



County of Santa Cruz ¹¹⁸135

COUNTY ADMINISTRATIVE OFFICE

701 OCEAN STREET, SUITE 520, SANTA CRUZ, CA 95060-4073

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SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

January 6, 1999

AGENDA: January 12, 1999

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

WELFARE FRAUD POSITION

Dear Members of the Board:

On December 15, 1998 your Board considered the attached report concerning the continuing need for a Welfare Fraud position in the District Attorney's Office and referred the matter to this office for a report January 12, 1999. There are two issues involved with the position. They are:

1. The continuing need for the positions; and
2. The claiming of Federal and State reimbursement of the local cost of the position.

Additionally, since December 15, 1998 there has been a significant change in circumstances. The material which follows discusses each of these issues.

Continuing Need for the Position

With respect to the continuing need for the position, when the position in question was originally authorized in 1991, it was authorized to address a unique personnel situation which existed in the District Attorney's Office. The situation no longer exists. The position was not authorized based on workload and in 1991 it was agreed that the position would be deleted when the incumbent departed. As shown in the December 15, 1998 Report of the County Administrative Office the number of cases in the District Attorney's Office has decreased significantly since 1991-92 and the number of attorney positions has increased.

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WELFARE FRAUD POSITION**

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The position in question has now been effectively vacant since May 1998 when the incumbent went on a medical leave and the work associated with the position has been reassigned to existing staff.

Reimbursement of Local Costs

The Auditor-Controller's office is currently preparing a report on the matter of reimbursement of local costs. That report will be available for consideration by the Board of Supervisors on January 26, 1999.

Change in Circumstances

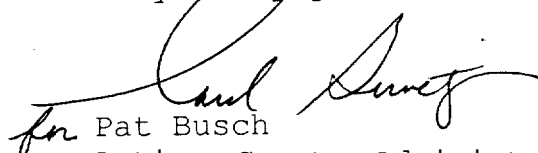
Since December 15, 1998 there has been a number of changes. The incumbent District Attorney, Art Danner, has now been appointed Judge by former Governor Wilson creating a vacancy in the Office of District Attorney and your Board is now considering the time line for the Board's process, deliberations and action on the appointment of a new District Attorney.

Conclusion and Recommendation

We do not believe that there is any compelling reason for your Board to take action on the re-authorization of the position at this time. Your Board is in the process of appointing a new District Attorney. The County Administrative Office is in the process of initiating the process for the preparation of the 1999-00 Proposed Budget which will be presented to your Board in May 1999 and the position in question has been effectively vacant since May of 1998. Accordingly, we believe it is appropriate to consider the matter of re-authorizing the position within the context of the County's 1999-00 budget process.

At this time it is our recommendation that your Board accept and file this report with the understanding that the matter of re-authorizing the Welfare Fraud position will be addressed as part of the Budget process.

Very truly yours,



for Pat Busch
Acting County Administrative Officer

Attachment

cc: District Attorney's Office
Human Resources Agency Director



county of Santa Cruz

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SUSAN A. MAURIELLO, J. D., COUNTY ADMINISTRATIVE OFFICER

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December 14, 1998

Agenda: December 15, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

PRELIMINARY REPORT ON THE DISTRICT ATTORNEY'S REQUEST TO CONTINUE WELFARE FRAUD POSITION

Dear Members of the Board:

On December 8, 1998 your Board referred the matter of the need for the continuation of an attorney position temporarily authorized in 1991 for welfare fraud prosecution to the County Administrative Office for review and recommendation. At that time your Board directed that this office return on December 15, 1998 with a review of the District Attorney's workload and attorney resources and specific information concerning claiming and reimbursements for attorney time spent on welfare fraud cases.

Due to the limited amount of time available we have not been able to conclude our review and are recommending that the matter be referred back to this office for further report in January 1999. The material which follows is a preliminary response to your request.

Background

The welfare fraud attorney was authorized in 1991 based on special circumstances which existed at the time. When the position was authorized it was agreed the position was to be deleted upon the departure of the incumbent. The incumbent has now left County employment and the position in question has effectively been vacant since May 1998 when the incumbent went on a medical leave. During the period May 1998 to the present the welfare fraud cases referred to the District

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Attorney's Office have been assigned to other staff. At this time the District Attorney is requesting that the position be continued rather than permanently reassigning the workload to existing staff.

Workload

On December 8, 1998 your Board requested that this office review the work in the District Attorney's Office. The table below was compiled primarily from data that has been included in the County's annual budget documents. The table shows:

- the criminal prosecution caseload of the District Attorney from 1991-92 to 1997-98;
- the change in the total number of attorney positions in the District Attorney criminal prosecution indexes from 1991-92 to 1997-98;
- welfare fraud referrals to the District Attorney from the Human Resources Agency.

Item	91-92	92-93	93-94	94-95	95-96	96-97	97-98
Cases							
Felonies	1,960	1,952	2,066	1,876	2,153	2,445	2,574
Misdemeanors	15,635	13,425	12,213	8,592	6,736	7,871	8,155
Juvenile Delinq.	908	864	744	561	594	727	681
Total	18,594	16,333	15,116	11,123	9,578	11,139	11,507
# of Attorneys	24	27	27	27	28.47	31.5	31.5
Welfare Fraud Referrals	182	125	114	88	102	190	188

We would stress that the preceding data is preliminary and needs to be reviewed with the District Attorney's Office and the Human Resources Agency. The data does show that during the period 1991-92 through 1997-98 there was a decrease in cases and an increase in the number of attorney positions in the District Attorney's Office.

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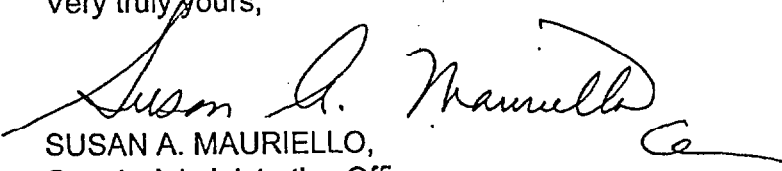
Claiming and Reimbursements

We have not concluded our review of the claiming and reimbursement associated with the position of welfare fraud attorney. We anticipate that we can conclude our research in this area by your Board's first meeting in January.

Recommendation.

At this time we have not concluded the work requested by your Board and it is our recommendation that your Board accept and file this report and direct the County Administrative Office to work with the District Attorney and the Human Resources Agency and report back on January 12, 1999 on the continuing need for the position.

Very truly yours,



SUSAN A. MAURIELLO,
County Administrative Officer

cc. District Attorney
Human Resources Agency