

The Hidden Impact of Lawsuit Abuse on Taxpayers

California's Cities and Counties Litigation Costs Revealed



CITIZENS AGAINST LAWSUIT ABUSE

A Report by California Citizens Against Lawsuit Abuse

November 2009

Introduction

At every level, the financial outlook of our public entities is bleak. Globally, nationally, statewide, and locally, our governments are going through unprecedented hardships. Budgets are tightening and programs are suffering from harsh cuts. Now more than ever, waste in government spending needs to be sought out and eliminated. Yet one expense public entities are consistently faced with is going largely unexamined – the high costs associated with litigation.

Litigation costs will always be present in the public sector, as there will always be lawsuits with merit that deserve their day in court. However, government entities are too often seen as deep pockets, even in today's tough times, and abusive lawsuits are filed in an attempt for some plaintiffs to get rich quick. With many of these lawsuits being filed on a contingency fee basis, plaintiffs' attorneys have plenty of motives to file lawsuits in the hopes of a quick settlement or a large verdict.

The fact is cities and counties are no longer able to afford even the basic costs of operation, let alone the unpredictable cost of lawsuits. Many cities and counties across the state are contemplating ballot measures to raise taxes in a variety of ways including parcel taxes, sales taxes, hotel taxes, utility taxes, and more. Some of the would-be tax increases are to help fund specific line items such as education, but many are just to aid the flailing general fund budgets.¹

Though these particular tax increases would need to be approved by voters, an unlikely occurrence in a recession, not all taxes are subject to a vote. A recent study by Tillinghast-Towers Perrin found that every man, woman, and child in America pays approximately \$835 a year in a "lawsuit tax" – higher prices for goods and services due to litigation costs.² When a public entity gets hit with a lawsuit, we as taxpayers foot the bill. As lawsuits can be hard to anticipate, and verdict and settlement costs even harder to budget for, a large verdict or settlement could force a city or county to move money allocated for another budgetary item to cover the litigation expense. Such a shift could result in a loss of employment or program offerings, something no one in California can afford right now. Even lawsuits that are eventually dismissed divert time and money away from places they could be better spent.

While many lawsuits do have merit, here are some recent examples of lawsuits that have taken hefty sums of money away from California cities and counties:

¹ "Bay Area hopes to tax its way to funding," San Francisco Chronicle, October 26, 2009

²2008 Update on U.S. Tort Cost Trends, available at <http://www.towersperrin.com/tp/getwebcachedoc?webc=USA/2008/200811/2008_tort_costs_trends.pdf> (October 26, 2009).

- The City of Fresno was sued for cleaning up the streets, which included the disposal of possessions of homeless people. Plaintiffs were awarded more than \$2.3 million dollars, of which approximately \$750,000 went toward attorney fees.³
- The City of Oakland will pay \$1.2 million to settle a lawsuit brought by a man shot and paralyzed by police while robbing a church.⁴

This report examines the cost of verdicts, settlements and outside counsel to some of California's largest cities and counties. It does not factor in in-house counsel and other administrative costs associated with litigation.

Although not every city and county in California is included in this report, one thing is clear – we cannot afford to keep putting millions of dollars into litigation costs when so many social service, public safety and other programs are losing their funding. Lawsuits are meant to provide justice for those who are wronged, not a windfall for a handful of plaintiffs and their attorneys.

³ "Lawsuits tend to always be about the money ... for lawyers," *Western Farm Press*, July 7, 2008

⁴ "Oakland settles officer-involved shooting case for \$1.2 million," *Oakland Tribune*, October 8, 2009

Methodology

In order to examine the impact of litigation costs on municipal budgets, California Citizens Against Lawsuit Abuse (CALA) made inquiries to the following jurisdictions: San Francisco; the cities of Anaheim, Bakersfield, Fresno, Oakland, Los Angeles, Sacramento, San Diego, and San Jose; and the counties of Alameda, Fresno, Kern, Los Angeles, Orange, Sacramento, San Diego, and Santa Clara. Each municipality was asked for the amount the city or county spent on verdicts and settlements and outside counsel for fiscal years 2007 and 2008.

Once the litigation costs were received, CALA examined city and county budget documents published on the Internet to find line items for cost comparison purposes. The full sources for these items are noted throughout this report.

