

## Prosecutors, deputies call on Contra Costa supervisors to restore funding

By Malaika Fraley  
Contra Costa Times

Posted: 04/28/2009 11:52:18 AM PDT

Updated: 04/29/2009 11:36:51 AM PDT

MARTINEZ — Misdemeanor prosecutions in Contra Costa County will continue through the fall while county leaders work to find a permanent solution to the District Attorney's Office budget crisis, District Attorney Robert Kochly said Tuesday.

Kochly volunteered to cut his pay in the next fiscal year by 10 percent. That, combined with the resignation of three benefited attorneys this week, will save the jobs of six contract prosecutors who were to be laid off Thursday, Kochly said at an emergency public safety meeting before the board of supervisors.

"At least it will buy us some time without incurring further expense to the county," Kochly said.

After listening to Kochly's testimony, supervisors voted unanimously to accept his plan.

Kochly previously announced that his office would cut misdemeanor prosecutions by 45 percent beginning May 4 to account for \$1.9 million in cuts that would force the layoffs of 20 percent of the prosecutor's staff by the end of the year.

Supervisors responded by calling an emergency

public safety meeting Tuesday, saying they wanted to work with Kochly to avoid enacting the nonprosecution policy. A series of meetings will be scheduled in the next 120 days to come up with a solution, Supervisor Susan Bonilla said.

"This is an issue we are going to have to work diligently on and collaborately on," Bonilla said.

Supervisors praised Kochly for coming up with a temporary solution. They had been critical of him since he circulated a letter last week to county police chiefs listing which misdemeanor crimes won't be prosecuted under the new policy.

"I think there's a number of things that can be done to be creative," Supervisor Federal Glover said.

Glover said he is rescinding a letter to state Attorney General Jerry Brown's Office calling for an investigation into Kochly's job performance. Then, to illustrate his point, Glover tore up a copy of the letter.

Before the meeting, leaders of the sheriff's deputy and deputy district attorney associations held a news conference and accused the board of putting public safety at risk with budget cuts.

The Sheriff's Office had to cut nearly \$10 million from its budget, resulting in the 25 deputies being laid off, a figure that includes police academy recruits.

Deputy Jim Bickert said the cuts mean a drastic reduction in the number of deputies on patrol and slower response times.

Speaking to supervisors later, Sheriff Warren Rupf said local government has failed public safety.

"We're not just broke, we're broken," Rupf said.

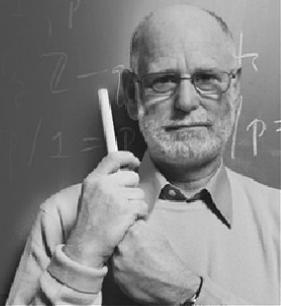
Advertisement



**Florida Tech**  
UNIVERSITY ONLINE

**Bring the Classroom to Your Home  
With a Degree Online From Florida Tech**

**APPLY TODAY!**  
FloridaTechOnline.com/FD | 1-888-253-5946



Deputy District Attorney Barry Grove said at the news conference that statistics from the California Association of District Attorneys rank the Contra Costa County District Attorney's Office the most underfunded and understaffed in the state. He said the ranking demonstrates that public safety is not a priority for the board.

He lashed out at supervisors for publicly blaming Kochly for the decision to cut misdemeanor prosecutions, a move that he said was the result of choices the supervisors made.

"Either they didn't understand the consequences of the budget they were passing, which makes them foolish, or they did understand the consequences of the budget they were passing, which makes them disingenuous," Grove said.

The list of misdemeanor crimes affected includes non-DUI traffic offenses such as driving with a suspended license and reckless driving, as well as simple assault and battery, possession of small amounts of drugs, lewd conduct, trespassing and petty theft.

Prosecution would continue on "core" misdemeanor offenses such as domestic violence, drunken driving, firearms and vehicular manslaughter. Misdemeanor assaults involving a weapon, injury and police officers as victims would be considered on a case-by-case basis.

Martinez police Chief Tom Simonetti said local police chiefs are concerned that law enforcement won't be able to rely on the district attorney's office to review and prosecute cases if funding isn't restored.

"We fear crime will rise and our currently depleted resources will be taxed further," Simonetti said.

Staff writer Robert Salonga contributed to this story. Reach Malaika Fraley at [mfraley@bayareanewsgroup.com](mailto:mfraley@bayareanewsgroup.com).

Advertisement



**Florida Tech**  
UNIVERSITY ONLINE

**Bring the Classroom to Your Home  
With a Degree Online From Florida Tech**

**APPLY TODAY!**  
[FloridaTechOnline.com/FD](http://FloridaTechOnline.com/FD) | 1-888-253-5946

