STEVE COOLEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

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November 29, 2005

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 LOS ANGELES COUNTY DISTRICT ATTORNEY TO ACCEPT TWELFTH-YEAR GRANT FUNDS FROM THE STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE (DOJ) FOR THE SPOUSAL ABUSER PROSECUTION (SAP) PROGRAM FISCAL YEAR (FY) 2005-2006 (ALL DISTRICTS) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution authorizing the District Attorney, on behalf of the County of Los Angeles, to accept funds for the twelfth year from the State DOJ for the SAP Program. The District Attorney' s Office has been awarded $178,186, with a required 20 percent match of $44,547, for a total project cost of $222,733 covering the period of July 1, 2005 through June 30, 2006.

2. Authorize the District Attorney to execute the Grant Award 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 any revisions to the Grant Award Agreement that do not increase the net County cost of the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On September 7, 2004, your Board approved a Resolution accepting the eleventh year of SAP Program grant funding for FY 2004-2005. This will be the twelfth year the Los Angeles County District Attorney's Office has been awarded grant funding from the State DOJ for this program. Acceptance of the Grant Award, for the period

July 1, 2005 through June 30, 2006, will allow the department to continue providing vertical prosecution, investigation, and witness coordination services for the most difficult family violence victim cases.

As part of the Grant Award Agreement, the State DOJ requires adoption of the enclosed Resolution, which has been approved as to form by County Counsel.

Implementation of Strategic Plan Goals

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

FISCAL IMPACT/FINANCING

The total cost of the program for FY 2005-06 is estimated at $352,209. The State DOJ has awarded $178,186, with a required 20 percent match of $44,547 for a required project cost of $222,733. Approximately 50 percent of the estimated program cost will be offset by the award. The District Attorney's Office will absorb the match of $44,547, and the remaining program cost of $129,476.

Funding for this program is included in the department's 2005-06 budget.

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

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1994, AB 801 was signed into law authorizing funds to be allocated by the State DOJ for the SAP Program. As an integral part of the Los Angeles County District Attorney's Family Violence Division, the SAP Program staff is highly trained and qualified and works as a team to facilitate the successful prosecution of the most difficult family violence cases. One deputy district attorney, one senior investigator, and one witness assistant II are funded by the grant at approximately 50 percent of their total cost, with the District Attorney's Office absorbing the remaining cost.

The following statistical information is provided:

Fiscal Year	Cases Referred	Cases Filed	Cases Tried	Number of Convictions*
01-02	25	25	6	29
02-03	46	18	3	16
03-04	65	35	5	33
04-05	62	33	5	26

*Please note: not all cases reviewed are filed as felonies, when appropriate they are referred for misdemeanor filing to the proper jurisdiction. Some filed cases are dismissed due to victims not appearing for trial. Many cases are settled by means of plea agreements which result in a conviction without the need for a jury trial.

IMPACT ON CURRENT SERVICES

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

Instruct the Executive Officer-Clerk of the Board to return two (2) adopted Board letters and two (2) Resolutions, 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@lacountyda.org.

Very truly yours,

STEVE COOLEY
District Attorney

srg

c: Chief Administrative Officer
County Counsel

BOARD OF SUPERVISORS

COUNTY OF LOS ANGELES

RESOLUTION

Authorization to Accept Grant Award from the State of California, Department of Justice for the Spousal Abuser Prosecution Program Pursuant to California Penal Code Chapter 2.5

Commencing with Section 273.8 et. Seq.

WHEREAS, the County of Los Angeles is charged with providing vital services in the area of courts, law enforcement, and adult and juvenile justice to a population in excess of ten million persons; and

WHEREAS, the County of Los Angeles, Office of the District Attorney, is authorized, pursuant to Government Code Section 26500.5, to participate in any project or program to improve the administration of justice; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, approved the eleventh application for grant funds on September 7, 2004, from the State of California, Department of Justice, (hereinafter referred to as DOJ) to continue efforts by the District Attorney's Office to enhance its Family Violence Division through the Spousal Abuser Prosecution Program; and

WHEREAS, the County of Los Angeles acting through its Board of Supervisors, desires to continue the Spousal Abuser Prosecution by accepting twelfth-year grant funds from the State DOJ; and

WHEREAS, the State DOJ has awarded grant funds to the District Attorney's Office for its Spousal Abuser Prosecution Program for the period

covering July 1, 2005 through June 30, 2006 to be used exclusively for this program; and

WHEREAS, the Los Angeles County District Attorney's Office has sole independent prosecutorial discretion to determine which matters should be filed as criminal cases and to accord objective and impartial consideration to each individual case, including options relating to pleas and sentencing. The prosecutor(s) assigned to the Spousal Abuser Prosecution Program will appropriately and independently furnish to the County of Los Angeles prosecutorial legal services for vertical prosecution in accordance with the rules of ethics and professional responsibility governing the actions of prosecuting attorneys;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Los Angeles hereby authorizes the District Attorney or his designee to serve as Project Director on behalf of the County of Los Angeles, to sign and approve on behalf of the Board of Supervisors the Grant Award Agreement, including any extensions or submission of amendments, progress reports, and payment requests thereof;

BE IT FURTHER RESOLVED that the County of Los Angeles agrees to appropriate and make available, matching funds of (20%) required under the grant program guidelines;

IT IS AGREED that liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages shall be the responsibility of the grant recipient and the authorizing agency. It is recognized that the State DOJ disclaims responsibility for any such liability;

BE IT FURTHER RESOLVED that Board of Supervisors of the County of Los Angeles hereby approves acceptance of the grant funds from the State of California, DOJ for Fiscal Year 2005-2006 for the Spousal Abuser

Prosecution Program and authorized the District Attorney to execute the Grant Award Agreement and any amendments or modifications for receipt of such funds that do not increase the net County cost of the Agreement.

BE IT FURTHER RESOLVED that the County of Los Angeles agrees not to use the aforementioned grant funds to supplant local expenditures controlled by this body;

I DO HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of the County of Los Angeles on this_____ day of_____ 2005, the foregoing Resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County of Los Angeles this _____day of _____, 2005

County of Los Angeles

By _____
Chair, Board of Supervisors

VIOLET VARONA-LUKENS,
Executive Officer-Clerk of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL:

By _____
Deputy

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

Department: District Attorney

Grant Project Title and Description

Spousal Abuser Prosecution Program

The Spousal Abuser Prosecution Program is a vertical prosecution program that enhances the effort to prosecute and convict individuals for spousal abuser crimes. The program requires highly qualified staff, reduced caseloads, victim counseling and coordination with local victim service organizations.

Funding Agency	Program (Fed. Grant # /State Bill or Code #)	Grant Acceptance Deadline
State of California Department of Justice	AB801, Chapter 599, Statutes of 1994	

Total Amount of Grant Funding: **$178,186** County Match: **$44,547**

Grant Period: **FY 2005 – 2006** Begin Date: **July 1, 2005** End Date: **June 30, 2006**

Number of Personnel Hired Under this Grant: **3** Full Time: **3** 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 _X_ No___

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

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

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_X_

b). Identify other revenue sources Yes ___ No_X_

(Describe)_____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes _X_ No___

Impact of additional personnel on existing space:

None.

Department Head Signature S. L. Cu **Date** 11/21/05