City Litigation Costs

In Fiscal Year 2007, the cities of Anaheim, Bakersfield, Fresno, Los Angeles, Oakland, Sacramento, San Diego, and San Jose spent \$101.2 million in litigation, \$60.9 in verdicts and settlements, and \$40.2 in outside counsel. (See Table 1)

In light of recent budget cuts in nearly every city and county in the state, cities are no longer deep pockets that can afford to absorb such steep litigation costs. The city of Los Angeles alone is more than \$400 million in the red.⁵ To illustrate the weight of these costs, following are examples of city programs that could be funded by what was spent on litigation:

- In Anaheim, the \$2 million could have maintained 146 acres of park land and 105 sports fields.⁶
- In Bakersfield, the \$3.7 million spent on litigation could have more than paid for the city's entire Parks and Recreation Department.⁷
- In Fresno, the \$4.6 million could have funded 75 cameras and supporting equipment for a new video policing program, the Mayor's Gang Task Force for Prevention and Intervention Services, and the Stamping Out Graffiti program.⁸
- In Los Angeles, the \$64.9 million spent on litigation could have funded all infrastructure improvements such as streets, storm drains and bikeways, in the city's budget.⁹
- In Oakland, the nearly \$7 million spent on litigation could have funded the entire Police Department's Port Security program (which provides public safety services, traffic safety and law enforcement in and around Oakland's airport and seaport) and the addition of 21 part-time recreation staff to support after-school programs.^{10,11}
- In Sacramento, the \$1.9 million spent could have paid for maintenance and increased security in Old Sacramento, as well as brought world-famous events such

⁵"City Council Vague on Police Furloughs," NBC Los Angeles, October 15, 2009.

⁶ City of Anaheim Fiscal Year 2006/07 Adopted Budget (pg 158), available at <http://www.anaheim.net/docs_agend/budget/OB_CIP/2006-07_Adopted_City_of_Anaheim_Budget.pdf> (October 26, 2009).

⁷ City of Bakersfield Fiscal Year 2006-2007 Final Budget, available at <<http://www.bakersfieldcity.us/weblink7/ElectronicFile.aspx?docid=590857>> (October 26, 2009).

⁸ City of Fresno Fiscal Year 2006-2007 Adopted Budget (pg 319), available at <<http://www.fresno.gov/NR/rdonlyres/3F5BE53D-6684-4677-9393-D4F40E657B43/8396/Entire0607AdoptedBudgetOptimized.pdf>> (October 26, 2009).

⁹ City of Los Angeles Budget Summary 2006-2007 (pg 15), available at <<http://www.lacity.org/cao/budgetsum/BudgetSummary2006-07.pdf>> (October 26, 2009).

¹⁰ City of Oakland Fiscal Year 2007-09 Adopted Policy Budget (pg 250), available at <http://www.oaklandnet.com/budgetoffice/FY07-09AdoptedPolicyBudget_FINAL.pdf> (October 26, 2009)

¹¹ City of Oakland Fiscal Year 2007-09 Adopted Policy Budget (pg 8), available at <http://www.oaklandnet.com/budgetoffice/FY07-09AdoptedPolicyBudget_FINAL.pdf> (October 26, 2009).

as the Dixieland Jazz Jubilee and New Year's Eve Fireworks Celebration to the city.¹²

- In San Diego, the \$15.5 million spent could have paid for all the supplies and services of San Diego Fire-Rescue.¹³
- In San Jose, the \$1.9 spent on litigation could have funded 28 full time positions in the fire department's emergency response unit.¹⁴

Table 1: City Litigation Costs

City	Fiscal Year 2007			Fiscal Year 2008		
	Verdicts & Settlements	Outside Counsel	Total	Verdicts & Settlements	Outside Counsel	Total
Anaheim	\$1,483,262	\$549,892	\$2,033,154	\$1,355,098	\$1,052,610	\$2,407,708
Bakersfield	\$2,192,587	\$1,542,126	\$3,734,713	\$ 478,000	\$1,138,212	\$1,616,212
Fresno	\$1,114,373	\$3,477,618	\$4,591,991	\$210,032	\$3,097,962	\$3,307,994
Los Angeles	\$33,493,283	\$31,475,826	\$64,969,109	\$36,637,818	\$35,227,744	\$71,865,562
Oakland	\$5,500,000	\$1,450,000	\$6,950,000	\$6,150,000	\$1,740,000	\$7,890,000
Sacramento	\$1,980,271	\$113,606	\$2,093,877	\$3,328,319	\$13,921	\$3,342,240
San Diego	\$13,242,928	\$2,245,676	\$15,488,604	\$12,712,097	\$4,287,969	\$17,000,066
San Jose	\$1,873,693	\$3,738	\$1,877,431	\$1,729,556	\$11,412	\$1,740,968
TOTAL	\$60,880,397	\$40,858,482	\$101,738,879	\$62,600,920	\$46,569,830	\$109,170,750

