



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/23/2017

Agenda Placement: 6B

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Nikki Lundeen for Allison Haley - District Attorney
District Attorney

REPORT BY: Nikki Lundeen, Staff Services Manager - 253-4215

SUBJECT: Application and Acceptance of Funding for Victim Services Programs

RECOMMENDATION

District Attorney requests approval of and authorization for the Chair to sign two (2) Certification of Assurance of Compliance documents that authorize the District Attorney to apply for and sign grant subawards with the California Office of Emergency Services for the following programs:

1. Victim/Witness Assistance Program, increasing the amount by \$120,654 for a new maximum of \$365,332 and extending the term through September 30, 2017; and
2. Unserved/Underserved Victim Advocacy and Outreach Program in the amount of \$218,750 for the term April 1, 2017 through September 30, 2018.

EXECUTIVE SUMMARY

Approval of the recommended action will allow the District Attorney to apply for and sign grant subaward documents, including amendments, extensions, and modifications, thereof, for continuation of the Victim/Witness Assistance Program and the Unserved/Underserved Victim Advocacy and Outreach Program. These subaward programs administered by the California Office of Emergency Services provide Victims of Crime Act (VOCA) funding for continued services to crime victims and witnesses throughout the County. The subaward grant terms are being adjusted to better coincide with the federal fiscal year cycle, going forward. The Victim Witness Assistance Program is being extended by three months, including an increase in appropriated funds. The Unserved/Underserved Victim Advocacy and Outreach Program is being renewed with funding appropriated for an eighteen month period.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	District Attorney
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This item is discretionary in that there is no mandate for the District Attorney's Office to be the provider of victim and witness services. However, the county is required to identify a provider of such services. These grant programs provide funding for the Victim Services Program Manager and for three Victim Advocates to aid victims and witnesses through the legal system and to assist with obtaining services from available agencies.
Is the general fund affected?	No
Future fiscal impact:	Appropriations have been included in the District Attorney's requested budget for Fiscal Year 2017-2018 and appropriations for future fiscal years will be budgeted accordingly.
Consequences if not approved:	If this item is not approved, the District Attorney will not be able to obtain continued funding from the State of California for provision of mandated victim and witness services or for outreach and advocacy for unserved/underserved Latino victims of crime. Additionally, the County would need to identify another department or non-profit to serve as the victim and witness services provider within the County.
Additional Information:	The District Attorney's Victim Services Division has 7.0 FTE positions, consisting of a 1.0 FTE Victim Services Program Manager, a 1.0 FTE Victim Services Volunteer Coordinator, and 5.0 FTE Victim Witness Advocates. Federal and State funding provides for about 90% of the direct personnel and operating costs in the Victim Services Division. The total Victim Services budget of approximately \$858,000 is funded by multiple funding sources, including these grant subawards, in the District Attorney's budget.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

California Penal Code Sections 13835 through 13835.10 mandate that every county in the State of California be provided funding for comprehensive services for victims and witnesses. Funding is designed to help victims and witnesses of all types of crime by maintaining local centers that provide comprehensive assistance, including all legislatively mandated services. Victim/Witness Assistance Centers (VWACs) arose in 1983 in an effort by the Legislature to reduce the trauma and insensitive treatment that victims and witnesses experienced in the criminal justice system. Today, State and Federally funded VWACs operate in each of the 58 counties and in the City of Los Angeles and play a vital role in California's criminal justice system. 51 are housed in District Attorney's Offices, one in a City Attorney's Office, three in Probation Departments, two in community-based organizations, one in a Sheriff's

Department and one in a Social Services Department. Napa County moved our victim services from a non-profit agency to the District Attorney's Office in Fiscal Year 2010-2011.

Each VWAC is required to perform 14 mandatory services: crisis intervention, emergency assistance, resource and referral assistance, direct counseling, victim of crime claims, property return, orientation to the criminal justice system, court escort, presentations and training to local criminal justice agencies, public presentations and publicity, case status and case dispositions, notification to family and friends, employer notification and intervention, and assistance with restitution. The following 10 optional services may be provided if they do not preclude the efficient provision of mandatory services: employer intervention, creditor intervention, child care, notification to witnesses of any change in the court calendar, funeral arrangements, crime prevention information, witness protection, assistance in obtaining temporary restraining orders, transportation, and provision of a waiting area during court proceedings separate from defendants and families and friends of defendants. The Victim/Witness program staff offers and provides mandated and optional services to an average of 1,500 victims each fiscal year. Additionally, the Unserved/Underserved Victim Advocacy and Outreach Program provides targeted services to Latino crime victims to enable improved access to services that are culturally and linguistically appropriate for this population.

Although both of these grant subawards cross over fiscal years, the County's anticipated funding level for Fiscal Year 2017-2018 is: \$242,391 for continuation of the Victim/Witness Assistance Program, and \$175,000 for continuation of the Unserved/Underserved Victim Advocacy and Outreach Program. Today's recommended action will authorize the Chair to sign the Certificate of Assurance of Compliance (COAOC) documents, which authorizes the District Attorney to apply and sign for these grant subawards, including extension, modifications or amendments thereof. The action will also continue designating the District Attorney's Office as the continued provider of victim and witness services in the County.

Although your Board has previously signed the COAOC documents for these programs, the California Office of Emergency Services now requires that the Board's authorization includes specific language that authorizes the District Attorney to sign for extensions, modifications and amendments to the subaward documents.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Ben Guerrieri