

2020206000—DA-Consumer Fraud Proposition 64

Law & Justice

Tori Verber Salazar, *District Attorney*

General Fund	2017-2018 Actual	2018-2019 Adjusted	2019-2020 Requested	2019-2020 Recommended	Increase/ (Decrease)
Expenditures					
Salaries & Benefits	\$2,383,367	\$3,018,866	\$3,144,874	\$3,144,874	\$126,008
Services & Supplies	322,499	859,424	859,424	859,424	0
Centrally-Budgeted Expenses	23,945	28,434	48,984	48,984	20,550
Total Expenditures	\$2,729,811	\$3,906,724	\$4,053,282	\$4,053,282	\$146,558
Expenditure Reimbursements	(226,360)	(237,861)	(252,152)	(252,152)	(14,291)
Total Appropriations	\$2,503,451	\$3,668,863	\$3,801,130	\$3,801,130	\$132,267
Earned Revenues By Source					
Operating Transfers In	\$2,439,542	\$3,668,863	\$3,798,072	\$3,798,072	\$129,209
Total Revenues	\$2,439,542	\$3,668,863	\$3,798,072	\$3,798,072	\$129,209
Net County Cost	\$63,909	\$0	\$3,058	\$3,058	\$3,058
Staffing					
Allocated Positions	14.0	18.0	18.0	18.0	0.0
Temporary (Full-Time Equivalent)	1.5	0.0	0.0	0.0	0.0
Total Staffing	15.5	18.0	18.0	18.0	0.0

Purpose

The District Attorney Consumer Fraud Proposition 64 budget (#2020206000) was established to account for civil penalties received under the Business and Professions Code from those who participate in unfair competition. Penalties are placed in the Consumer Fraud Trust Fund and Environmental Code Enforcement Trust Fund to be used by the District Attorney for enforcement of consumer protection laws. Limited case-specific funding is also received from the Craig Thompson Environmental Protection Prosecution (CTEPP) Fund, to reimburse costs for investigation and prosecution of environmental violations by large companies throughout the State of California (DA-EPU #2020207000).

Major Budget Changes

Salaries & Employee Benefits

- \$126,008 Salary and benefits adjustments.

Centrally-Budgeted Expenses

- (\$4,686) Decrease in Workers' Compensation insurance costs.
- \$24,481 Addition of Countywide Cost Allocation Plan charges.

Expenditure Reimbursements

- \$14,291 Increase in reimbursement for labor costs from District Attorney's main budget.

Operating Transfers In

- \$129,209 Increase in funding from the Consumer Fraud Trust Fund.

Program Discussion

The 2019-2020 recommended Consumer Fraud Proposition 64 budget totals \$4,053,282, which is an increase of \$146,558 from the 2018-2019 adjusted budget. This change mainly

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represents salary and benefits adjustments, the addition of the Countywide Cost Allocation Plan charges, offset by a decrease in Workers' Compensation insurance costs. The budget provides funding to investigate and enforce consumer protection laws and prosecute environmental violations by large companies. Staff and program expenses are funded mainly by various trust funds, with a portion of costs reimbursed from the District Attorney's Real Estate Fraud Prosecution budget. A contribution of \$3,058 from the General Fund is included in this budget to cover Countywide Cost Allocation Plan costs charged to the DA-Environmental Protection Unit budget, which cannot be used to fund such costs.

Consumer Fraud & Environmental Code Enforcement Trust Funds

Costs in this budget are reimbursed primarily from the Consumer Fraud Trust Fund (#12129) and the Environmental

Code Enforcement Trust Fund (#12130). Annual revenues vary depending on civil penalties and settlements received. As of March 31, 2019, trust fund balances were \$1,071,919 and \$9,563,175, respectively. A total of \$3,239,072 is designated from these trust funds for use in the 2019-2020 recommended budget.

Craig Thompson Environmental Protection Prosecution (CTEPP) Fund

Monies in the CTEPP Fund (#12131) are also used to supplement this budget for case-specific investigations and prosecution-related costs. Annual revenues vary depending on the number and types of cases investigated and prosecuted. As of March 31, 2019, the CTEPP Fund balance was \$656,932. A total of \$559,000 is designated for use in the 2019-2020 recommended budget.

Workload Data

	-----Actual-----			Est./Act. 2018-2019	Projected 2019-2020
	2015-2016	2016-2017	2017-2018		
<i>Local Civil Filings*</i>	N/A	N/A	18	8	12
<i>Statewide Criminal Filings*</i>	N/A	N/A	430	1,096	1,150
<i>Statewide Civil Investigations</i>	N/A	N/A	17	67	65

**Filings include referrals from following agencies:*

<i>Alcoholic Beverage and Control</i>	<i>Department of Consumer Affairs</i>
<i>Board of Equalization</i>	<i>Department of Forestry and Fire</i>
<i>Bureau of Automotive Repair</i>	<i>Department of Veteran Affairs</i>
<i>California Department of:</i>	<i>Employment Development Department</i>
<i>Fish and Wildlife</i>	<i>Local and County Fire Departments</i>
<i>Forestry and Fire Protection</i>	<i>San Joaquin County:</i>
<i>Motor Vehicles</i>	<i>Agriculture Commissioner's Office</i>
<i>Toxic Substances Control</i>	<i>Community Development Department</i>
<i>California Environmental Protection Agency</i>	<i>Environmental Health Department</i>
<i>California State Bar</i>	<i>Metro Narcotics Task Force</i>
<i>California Structural Pest Control Board</i>	<i>Mosquito and Vector Control District</i>
<i>Central Valley Regional Water Quality Control Board</i>	<i>Parks and Recreation Department</i>
<i>City and County Municipalities</i>	<i>San Joaquin Valley Air Pollution Control District</i>
<i>City and County Public Works Departments</i>	<i>United States Coast Guard</i>
<i>Contractors State License Board</i>	<i>United States Department of Agriculture</i>