**Numbers have been rounded to the nearest decimal throughout the report.*

In Fiscal Year 2008, the cities paid even more to deal with lawsuits, spending a total of \$109.1 million in litigation, \$62.6 million in verdicts and settlements, and \$46.6 million in outside counsel. (See Table 1)

Again, this money could have been better spent on budget items:

- In Anaheim, the \$2.4 million spent on litigation could have covered the operating costs for the Workforce Development Division whose programs are designed to match employer needs with qualified local job seekers.¹⁵

¹² City of Sacramento Approved Budget Fiscal Year 2006-2007 Section - 11 (pg 10), available at <<http://www.cityofsacramento.org/finance/budget/documents/13-CCL.pdf>> (October 26, 2009).

¹³ City of San Diego Fiscal Year 2007 Public Safety & Homeland Security Budget, available at <<http://www.sandiego.gov/fm/annual/pdf/fy07/pshs.pdf>> (October 28, 2009).

¹⁴ City of San Jose Fiscal Year 2006-2007 Fire Department Adopted Operating Budget (pg 3), available at <<http://www.sanjoseca.gov/budget/FY0607/AdoptedOperating/59.pdf>> (October 26, 2009).

- In Bakersfield, the \$1.6 million could have more than paid for the realignment on Auburn Street west of Morning Drive to tie into the new location of the Auburn Street/Morning Drive intersection.¹⁶
- In Fresno, the \$3.3 million could have paid for the City's After School Recreation/Education Programs, which include Literacy and Employment Readiness (BEST Program), Therapeutic Recreation, Academic Game Plan, Community Science, Fresno Connect, and the Reduce Substance Abuse educational initiative. Together, these programs are budgeted at \$2.79 million.¹⁷
- In Los Angeles, the \$71.8 million could have paid the starting base salary for 1,271 police officers.¹⁸ The Los Angeles Police Department is currently trying to save the city \$50-100 million.¹⁹
- In Oakland, the \$7.9 million could have completely funded the Department of Human Services.²⁰
- In Sacramento, the \$3.3 million spent could have paid the salaries of 60 new police officers.²¹
- In San Diego, the \$17 million could have paid the salaries of 282 firefighters.²²
- In San Jose, the \$1.7 million spent on litigation could have nearly funded the entire Office of the Mayor.²³

¹⁵ City of Anaheim Fiscal Year (FY) 2007-2008 Adopted Budget (pg 145), available at <http://www.anaheim.net/docs_agend/budget/OB_CIP/2007-08_Adopted_City_of_Anaheim_Budget.pdf> (October 26, 2009).

¹⁶ Bakersfield Freeways, available at < http://www.bakersfieldfreeways.us/documents/2009-03-23_Presentation.pdf> (November 3, 2009).

¹⁷ City of Fresno Adopted Budget Fiscal Year 2007-2008 (pg 182), available at <http://www.fresno.gov/NR/rdonlyres/3F5BE53D-6684-4677-9393-D4F40E657B43/9569/CompleteFY2007_2008AdoptedBudget.pdf> (October 26, 2009).

¹⁸ Los Angeles Police Department, available at < <http://www.joinlapd.com/salary.html> > (October 26, 2009).

¹⁹ "City Council Vague on Police Furloughs," NBC Los Angeles, October 15, 2009.

²⁰ City of Oakland Fiscal Year 2007-09 Adopted Policy Budget (pg 120), available at <http://www.oaklandnet.com/budgetoffice/FY07-09AdoptedPolicyBudget_FINAL.pdf> (October 26, 2009).

²¹ City of Sacramento Approved Budget Fiscal Year 2007-2007 Section - 23, available at <http://www.cityofsacramento.org/finance/budget/documents/23_Police.pdf> (October 26, 2009), Sacramento Police Department, Career Opportunities, available at <<http://www.sacpd.org/inside/join/careers/opportunities/>> (October 26, 2009).

