted in Jail Booking.
4. The arresting agency will complete a Misdemeanor Non Release Form based on SIP criteria.
5. The arresting agency will forward a report to the DA advising them of a SIP candidate using the existing process for DA notification.
6. The DA's complaint will show that the person is eligible for SIP candidacy.
7. All SIP cases will go through Department 1. At arraignment, the court will advise the candidate of the SIP option, and ask the defendant if they are interested in SIP. If yes, the minute order will request the SIP Service Coordinator to do an assessment. If no, bail will be set. If appointed, the Public Defender will be notified at arraignment that the defendant is a SIP candidate.
8. The SIP Service Coordinator will conduct an assessment, research available treatment options, and develop treatment recommendations consistent with the SIP guidelines. Treatment recommendations may be 30 days residential, 90 days residential + 30 days outpatient continuing care, or 180 days +30 days aftercare, depending on the number of times the defendant has been through the SIP.

9. Included in the assessment will be an interview question asking the defendant whether there are any other case managers or programs currently involved with the defendant. The SIP Service Coordinator will also receive the client list from the Homeless Persons Health Project, which will show prior alcohol and drug treatment programs the client has been admitted to.
10. The next court hearing will be on Mondays at 11:00 in Department 1. The court at that time will consider treatment recommendations. The defendant will have the following options:
 - a. Plead guilty and be placed on conditional sentence for two years, with treatment as one of the terms
 - b. Plead guilty and be placed on conditional sentence for two years and have a jail term imposed
 - c. Plead not guilty and a trial date will be set.
11. Some clients come into SIP with suspended sentences on other convictions. For those clients the day-for-day trade-off of treatment vs. jail time will not apply. Instead, if they do not complete treatment requirements, they must serve their original suspended sentence.
12. The treatment program will be part of the custody sentence. Failure to complete the mandated length of time in the treatment program will result in a custody sentence for a period that is double the mandated treatment. For example, if treatment is mandated for 30 days then sentence will be for 60 days, if treatment is mandated for 90 days the sentence will be for 180 days, and if the treatment is mandated for 180 days the sentence will be 365 days (two counts of 647f with 180 days running consecutively). When custody sentences are discounted for "good behavior", this will result in actual jail time served that is commensurate with the mandated days of treatment.
13. If the defendant pleads guilty and agrees to treatment, they will be returned to jail with a minute order indicating that they will be courtesy housed, or releasing them to the SIP Service Coordinator or other HSA staff for transporting them to a treatment program. If arranged by the SIP Service Coordinator, mental health staff that work with the SIP client may also transport the client. The SIP Service Coordinator will provide a copy of the treatment recommendations and authorization form to the treatment program and to HSA Alcohol and Drug Program contracts management.
14. At sentencing the next court review date will be determined. That date must be included in documents sent to the SIP Service Coordinator, who will include that information in the treatment recommendation report sent to the treatment program. The treatment provider will complete the Client Progress Report and FAX it to the Court prior to the next court review date.

15. If the client "walks" from the treatment program, the treatment provider will notify the SIP Service Coordinator and HSA Alcohol and Drug Program contracts management. The SIP Service Coordinator will notify the Court. The Court Clerk will start the bench warrant process for failure to complete terms of confinement (probation violation).
16. If a law enforcement agency picks up a client for 1203.2 PC violation, the arresting officer will complete the designated form and FAX it to the Court Clerk for notification to the Court.
17. If the client is re-arrested, they may repeat the above process, and the court may request a re-assessment by the SIP Service Coordinator. If the defendant does not want readmission to treatment, or treatment is not permitted by the court, they will serve jail time with no credit for time spent in the treatment program.



County of Santa Cruz

District Attorney's Office

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BOB LEE
DISTRICT ATTORNEY

August 30, 2013

Susan A. Mauriello
County Administrative Officer
County of Santa Cruz
701 Ocean Street, Room 520
Santa Cruz, CA 95060

RE: EMERGENCY HIRING NEEDED

Dear Susan:

The District Attorney's Office is being forced to consider emergency measures in accordance with Civil Service Rules Section 130. VI. H. to add critically needed staff because of the onslaught of serious crimes, gang violence, and homicides set for trial over this past year. The situation is untenable. Based on the number of cases pending trial in the near future, there will not be enough inspectors and attorneys to appropriately investigate and prosecute our existing caseload.

As you know, the Office has been budgeted for only 35 attorneys, a small number that has been static for many years. However, the Office has seldom reached a full complement of attorneys because of unfunded positions, furloughs, and other county cut-backs attributed to the poor economy. As you are well aware, only 32 of those positions have been funded and approved to be filled for the past several fiscal years. We now have a 33rd position funded and approved to be filled this September. As you are also aware, the mandated furloughs have cost our Office the equivalent of three full-time attorneys, reducing the actual complement of attorneys to 29.

