

Community Prosecutor Program

City of Huntington Beach, City Attorney's Office



History of the Community Prosecutor Program

- Interest and Desire to support our Police and the work they do
- Post implementation of Props 47, 57 and AB 109
- Need to address some of the concerns of the community, crimes that impact the quality of life

History of the Community Prosecutor Program

- Talks with Orange County District Attorney, Police Chief, and other City Officials
- July 2016, Memorandum between City Attorney and OCDA (Prosecute Misdemeanors under CA Penal Code)
- October 2016, City Council approved the new position of Deputy Community Prosecutor

History of the Community Prosecutor Program

- Program GOALS:
 - Address crimes in HB impacting the quality of life
 - Get necessary prosecution/follow-through on arrests
 - Hire one Deputy Community Prosecutor
 - File/maintain a rolling average of 100 criminal cases
 - Obtain convictions, stay away orders, probations, etc
 - Provide training to Police
 - Prosecute Nuisance Abatement cases (e.g., MMDs)

Community Prosecutor

Ms. Gemia Mercer

Started with the City of Huntington Beach in April 2018

- Undergrad at USC; Studied Law at Loyola Law school
- Served as a Deputy City Prosecutor for the City of Long Beach under City Prosecutor for almost 5 years
 - Prosecuted all misdemeanors that occurred in the City of Long Beach
 - Conducted jury trials and bench trials
 - Was in charge of a diversion program for the City of Long Beach for low level drug possession and prostitution cases

Works with City Attorney, Michael Gates, and Senior Trial Counsel, Brian Williams

PETTY THEFT (PC 488)

- Theft under \$950, e.g., Walmart, CVS, Costco, Target
- Types of sentences we have obtained include:
 - **Probation**
 - **Fines/Jail Time**
 - **Stay Aways**
 - **Restitution**





DRUNK IN PUBLIC (PC 647(f))

- A person is intoxicated to the point where they are unable to take care of themselves - Most occur in Downtown HB
- Types of sentences we have obtained include:
 - **Probation**
 - **Fines/Community Service**
 - **Alcoholic Anonymous Classes**
 - **Stay Aways**



RESISTING OFFICER ARREST (PC 148)

- Occurs when a person flees from a police officer while being arrested or threatens a police officer with physical violence while being arrested.
- Types of sentences we have obtained include:
 - **Probation**
 - **Fines/Jail Time**



TRESPASSING (PC 602)

Trespassing - one person enters onto the land of another without permission or the legal right to be there.

Types of trespassing charges include:

- Refusing to leave
- Interfering with a Business
- Squatting
- Trespassing on school grounds





DRUG POSSESSION

Types of Drug Charges include:

- Possession of a Controlled Substance
 - Methamphetamine
 - Heroin
 - Cocaine
 - Prescription Pills
- Possession of Drug Paraphernalia



MISD. SEX CRIMES (PC 314.1, PC 647(a))

- Indecent Exposure – PC 314.1
 - This charge, if convicted, will result in a lifetime sex offender registration.
- Lewd Act in Public – PC 647 (a)
 - Lewd Act – unlawful behavior that is sexual in nature, performed with the intention arousing either the perpetrator or the person to whom the conduct is directed.

Diversionary Program

- Defendants with no records given the opportunity to earn a dismissal of their criminal case if they complete certain requirements, such as
 - Residential Drug Treatment Programs
 - Alcoholic/Narcotic Anonymous Classes
 - Do Community Service for the City of Huntington Beach
 - Stay Away from the location of the crime
 - Commit no new crimes

STATUS/RESULTS

Community Prosecutor Program

- Exceeded Expectations
 - Maintain Rolling **Average of 300 Active Cases**
(Currently approximately 80 cases filed per month)
- **343 Convictions:**
 - **245 Sentenced to Jail**
 - Jail time varies; credit for time served to **180 days**
 - **77 Probationary Sentences, including Stay Away Orders**
 - Example: probation, stay away orders, fines, restitution
 - **115 cases in Warrant Status**

STATUS/RESULTS

Fees/Fines Recovered To Date

- CRIMINAL CASE PROSECUTION:
 - Fees/Fines ***ordered*** from 6/2017: **\$84,568.00**
- PROSECUTION OF MMDs:
 - City has recovered more than \$475,000 in Attorney's Fees, penalties, fines, through in part our Prosecutor's efforts to prosecute Nuisance Abatement cases.

STATUS/RESULTS

Community Prosecutor Program

- Addressing crimes in HB impacting the quality of life
- Get necessary prosecution/follow-through on arrests
- File/maintain a rolling average of 300 criminal cases
- Obtain convictions, stay away orders, probations, etc.
- Provide training to Police
- Prosecute Nuisance Abatement cases (e.g., MMDs)



Community Prosecutor Program Improving the Quality of Life for the Residents of the City of Huntington Beach, While Providing Support for the Great Work of Our Police