²² City of San Diego Fiscal Year 2008 Fire-Rescue Budget, available at <<http://www.sandiego.gov/fm/annual/pdf/fy08/56v2fire.pdf>> (October 26, 2009).

²³ City of San Jose Mayor and City Council Department Budget Summary Fiscal Year 2007-2008 (pg 2), available at <<http://www.sanjoseca.gov/budget/FY0708/documents/18.MayorCityCouncil.pdf>> (October 26, 2009).

County Litigation Costs

Counties are also hit hard with excessive litigation. In Fiscal Year 2007, the counties of Alameda, Fresno, Kern, Los Angeles, Orange, Sacramento, San Diego, San Francisco and Santa Clara spent a total of \$158 million in litigation, \$94.1 million in verdicts and settlements, and \$64 million in outside counsel. (See Table 2)

People are losing their jobs or suffering reductions in pay, our streets are manned by fewer law enforcement officers and many programs have undergone major reductions, but litigation marches on. The money spent on litigation in the aforementioned counties could have funded important county programs across the state, including:

- In Alameda County, the \$7.5 million could have paid the salaries of 154 child care workers.²⁴
- In Fresno County, the \$1.2 million could have paid for three psychiatrists for the Mental Health Division of Children and Family Services, and six detectives for the Sheriff's Department.²⁵
- In Kern County, the \$800,000 spent on litigation could have funded the Veteran Services Program.²⁶
- In Los Angeles County, the \$100.7 million spent on litigation could have funded approximately 80 percent of the Public Library General Fund.²⁷
- In Orange County, the \$6.5 million spent on litigation could have more than paid for the Child Support Program Development Fund.²⁸
- In Sacramento, the \$15.6 million could have covered more than half the costs of building a new airport traffic control tower at the Sacramento International Airport. The FAA reported the Sacramento airport ranks highest on the West Coast in collisions between birds and planes.^{29 30}

²⁴ Alameda County Salary Report, page 19, available at http://www.acgov.org/hrs/salary_ord/documents/HRI003D.PDF (October 26, 2009).

²⁵ County of Fresno 2006-07 Proposed Budget (pg 62, 128), available at <http://www.co.fresno.ca.us/ViewDocument.aspx?id=19631> (October 26, 2009).

²⁶ Kern County Summary of FY 2006-07 Adopted Appropriations (pg 2), available at <http://www.co.kern.ca.us/cao/budget/fy0607/adopt/sumapp.pdf> (October 26, 2009).

²⁷ County of Los Angeles 2006-07 Final Budget (pg 7), available at <http://file.lacounty.gov/lac/FB%2006-07.pdf> (October 26, 2009).

²⁸ Orange County Fiscal Year 2007 Budget Workbook, Community Services, available at http://bos.ocgov.com/finance/2007FN/p1_frm.htm (October 26, 2009).

²⁹ Sacramento County Airport System – Overall Executive Summary (pg 1), available at http://www.budget.sacounty.net/coswcms/groups/public/@wcm/@pub/@obdm/@inter/documents/webcontent/sac_004865.pdf (October 26, 2009).

³⁰ FAA: Sacramento airport records most bird strikes on West Coast," *The Sacramento Bee*, April 24, 2009.

- In San Diego County, the nearly \$2.5 million could have paid more than a third of the Juvenile Court budget.³¹
- In San Francisco, the \$19.4 million could have funded nearly all the administrative costs for the port.³²
- In Santa Clara County, the \$3.7 million paid could have funded nearly three-quarters of the Children’s Shelter program.³³

Table 2: County Litigation Costs

County	Fiscal Year 2007			Fiscal Year 2008		
	Verdicts & Settlements	Outside Counsel	Total	Verdicts & Settlements	Outside Counsel	Total
Alameda	\$4,384,100	\$3,157,386	\$7,541,486	\$1,948,800	\$2,414,632	\$4,363,432
Fresno	\$667,317	\$567,265	\$1,234,582	\$872,695	\$651,536	\$1,524,231
Kern	\$670,798	\$145,731	\$816,529	\$547,207	\$1,082,345	\$1,629,552
Los Angeles	\$50,476,305	\$50,296,003	\$100,772,308	\$45,340,954	\$43,818,077	\$89,159,031
Orange	\$2,938,342	\$3,625,817	\$6,564,159	\$2,739,900	\$4,827,089	\$7,566,989
Sacramento	\$12,235,771	\$3,342,627	\$15,578,398	\$2,471,536	\$4,263,957	\$6,735,493
San Diego	\$2,025,000	\$451,580	\$2,476,580	\$1,200,000	\$15,547	\$1,215,547
San Francisco	\$17,497,778	\$1,916,859	\$19,414,637	\$17,625,753	\$715,791	\$18,341,544
Santa Clara	\$3,200,164	\$406,261	\$3,607,014	\$4,205,058	\$467,659	\$4,672,717
TOTAL	\$94,096,164	\$63,909,529	\$158,005,693	\$76,951,903	\$58,256,633	\$135,208,536

