



Agenda Date: 6/20/2006  
Agenda Placement: 6A

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Carol Strobel for Gary Lieberstein - District Attorney  
District Attorney  
**REPORT BY:** Carol Strobel, Administrative Services Officer, 253-4215  
**SUBJECT:** Renewal of Vertical Prosecution Grant

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### **RECOMMENDATION**

District Attorney requests approval of and authorization to sign a grant award with the Governor's Office of Emergency Services in the amount of \$64,905 for Fiscal Year 2006-2007, with no County match required, to continue funding for vertical prosecution of Statutory Rape and Elder and Dependent Adult Abuse cases.

### **EXECUTIVE SUMMARY**

These ongoing grants address the vertical prosecution of Statutory Rape and Elder and Dependent Adult cases to minimize the trauma of the victims of these crimes.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Funding is appropriated in the District Attorney's recommended FY 06-07 budget.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Statutory Rape and Elder and Dependent Adult Abuse vertical grants fund 25% of the salary and benefits of a Deputy District Attorney III (total cost \$132,028; grant funds \$32,452) and 20% of an Attorney IV (total cost \$161,708; grant funds \$32,453) to prosecute perpetrators and minimize the trauma of the victims of these crimes. While not requiring a County match, these grants offset the general fund contribution to these two positions.

The May State budget revise has provided for these grants to be restored to their historical levels. In the past the County has received as much as \$120,000 for Elder Abuse and \$100,000 for Statutory Rape, however, we believe the minimum we would receive is a total of \$64,905 for both grants combined. Should the May revise be adopted as part of the State budget, local funding could potentially double.

Any change in Net County Cost was included in the supplemental adjustment mentioned to the Board during budget hearings.

Is the general fund affected? Yes

Future fiscal impact: This funding is from an ongoing federal block grant. If funding is not available the District Attorney will review staffing and workload issues, with the goal of continuing to provide prosecution as required by law. This is a noncompetitive grant with no match required on the County.

Consequences if not approved: Because the prosecution of these crimes is a mandated function of the District Attorney's Office, the General Fund would have to support the activity.

Additional Information: None

### **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**

The California State Budget Act of 2003-2004 combined five Vertical Prosecution Block Programs administered through the Office of Emergency Services in one Vertical Block Program with five designated components. Napa County District Attorney's Office was awarded grants for two of these components: Statutory Rape Vertical Prosecution and Elder and Dependent Adult Abuse Vertical Prosecution which helps offset the general fund cost of two attorney positions dedicated to the prosecution of these cases.

The first half of FY 2005/2006, 26 new cases were referred to the Statutory Rape Attorney. This is in comparison to the first half of FY 2004/2005 when 29 new cases were accepted. In addition to Statutory Rape the attorney handles the entire Child Abuse case load.

The first half of FY 2005/2006, 31 new cases were referred to the Elder and Dependent Adult Abuse attorney. This is in comparison to the first half of FY 2004/2005, when 19 new cases were referred to the Elder and Dependent Adult Abuse attorney. The Elder and Dependent Adult Abuse unit developed and implemented a Countrywide Protocol for the reporting and investigating of elder abuse cases and an education and outreach program that is being presented to the public throughout the county and to each law enforcement agency.

With Vertical Prosecution all victims are referred to the proper victim services and all cases are handled by one prosecutor from first appearance until sentencing, minimizing the trauma for these victims. Prior to these grants three or more Deputy District Attorneys could be involved in the victim's case necessitating multiple interviews of the victim by the different attorneys which increased the victim's anxiety and trauma.

As a result of the Vertical Prosecution Block Program, two very valuable prosecution programs are subsidized by State and Federal funding. The Elder and Dependent Adult Abuse unit of Napa County is regarded by the Office of Emergency Services as a model for the State. Recently, District Attorney Lieberstein was invited to speak at an OES statewide meeting regarding the community success of this program. Both the informational brochure on financial elder abuse and the countrywide protocol are being replicated around the State.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi