



STEVE COOLEY  
LOS ANGELES COUNTY DISTRICT ATTORNEY

---

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER  
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

March 23, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO ACCEPT GRANT FUNDS  
FROM THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES (OES),  
CRIMINAL JUSTICE PROGRAMS DIVISION FOR THE VERTICAL  
PROSECUTION PROGRAM (VPP) FOR  
FISCAL YEAR (FY) 2003-04 (ALL DISTRICTS) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Authorize the District Attorney, on behalf of the County of Los Angeles, to accept grant funds from OES for the VPP in the amount \$604,033 for the period of July 1, 2003 through June 30, 2004. The VPP includes the Major Narcotics Vendors Prosecution (MNVP), Career Criminal Vertical Prosecution (CCVP), and Elder Abuse Vertical Prosecution (EAVP) Programs.
2. Authorize the District Attorney to execute the Grant Award Agreement on behalf of the County of Los Angeles.
3. Authorize the District Attorney, or his designee, on behalf of the County of Los Angeles, to serve as Project Director and to sign and approve revisions to the Grant Award Agreement that do not affect the net County cost of the Agreement.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The District Attorney's Office has been awarded grant funding from OES in the amount of \$604,033 for the period July 1, 2003 through June 30, 2004, for the VPP. This is a block grant that was established in the California State Budget Act of 2003-04 and consolidates vertical prosecution programs. The VPP will seek justice through the enhanced prosecution of Major Narcotic Vendors, Elder Abuse and Career Criminals. The objective is to stem the epidemic of serious crime in Los Angeles County through multi-agency efforts that include cooperation with law enforcement, vigorous prosecution and victim assistance. Specially assigned vertical prosecutors will enhance the prosecution of these crimes and ensure that these serious cases and their vulnerable victims receive the utmost attention and effort, in order to protect the community.

Los Angeles County's large, diverse population and immense geographic size present numerous obstacles to the already daunting task of prosecuting Major Narcotic Vendors, Elder Abuse crimes and Career Criminals. Locating and maintaining contact with witnesses and victims is often difficult due to the County's size and mobile population. The scope and number of law enforcement, government and social service agencies present additional barriers to effective coordination with other professionals involved with these cases. Prosecuting these crimes poses specific challenges. Numerous special laws apply to these vertical prosecutions, requiring highly trained and experienced specially assigned prosecutors. Properly identifying, targeting, and removing Major Narcotic Vendors, Elder Abusers and Career Criminals from the streets will have a significant impact on reducing the overall crime rate in Los Angeles County.

Board authorization is required to accept the grant award for this period.

**Implementation of Strategic Plan Goals:**

This program directly supports the District Attorney's core mission to vigorously prosecute felony crime throughout the County of Los Angeles. Acceptance of the grant award supports the County's Strategic Plan Goal No. 4, Fiscal Responsibility by securing an available revenue source at the State level.

**FISCAL IMPACT/FINANCING:**

The California State Budget Act of 2003-04 reduced vertical prosecution funding by 50 percent and consolidated funding into a block grant. The District Attorney's allocation under VPP is approximately 41 percent of the annual award for four separate programs: MNVP, EAVP, CCVP, and Statutory Rape Vertical Prosecution (SRVP).

The department evaluated the programs and determined that the \$604,033 grant award for FY2003-04 would best be used to fund the following:

- MNVP: Two deputy district attorneys (DDA) for the period of July 2003 – June 2004 in the amount of \$336,235.
- EAVP: One DDA for a three-month period from April 2004 – June 2004 in the amount of \$43,323. Please note: there is an on-going grant for this program that ends March 31, 2004.
- CCVP: Four DDAs for a four-month period from July 2003 – October 2003 in the amount of \$224,475. This program has been discontinued due to limited funding.
- SRVP: This program could not be funded and was discontinued effective July 1, 2003.

Program costs are fully offset for the stated number of months during the period of July 1, 2003 through June 30, 2004. The DDAs assigned to the discontinued programs were reallocated to vacant budgeted positions.

Funding was included in the department's 2003-04 budget for the MNVP, EAVP, CCVP, and SRVP, which have been reduced by 50 percent and are now consolidated into the VPP.

If funding for this program were terminated, an evaluation would be conducted to determine whether the program would either be continued with costs being absorbed by the department, or discontinued with the reallocation of staff to vacant budgeted positions.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

In 1982, the California Legislature made a specific finding regarding the existence of Career Criminals, and directed support for increased efforts by prosecution and police agencies to apprehend and prosecute identified career criminals. In 1984 the Legislature added the vertical prosecution of Major Narcotic Vendors to the list of priority prosecution programs and also authorized funding for the vertical prosecution of Elder Abuse. Experience has clearly demonstrated that vertical prosecution, reduced caseloads, and a staff of trained and experienced prosecutors promote more effective prosecution as well as increased conviction rates and increased victim satisfaction with the criminal justice process.

The MNVP Unit will handle only those major narcotics cases meeting the criteria of Penal Code Section 13883(a). Prosecutors assigned to MNVP will specifically target those individuals accused of transporting, possessing for sale, or manufacturing narcotics or conspiracies to do so, and any violations of Health and Safety Code Sections 11351, 11352(a), 11358, 11378, 11378.5, 11379, 11379.5, 11370.6, 11379.6, and/or 11383. It is estimated that 450 defendants will be referred to the Major Narcotics Division in FY 2003-04. However, approximately 40 to 60 of these defendants will be prosecuted by the two MNVP Deputies. In FY 2002-03, the reported number of defendants vertically prosecuted by the two MNVP Deputies was 75.