**Numbers have been rounded to the nearest decimal throughout the report.*

In Fiscal Year 2008, the counties again paid a substantial amount in litigation, together spending a total of \$135.2 million in litigation, \$77 million in verdicts and settlements, and \$58.3 million in outside counsel. (See Table 2)

³¹ County of San Diego Public Safety Group Budget Summary 2006-2008 (pg 8), available at <http://www.sdcounty.ca.gov/auditor/pdf/changeletter_06-08_psg.pdf> (October 26, 2009).

³² City and County of San Francisco Mayor’s Proposed Budget 2006–2007 (pg 335), available at <<http://www.sfgov.org/site/uploadedfiles/mayor/PolicyFinance/MayorsProposed2006-2007Budget.pdf>> (October 26, 2009).

³³ County of Santa Clara, FY 2007 Final Budget (page 182), available at <http://www.sccgov.org/SCC/docs/SCC%20Public%20Portal/attachments/County%20Budget/FY2007_Final_Budget.pdf> (November 3, 2009).

Again, this money could have been better spent on budget items:

- In Alameda County, the \$4.4 million could have funded the Independent Living Skills Program, which serves 1,400 foster youth, and nearly all of the Women, Infant & Children Program which gives nutritional vouchers and information to over 17,000 families monthly.³⁴
- In Fresno County, the \$1.5 million spent on litigation could have paid the salaries of nearly the entire Substance Abuse Services program.³⁵
- In Kern County, the \$1.6 million spent on litigation could have paid the salaries of 43 firefighter apprentices.³⁶
- In Los Angeles County, the \$89.1 million could pay for the Sheriff Narcotic Enforcement program, the Olive View Medical Center, the Air Quality Improvement program, and Child Abuse/Negligence Prevention program.³⁷
- In Orange County, the \$7.6 million spent on litigation could have more than paid for both the county's Domestic Violence program and Emergency Medical Services.³⁸
- In Sacramento, the \$6.8 million could pay for Phase II of the Kiefer Landfill project, the only facility in Sacramento that accepts household waste. Phase II includes drainage improvements and landfill gas system modifications.³⁹
- In San Diego County, the nearly \$2.5 million could have more than covered the year's budget for the Gillespie Field Redevelopment Project, a redevelopment site outside an airport surrounded by industrial property.⁴⁰
- In San Francisco, the \$18.3 million spent on litigation could have nearly funded the City's entire elections budget.⁴¹

³⁴ County of Alameda 2007–2008 Final Budget (pg 62, 68), available at <<http://www.acgov.org/budget/2007-2008FinalBudget.pdf>> (October 26, 2009).

³⁵ County of Fresno Proposed Budget 2007-2008 (pg 48), available at <<http://www.co.fresno.ca.us/ViewDocument.aspx?id=19629>> (October 26, 2009).

³⁶ Kern County Fire Department, available at <<http://www.kerncountyfire.org/career.php>> (October 26, 2009).

³⁷ County of Los Angeles 2007-08 Final Budget (pgs 5-8), available at <<http://file.lacounty.gov/lac/FB%2007-08.pdf>> (October 26, 2009).

³⁸ Orange County Fiscal Year 2008 Budget Workbook, Community Services, available at <http://bos.ocgov.com/finance/2008WB/charts_frm.htm> (October 26, 2009).

³⁹ County of Sacramento Fiscal Year 2007-2008 Adopted Final Budget (pg 261), available at <http://www.budget.saccounty.net/coswcmcs/groups/public/@wcm/@pub/@obdm/@inter/documents/webcontent/sac_008177.pdf> (October 26, 2009).

