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No one is more concerned than I am about the potential impact of proposed budget cuts on the safety and quality of life for residents of the City of Sacramento, or the County as a whole. But Sacramento City Councilmember Ray Tretheway suggests that if budget cuts force me to reduce misdemeanor prosecutions, the simple solution is that I delegate the prosecution of those cases to the City Attorney. Further, he implies that we will not prosecute garage burglaries (which are almost always felonies, and thus not affected by any proposal), or cases of failure to register by sex offenders (which I have never proposed dropping).

With all due respect to Mr. Tretheway and City Attorney Eileen Teichert, city prosecution of misdemeanors is not a simple solution – it creates more problems than it solves.

I was elected District Attorney for the entire County. We have seven incorporated cities. If each were to prosecute their own misdemeanor cases with their own standards, a person committing the same act on one side of the city boundary could be treated very differently than someone doing the same thing ten feet away on the other side of the street. I count among my responsibilities the application of justice that is fair and equal throughout the County, and my status as an independently elected prosecutor as essential to achieving that goal.

I highly regard City Attorney Eileen Teichert, who operates a professional office with high standards. Her 22 attorneys handle civil matters, and city code misdemeanor matters, for the city. But with all due respect, successfully prosecuting the 37 cases in one year cited by Mr. Tretheway (some criminal and some civil) amounts to three cases per month. Last year my office filed over 20,000 misdemeanor cases. The misdemeanor courts in our county process over 5,000 defendants per month. Today I have nine misdemeanor trial prosecutors with a total of over 400 misdemeanor cases that have already passed through the pre-trial process without resolution and are being prepared for trial. Historically, the City of Sacramento has accounted for 35 -40% of the total number of cases prosecuted by my office – the Sacramento City misdemeanors alone are *hundreds of times* the number of 37 per year.

There is more to prosecuting a case than simply filing a complaint and walking to the courthouse. For any drug cases, lab analysis is required. For this volume of cases, process servers must subpoena thousands of witnesses. Several thousand pages of legal documents must be prepared for court. Our victim advocates assist crime victims and witnesses, a service for victims that is all the more important since the passage of Proposition 9. We do all these things now.

I appreciate the concern shown by City Officials and by City Attorney Teichert. She has offered my office welcome support in seeking grants for the prosecution of quality of life crimes. But I disagree with the suggestion that delegating misdemeanor authority to the City Attorney is the only viable solution to the current budget crises.

As an alternative, the City Attorney could offer to assign attorneys to our office for misdemeanor prosecutions. This would allow the City to take advantage of the economies of scale an operation our size can achieve, while ensuring that justice

remains evenhanded throughout the region.

City officials could also offer to appear before the Board of Supervisors, to impress on them the significance the proposed budget cuts will have. The current budget situation is critical, but still fluid. The Board has made no final decisions. My office has more than \$10 million in grant applications pending (many aimed at federal economic stimulus funds). Should the final budget require us to make significant changes in the allocation of prosecution resources, I have already informed the City Managers and Police Chiefs I would not make any changes without meeting first with them and the Sheriff. The actual implementation of any changes would be phased in over several months. In short, there is no need to act hastily.

I repeat, no one is more concerned than I am about the impact that these budget proposals have on public safety. I will continue to work with officials not only from Sacramento, but from all of the cities, as well as our county officials, to ensure that our whole community is one where our citizens are protected and secure.