



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: November 15, 2022

01

TO: Board of Supervisors

SUBJECT

DISTRICT ATTORNEY – REQUEST TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES TO CONTINUE THE VICTIM/WITNESS ASSISTANCE AND COUNTY VICTIM SERVICES PROGRAMS – (DISTRICTS: ALL)

OVERVIEW

The State Penal Code Section 13835 mandates local comprehensive centers for victim and witness assistance throughout California. In the County of San Diego, this assistance is administered through the District Attorney's Office Victim/Witness Assistance (VW) Program. For over four decades, the VW Program has been funded by California Governor’s Office of Emergency Services (Cal OES). The VW Program provides critical services to crime victims and witnesses, including but not limited to crisis intervention, referrals to community resources, court accompaniment, and orientation to the criminal justice system. Historically, over 10,000 victims are served each year by the District Attorney’s victim advocates.

In 2016, the Board of Supervisors (Board) authorized the District Attorney to apply for and accept a second Cal OES grant, the County Victim Services (XC) Program, that enabled counties to identify and fill gaps and needs in victim services programs. Program priorities were established through a community collaborative and multi-agency partnership. The services provided by this program have included forensic medical exams, mental health treatment, housing assistance, crisis intervention, emergency hotel stays, and case management.

If approved, today’s request will authorize the District Attorney to apply for and accept revenue from Cal OES in the estimated annual amount of \$3.7 million for the VW Program for the period of October 1, 2022, through September 30, 2027 and an estimated annual amount of \$1.0 million for the XC Program for the period of January 1, 2023, through December 31, 2027.

This request will support the District Attorney’s VW and XC Programs, which serve citizens who have been the victims or witnesses of crime.

This is also a request to authorize the District Attorney to apply for and accept grant funding and execute all required or related grant documents in subsequent years, provided there are no material changes to the grant terms and funding levels. This includes agreements for the financial

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administration and distribution of funds where necessary to carry out the purposes of the programs. If authorized, the District Attorney will return to the Board to appropriate any grant funding for this program as necessary.

**RECOMMENDATION(S)
DISTRICT ATTORNEY**

1. Waive Board Policy B-29 Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires docketing at least 15 days in advance of the date on which the grant request must be received by the granting agency. The funding provided by California Office of Emergency Services plays a vital role in the healing process of San Diego County victims. Providing assistance to mitigate the detrimental effects that victims of crime experience continues to be a priority. The District Attorney certifies that the activities in this request would be worthy of County funding in the absence of external funding.
2. Authorize the District Attorney to apply for and accept grant funds in the estimated annual amount of \$3.7 million from the California Governor’s Office of Emergency Services for the Victim/Witness Assistance (VW) Program for the period of October 1, 2022, through September 30, 2027.
3. Authorize the District Attorney to apply for and accept grant funds for the Victim/Witness Assistance (VW) Program from the California Governor’s Office of Emergency Services in subsequent years provided there are no material changes to the grant terms or funding level.
4. Authorize the District Attorney to apply for and accept grant funds in the estimated annual amount of \$1.0 million from the California Governor’s Office of Emergency Services for the County Victim Services (XC) Program for the period of January 1, 2023, through December 31, 2027.
5. Authorize the District Attorney to apply for and accept grant funds for the County Victim Services (XC) Program from the California Governor’s Office of Emergency Services in subsequent years provided there are no material changes to the grant terms or funding level.
6. Approve and authorize the District Attorney or her designees including the Chief District Attorney Administrative Officer and the District Attorney Legal Operations Administrator, in this year and subsequent years to review and execute all required or related grant documents, including agreements for the financial administration and distribution of funds where necessary to carry out the purposes of the program, and any annual extensions, grant subaward amendments, and/or revisions that do not materially impact either the program or funding levels of the Victim/Witness Assistance (VW) and County Victim Services (XC) Programs.

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EQUITY IMPACT STATEMENT

The District Attorney focuses on policies and practices that ensure equal access to victim services. The District Attorney’s Victim/Witness Assistance (VW) and County Victim Services (XC) Programs provide victim services to all communities of San Diego County. District Attorney victim advocates are located regionally to ensure all victims are offered support and needed services. Approximately 23% of the County’s residents are immigrants who speak many different languages. To address language needs in serving victims, the District Attorney hires a diverse workforce with many bilingual victim advocates, utilizes contracted translation services, and launches informative digital and printed media campaigns in other languages. Victim advocates assist victims from all walks of life and experiences, regardless of age, background, and/or immigration status. Additionally, the XC grant funds support contracts with service providers that are embedded within the communities they serve, allowing for more culturally appropriate assistance. The District Attorney’s Office responds with culturally competent, trauma informed care to individuals harmed by crime. Since victims and survivors of trauma frequently intersect with the criminal justice system, their perspective is critical to achieving racial and social equity and fair and equitable justice. The proposed action to apply for and accept grant funding from California Governor’s Office of Emergency Services supports the District Attorney’s efforts to make victim services more accessible and equitable throughout San Diego County and supports the District Attorney’s endeavor of fair and equal justice for all.