⁴⁰ County of San Diego Community Services Group Budget Summary 2006-2008 (pg 8), available at <http://www.sdcounty.ca.gov/auditor/pdf/adoptedplan_07-09_csg.pdf> (October 26, 2009).

⁴¹ City and County of San Francisco Mayor's Proposed Budget 2007–2008 (pg 207), available at <<http://www.sfgov.org/site/uploadedfiles/mayor/PolicyFinance/MayorsProposed2007-2008Budget.pdf>> (October 26, 2009).

- In Santa Clara County, the \$4.7 million could have paid for the entire Campbell Library and Milpitas Community Library funds.⁴²

⁴² County of Santa Clara, FY2008 Final Budget (pg. 111), available at <http://www.sccgov.org/SCC/docs/SCC%20Public%20Portal/attachments/County%20Budget/FY2008_Final_Budget.pdf> (November 3, 2009).

Discussion

Taxpayer dollars spent on litigation scarcely garner widespread attention, but the \$504.1 million spent by just a handful of California's 58 counties and 480 cities illustrate that these costs play a significant role in how taxpayer dollars are spent. Factor in a considerable portion

"The Oakland City Attorney's Office uses strategic litigation techniques in and out of court to protect taxpayer dollars. Of all claims and lawsuits resolved in FY07/08, almost 3 out of 4 (72%) were resolved with no payment of money."

of verdicts and settlements that go to plaintiffs' attorneys rather than the alleged victims, and most of us can agree that we would rather have our tax dollars going toward vital community services rather than lining the pockets of personal injury lawyers.

Unfortunately, the very entities that are so often victims of excessive litigation sometimes perpetrate it as well. Particularly in these economic times, cities, counties and other public agencies are sometimes resorting to suing each other to try to make ends meet.

When public entities sue each other, litigation is even more damaging to taxpayers as they bear the costs of both prosecuting and defending the lawsuit. In 2006, Kern County passed a measure to ban the City of Los Angeles and Orange County from dumping sludge into Kern County. Los Angeles claims the measure violates the interstate commerce clause of the U.S. Constitution and the government entities have been involved in litigation for more than three years. No matter who ultimately prevails, taxpayers in all these jurisdictions have lost a lot of valuable tax dollars fighting this issue in court.

Some cities and counties have taken extra steps to try to contain litigation costs, with mixed results. In Oakland, approximately 90 percent of claims never evolve into lawsuits due to the aggressive management of potential lawsuits at the claims stage by City Attorney's Office.⁴³

Los Angeles County has adopted a Risk Management Information System to manage litigation and has hired a Litigation Costs Manager. However, legal costs continue to mount. Last year's average settlement was more than \$141,000.⁴⁴ This year's legal costs are sure to be even higher, given a \$172 million settlement approved in June on a class-action suit on an illegal utility tax and another \$45 million settlement on a decade-old property tax suit that is expected to be approved in the near future.

"At the end of the day the ones who really win out are the lawyers," Los Angeles County Supervisor Gloria Molina said. "We're vulnerable because they see a weakness. We are the deep pockets."

The City of Sacramento makes every effort not to hire outside counsel. In a recent 10-year period, only nine cases were referred to outside counsel, each due to a conflict of interest

⁴³ Office of the City Attorney Annual Report, Fiscal Year 2007-2008, available at <http://www.oaklandcityattorney.org/PDFS/Council%20Reports/Annual%20Report%200708.pdf> (October 26, 2009).

⁴⁴ "L.A. County is facing unusually large lawsuit payouts," *Los Angeles Times*, August 13, 2009

within the City Attorney's office. By using in-house attorneys, the office is estimated to save hundreds of thousands of dollars each year.⁴⁵

It is encouraging to see cities and counties taking proactive steps to control their legal costs, and hopefully more municipalities will follow suit to institute practices such as Oakland's strategic litigation techniques. Our current economic situation dictates that every taxpayer dollar be spent wisely. It is the responsibility of our local governments to ensure that taxpayer priorities are being met, and those priorities do not include paying plaintiffs' attorneys over providing much-needed services to the community. At the same time, however, it is our responsibility as citizens to hold our elected officials at all levels accountable.

⁴⁵City of Sacramento, Office of the City Attorney 2006-2007 Annual Report, available at <http://www.cityofsacramento.org/cityattorney/annual_reports/documents/2006-07-Annual-Report.pdf> (October 26, 2009).