Despite this paucity of personnel, the District Attorney's Office has had a remarkably successful record of confronting violent crime and criminal offenses generally in the County. Consider the record of this past year alone:

1. There have been SEVEN convictions for Murder in jury trials this past year:
 - a. Joel Sanchez, Jose Meza: GUILTY 1st/2nd Degree Murder - life sentence pending September
 - b. Richard Chavez: GUILTY 2nd Degree Murder - 17 years to life

- c. Frederico Lozoya: GUILTY 2nd Degree Murder - 40 years to life
 - d. Jaime Guevara: GUILTY 2 counts 1st Degree Murder - sentence life without Parole.
 - e. Manuel Rosas: GUILTY 1st Degree Murder - 94 years to life
 - f. Wensy Sanchez: GUILTY 2nd Degree Murder - life sentence pending October
2. There are FOUR extremely serious crimes that have completed or are currently in jury trial involving attempted murder and sex offenses this year:
- a. Elvis Garcia: GUILTY Kidnap and Sexual Assault- pending life sentence October
 - b. Maurice Ainsworth: GUILTY Attempted Murder, Kidnapping - sentence 176 years to life
 - c. Raul Rodriguez: GUILTY Attempted Murder - 19 years to life
 - d. Anthony Poletti: Child Molest – Jury Trial in progress
3. There have been at least SEVEN pleas of GUILTY on serious violent cases this year:
- a. Wayne Maynor: GUILTY Rape - 65 years
 - b. Cesar Hernandez: GUILTY 2nd Degree Murder - 15 years to life
 - c. Jose Velasquez, Alejandro Chavez, Cristobal Ramirez: GUILTY 1st Degree Murder/Manslaughter – Sentence Life no parole, 60 years, 35 years
 - d. Jose Raya: GUILTY Attempted Murder - 15 years
 - e. Michael Miller: GUILTY 1st Degree Murder - 60 years to life

Unfortunately, notwithstanding the past year's successes, it is unrealistic to believe that we can maintain these excellent results. Besides all the hundreds of cases, including gang allegations, child molest, sexual assault, rape, robbery, DUI, theft, assault, etc. set for trial, we have an unprecedented number of serious violent jury trials set in the next two months.

4. There are currently EIGHT murder cases set for jury trial involving 13 defendants between now and November 1st (*):
- a. Alex Cortez: Re-trial of previous 1st Degree Murder conviction
 - b. John Clauer: Domestic Violence Murder
 - c. Veva Virgil: murder of her daughter and claims Not Guilty / insane
 - d. David Sanchez, Alex Rodriguez, Uriel Ortiz : Gang Homicide on Hecker Pass
 - e. Nicolas Kusalich: Live Oak Homicide
 - f. Manuel Meza, Jose Carrillo, Daniel Mendoza: Levee gang Murder
 - g. Angel Torres : Roache Road Homicide

h. Irvyn Flores, Martin Holquin: Frederick Street gang homicide.

- (*) This does not include five sexual assault and attempted murder life cases set in the same time period.

Of course, there are also several new homicides recently that have to be similarly investigated, researched and litigated, including two cold cases (Oscar Cabrera and Cesar Rosales/ Miguel Rodriguez). It is NO exaggeration to observe that the District Attorney's Office feels what the public feels: that we are besieged by an onslaught of violent crime.

Please consider that each one of these convictions and upcoming cases necessitate a huge amount of resources:

- Every homicide trial requires two attorneys and at least one inspector who are responsible for investigating, preparing, and litigating the case in court to ensure a positive outcome that protects the general welfare and safety of the public. However, this commitment to success means that the attorneys and inspectors litigating these murder cases are unavailable for other assignments while they are tied-up for preparation and in trial for months at a time.
- The Santa Cruz District Attorney's Office is unique to other District Attorney's Offices in the State in making sure that a prosecutor and inspector are always on call every night and weekend so that highly experienced staff will be called out to assist law enforcement on every murder and most serious violent crime scenes.
- Unfortunately, our legal system can be slow and sometimes inefficient. Frequently, it seems that the District Attorney's Office is the only entity that tries to push prosecution and expedite trials to keep our community safe.

Additionally, there are other impacts on our resources. The impact of AB109 that mandates that sentenced state prison inmates be housed in our local county jail and state prison parolees be "supervised" by local authorities adds to our caseload. Consequently, it is no surprise that recent FBI statistics indicate that crime has increased.

Furthermore, all of the managers, including me, carry caseloads of serious violent crime, while also being responsible for supervising the day to day operations including filing cases, staffing courtrooms for daily hearings, supervising attorneys and staff and administrative duties.

The District Attorney is sworn to be vigilant in protecting the public. However, this vigilance requires adequate staff and resources to get the job done. We have reached a breaking point and are stretched too thin. We cannot continue to guarantee that the excellent record of success we have experienced will be duplicated in the future. We need help as the District Attorney's Office is basically for all intent and purposes facing "bankruptcy."

August 30, 2013

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Our Office has always experienced a successful working relationship with the County Administrative Office and our intent is to continue to do so. We appreciate that you continue to recognize that our office's function is critical to keeping our community safe and deserves adequate resources. We would like to further discuss plans to mitigate this untenable situation at your earliest convenience. Please contact my Secretary Angie Garcia at (831) 454-2597 with your availability.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Lee". The signature is written in a cursive style with a large, sweeping initial "B" and a long, horizontal stroke extending to the right.

Bob Lee
District Attorney