SUSTAINABILITY IMPACT STATEMENT

The provision of the California Governor’s Office of Emergency Services (Cal OES) funding for the VW and XC Programs contributes to the County of San Diego’s Sustainability initiative by supporting resiliency of victims and witnesses across the region. Through VW and XC Program grant funding, the District Attorney’s Office is prepared to respond to urgent needs of victims and witnesses of crime. Emergency assistance is provided in areas such as food, basic necessities, relocation, etc. The grant funded victim advocates provide other services which include crisis intervention, referral assistance to local community providers, and referrals for mental health counseling to respond to the emotional, psychological, or physical needs of victims/witnesses. Additionally, the VW Program grant allocates resources to the District Attorney’s Crisis Response Team who maintain readiness, refine immediate response procedures, and enhance long term recovery protocols to effectively respond to mass violence and terrorism incidents. All of the assistance and services delivered through the help of Cal OES grant funding ensures the capability of individuals and families to recover from the trauma caused by crime and crisis events. The District Attorney’s Office seeks to encourage individuals and families to stabilize their lives after victimization and strives to restore a measure of safety and security for the victim/witness.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan for the District Attorney’s Office. If approved, this request will result in estimated costs and revenue of \$4.7 million based on a grant award from the California Governor’s Office of Emergency Services.

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Funds in subsequent years will be included in future operational plans for the District Attorney’s Office. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The District Attorney’s Office provides services through its Victim/Witness Assistance (VW) Program as mandated by the 2022 Victims of Crime Act (VOCA) Victim Assistance Formula Grant and authorized by the federal VOCA of 1984 and California Penal Code Section 13835. The program provides services to victims and witnesses of crime. These services include, but are not limited to, crisis intervention, counseling, community resources and referrals, and assistance with the criminal justice system. VW Program services have been provided by the District Attorney’s Office and supported by VW grants through the California Governor’s Office of Emergency Services (Cal OES) for four decades.

In 2016, Cal OES published a new Request for Application for the County Victim Services (XC) Program that enabled counties to identify and fill gaps and needs in victim services. On May 3, 2016 (1), the Board of Supervisors authorized the District Attorney to apply for and accept this grant funding. Program priorities for the County Victim Services (XC) Program were established through a community collaborative and multi-agency partnership. The services provided by this program have included forensic medical exams, mental health treatment, housing assistance, crisis intervention, emergency hotel stays, and case management.

This funding will support both the District Attorney’s VW and XC Programs and is integral to ensure victims and witnesses of crime are provided essential services to assist in their recovery from the effects of crime. Previously, the Board approved on October 9, 2018 (2) for the VW Program, and on September 29, 2020 (3) for the XC Program, to apply for and accept grant funding in subsequent years given no material changes. Cal OES grant terms and conditions now require specific grant award and performance period information to be included when obtaining board approval. This proposed action includes information (Table A) to remain compliant with these requirements to continue to receive grant funding.

This request is to authorize the District Attorney to apply for and accept grant funding, and execute all required or related grant documents in subsequent years, provided there are no material changes to the grant terms and funding levels for the below grant Subawards:

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Table A

Grant Subaward Number	Performance Period
VW22 41 0370	October 1, 2022 through September 30, 2023
VW23 42 0370	October 1, 2023 through September 30, 2024
VW24 43 0370	October 1, 2024 through September 30, 2025
VW25 44 0370	October 1, 2025 through September 30, 2026
VW26 45 0370	October 1, 2026 through September 30, 2027
XC22 05 0370	January 1, 2023 through December 31, 2023
XC23 06 0370	January 1, 2024 through December 31, 2024
XC24 07 0370	January 1, 2025 through December 31, 2025
XC25 08 0370	January 1, 2026 through December 31, 2026
XC26 09 0370	January 1, 2027 through December 31, 2027

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed actions support the Community and Justice Initiatives in the County of San Diego’s 2022-2027 Strategic Plan by using and pursuing funds to support vital public safety services to the County and its residents.

Respectfully submitted,

SUMMER STEPHAN
District Attorney

ATTACHMENT(S)

N/A