In the field of Elder Abuse, DDAs assist in the training of local police and sheriff's deputies, participate in interagency Financial Abuse Specialist Teams targeting the most vulnerable elder and dependent adults, and are regularly called upon to assist in evaluating potential criminal cases by family violence advocates throughout the community.

The EAVP has a two-fold strategy to combat elder abuse: 1) strong prosecutorial efforts aimed at punishing offenders and making victims whole; and 2) abuse prevention through community outreach to potential victims and the professionals who care for them. The goal is to seek justice, provide support to victims, and stem the epidemic of elder and dependent adult abuse through a multi-disciplinary approach to prosecution and case management. EAVP cases are complicated and sensitive, requiring true vertical prosecution to reduce trauma to the victim and ensure the greatest likelihood of conviction. It is estimated that 150 cases will be referred to the Elder Abuse Section in FY2003-04, however, only ten of the most difficult elder and dependent adult abuse cases will be accepted by the EAVP prosecutor. The estimated number of defendants to be prosecuted vertically is one per case, or ten. In FY 2002-03, the reported number of defendants vertically prosecuted was 16.

The CCVP handled only those defendants defined as "career criminals" within the scope of Penal Code Sections 999b-h. The crimes targeted were those set forth in Section 999e. Prosecutors assigned to CCVP specifically targeted individuals who may have been charged with the commission/attempted commission of one or more of the following felonies: robbery; burglary; arson; any unlawful act relating to controlled substances in violation of sections 11351, 11351.5, 11352, or 11378 of the Health and Safety Code; receiving stolen property; grand theft; grand theft auto; lewd or lascivious conduct upon a child; carjacking; murder; manslaughter; rape; sexual assault; child molestation; assault with a firearm; discharging a firearm; discharging a firearm into an inhabited structure or vehicle; owning, possessing or having custody of a firearm as specified in Penal Code Section 1202 (a) and (b).

The Honorable Board of Supervisors  
Page Five  
March 23, 2004

Prosecutors assigned to CCVP subjected each defendant targeted as a career criminal to a background search for prior felony convictions, and obtained the appropriate proof of any priors that may be used as enhancements, including "Strikes." Prosecutors sought a maximum sentence in each case and made every effort to ensure that defendants remained in custody from the time of arrest through sentencing.

The number of defendants prosecuted vertically during the funded four-month period was 27. In FY2002-03, the reported number of defendants vertically prosecuted was 79.

**IMPACT ON CURRENT SERVICES (OR PROJECTS):**

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

**CONCLUSION:**

Following Board authorization to accept the grant award for this program, the Executive Officer-Clerk of the Board is requested to return two (2) copies of the adopted Board Letter containing original signatures to Sheri Ramirez-Garcia, Contracts and Grants Unit, Los Angeles County District Attorney's Office, 201 North Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Ramirez-Garcia at (213) 202-7667 or via e-mail at [shramire@da.co.la.ca.us](mailto:shramire@da.co.la.ca.us).

Very truly yours,

  
STEVE COOLEY  
District Attorney

srg:mmb

Enclosure

c: Chief Administrative Officer  
County Counsel

**Los Angeles County Chief Administrative Office  
Grant Management Statement for Grants Exceeding \$100,000**

**Department:** Los Angeles County District Attorney's Office

**Grant Project Title and Description**

The Vertical Prosecution Program (VPP) block grant was established in the California State Budget Act of FY 2003-04, which consolidates vertical prosecution programs to support intensified efforts by District Attorneys' Offices statewide to prosecute Major Narcotic Vendors, Elder Abuse and Career Criminals. The VPP will seek justice through the enhanced prosecution to stem the epidemic of serious crime in Los Angeles county through multi-agency efforts that include cooperation with law enforcement, vigorous prosecution and victim assistance. The law requires that cases screened into the VPP program and prosecuted must be felonies as described in specific sections of the Penal Code. The specially assigned vertical prosecutors will enhance the prosecution of these crimes and ensure that the serious cases and their victims receive maximum attention and effort, in order to protect the community.

<b>Funding Agency</b> Office of Emergency Services	<b>Program (Fed. Grant # /State Bill or Code #)</b> VB03010190	<b>Grant Acceptance Deadline</b>
---	---	----------------------------------

**Total Amount of Grant Funding:** \$604,033                      **County Match:** \$0  
**Grant Period:** 2003-2004                      **Begin Date:** July 1, 2003                      **End Date:** June 30, 2004  
**Number of Personnel Hired Under This Grant:** Full Time: MNVP 2; EAVP 1; CCVP 4 Part Time: 0

**Obligations Imposed on the County When the Grant Expires**

Will all personnel hired for this program be informed this is a grant-funded program? Yes  No

Will all personnel hired for this program be placed on temporary ("N") items? Yes  No

Is the County obligated to continue this program after the grant expires? Yes  No

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes  No

b). Identify other revenue sources Yes  No   
(Describe) \_\_\_\_\_

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes  No

**Impact of additional personnel on existing space:** None.

**Department Head Signature** Steve Corley by Sharif Matsumoto                      **Date** 3/23/04