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CITY OF SAN DIEGO

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June 16, 2011

REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

UPDATE ON CHANGES IN THE DOMESTIC VIOLENCE UNIT

INTRODUCTION

In March of last year, we made a commitment to expand our Domestic Violence Unit (“DV Unit”) and to reassess our policies with respect to case issuance. Since that time, we have made several changes in the DV Unit and are proud to report to you the results of these changes and our intention to continue to improve the Unit.

I. POLICY CHANGES

As we discussed in the attached memo dated March 8, 2010, we have changed our policies and are issuing more so-called low level cases. We have also developed innovative and aggressive strategies to combat witness intimidation which have been very successful. We are extremely excited to be part of the community recently selected by a new Department of Justice grant aimed at developing ways to combat the nation-wide challenge of witness intimidation in domestic violence cases.

II. PERSONNEL CHANGES

In November 2010, we named a former deputy district attorney with 14 years of trial experience and an extensive background in domestic violence, child abuse and sexual assault cases to lead our DV Unit. In addition, the attorneys in the Unit are experienced, having a combined experience of 70 years. This unique combination of leadership, experience and dedication, has resulted in a strong and successful DV Unit of which we are extremely proud.

III. IMPROVED PARTNERSHIPS

We have coordinated with the San Diego Police Department to do quarterly warrant sweeps for defendants who have outstanding arrest warrants in domestic violence cases. We provided training on domestic violence investigation at police stations that have a high percentage of domestic violence calls. At every opportunity, we teach the community about the cycle of violence, our role in the criminal justice system and ways that our citizens can help to combat domestic violence in our city.

We staff the Family Justice Center (FJC) with a deputy who has ten years of felony trial experience which includes specialized knowledge in the handling of sexual assault and domestic violence cases, resulting in an improved partnership and working relationship with the sergeants

and detectives in the DV Unit of the San Diego Police Department. Having a representative at the FJC enables us to collaborate with other partners. We refer potential felony cases to the District Attorney's Office. We provide more immediate resources and feedback to victims and witnesses. In addition, we coordinate quick referrals to both the County Probation Department and the State Parole Office.

IV. DRAMATIC RESULTS

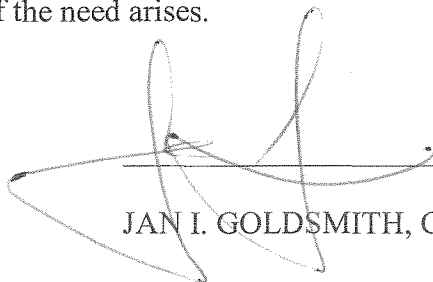
As a result these changes, the number of domestic violence cases issued in the first five months of this year, compared to the first five months of 2010, has increased by 61%. During that same period, the number of cases tried by our Unit has increased by 170%. Despite the dramatic increase in the number of cases we have prosecuted so far this year, we are proud to report that our overall conviction rate is 95%. We continue to strictly adhere to the sentencing mandates, including a requirement of batterer's treatment, for every offender place on probation in a domestic violence case.

V. PLANNED IMPROVEMENTS

In 2010, we added two attorney positions to the DV Unit. In order to handle the increase in case volume this year, we are adding two more trial deputies to the Unit. With this change, we will have increased the number of attorneys prosecuting domestic violence cases to 11.5, an overall increase of four attorney positions.

CONCLUSION

At this time, we are able to expand the DV Unit without seeking additional budget funding by re-assigning attorneys from the Trial Unit. We will continue to assess the staffing needs of the unit and may expand if the need arises.



JAN I. GOLDSMITH, CITY ATTORNEY

Office of
The City Attorney
City of San Diego

MEMORANDUM
MS 59

(619) 533-5800

DATE: March 8, 2010
TO: Honorable Mayor and City Councilmembers
FROM: City Attorney
SUBJECT: *Report on Changes in the Domestic Violence Unit*

As you know, last year we moved our entire Domestic Violence Unit ("DV Unit") from the Family Justice Center to our main offices. Although part of the reason for this move was to save over \$200,000 annually, it is also being accompanied by some management reviews.

About 4 years ago, the DV Unit instituted a policy that made it difficult to issue so-called low level cases. This policy change was made in light of changes in the law which made it much more difficult to prove domestic violence cases at trial. As a result of that policy, the number of attorneys in the DV Unit was reduced and a trend began that saw a steady decrease in the number of cases being issued.

In 2002, the DV Unit had 32 employees, including 14 attorneys. Currently, the DV Unit has 17 employees, including 7.5 attorneys. Upon taking office in December, 2008, we did not reduce the number of attorneys working in the DV Unit and did not change the policy, but decided to assess the policy during the first year.

We have now decided to change the policy on so-called low level crimes. Under our new policy, there will be an increase in the number of cases issued by the DV Unit, although the individual issuing deputy will retain prosecutorial discretion based upon case specific circumstances as is ethically required. The increase in issuing rates will be gradual as we build up the DV Unit during the course of the next 24 months.

In order to begin to implement this policy, it will be necessary to begin an expansion of the DV Unit. We are planning to add one to two additional attorneys this fiscal year, as well as support staff. We may expand the Unit further the second fiscal year.

Honorable Mayor and City Council

March 8, 2010

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We believe we can accommodate this expansion within our existing budget by using savings we achieved through returning the DV Unit to our main office and eliminating two top management level Assistant City Attorney open positions in favor of three Deputy City Attorney positions and a staff position. These changes would take effect immediately.

There would be no need for a budget increase, although the budget would reflect the need to make the change from ACA positions to the three DCA and staff positions.