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

April 8, 2008

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 APPLY FOR GRANT FUNDS FROM THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES (OES) FOR THE VICTIM-WITNESS ASSISTANCE PROGRAM (VWAP) FOR FISCAL YEAR (FY) 2008-09 ALL DISTRICTS (3-VOTES)

SUBJECT

The District Attorney's Office (DA) has prepared an OES application to continue grant funding for the Victim-Witness Assistance Program (VWAP) in FY 2008-09 in the amount of $3,423,490. The VWAP Program has been providing a full range of services to victims in Los Angeles Country since 1977. This Board Letter serves to notify the Board of the application and obtain the Chair's signature on the required Certification of Assurance of Compliance form.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney, on behalf of the County of Los Angeles, to submit a grant application to OES in the amount of $3,423,490 for the period of July 1, 2008 to June 30, 2009. There is no required match for this grant.

2. Request the Chair of the Board to sign and affix a wet signature to the Certification of Assurance of Compliance form required to complete the OES grant application.

3. Authorize the District Attorney, or his designee, upon award of grant funding by OES, to accept and execute the Grant Award Agreement. This also includes authorization to approve any subsequent amendments, modifications, and/or extensions to the grant award that do not increase the net County cost of the program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The California Constitution, Article I Section 28 (a) mandates safeguards in the criminal justice system to fully protect the constitutional rights of crime victims. The District Attorney VWAP has been providing a full range of comprehensive victim services throughout the County of Los Angeles since 1977.

The program is structured to meet the needs of victims and witnesses as they enter the criminal justice system, to help stabilize them emotionally and financially, so that trauma can be minimized.

On January 31, 2008, OES released the Request for Application (RFA) for the 2008-09 VWAP that requires applicants to complete a Certification of Assurance of Compliance form which includes details regarding Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and Proof of Authority from City Council/Governing Board. Applicants are required to submit the necessary assurances and documentation before finalization of the Grant Award Agreement.

Board authorization to apply for and accept grant funds is requested in order to comply with County and OES requirements.

Implementation of Strategic Plan Goals

This program is part of the District Attorney's commitment to assist underserved victims of crime by alleviating trauma and devastating effects of crime on the lives of victims and their families. 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 and federal level.

FISCAL IMPACT/FINANCING

Funding for this program was included in the District Attorney's 2008-09 budget. The Los Angeles County District Attorney will apply for grant funds in the amount of $3,423,490, for the period of July 1, 2008 to June 30, 2009. Of this amount, the District Attorney will receive $2,567,619 and the City of Los Angeles (subgrantee) will receive $855,871 or 25% of the grant award. It is anticipated that program costs will be fully offset. There is no net County cost associated with this program.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code Section 13835 provides for the establishment and funding of local comprehensive service centers for victims and witnesses of crime. Currently the District Attorney's Office Victim-Witness Assistance Program operates 26 victim service centers, and the City Attorney's victim services program operates another 10 centers.

As mandated by statute, the program assists victims of all types of crimes. The range of victim services provided has expanded over the years, and advocate training has increased to meet the changing needs of victims.

Advocate services in Los Angeles County remains strong. In 2006, the Los Angeles Police Department reported 456 homicides, 872 forcible rapes, 13,654 robberies and 13,635 aggravated assaults. The Los Angeles County Sheriff's Department reported 326 homicides, 653 forcible rapes, 6,278 robberies and 11,059 aggravated assaults for the same period. These figures do not include the violent crime statistics for the 45 municipal police agencies and 10 California Highway Patrol stations in Los Angeles County.

In FY 2006-07, VWAP provided services to 17,784 new victims. Of this number, 25% (4,467) were victims of assault, 21% (3,718) were victims of domestic violence, and 14% (2,517) were survivors of homicide victims.

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 approval, the Executive Officer-Clerk of the Board is requested to call Mr. Albert Ablaza at (213) 202-7683 to pick up two copies of the adopted Board Letter and one OES Certification of Assurance Form, with a wet signature. Any questions may be directed to Mr. Albert Ablaza.

Very truly yours,

STEVE COOLEY
District Attorney

aa:al

Enclosure

c: Chief Administrative Officer
County Counsel
Budget Section Head

CERTIFICATION OF ASSURANCE OF COMPLIANCE
Victims of Crime Act (VOCA) Fund

I, STEVE COOLEY hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: LOS ANGELES COUNTY

IMPLEMENTING AGENCY: DISTRICT ATTORNEY'S OFFICE

PROJECT TITLE: VICTIM WITNESS ASSISTANCE PROGRAM

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by OES including, but not limited to, the following areas:

I. Equal Employment Opportunity – (Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA

Title: CHIEF, EMPLOYEE RELATIONS DIVISION

Address: 201 N. FIGUEROA STREET, SUITE 1455, LOS ANGELES, CA 90012

Phone: (213) 202-7705

Email: jdsilva@da.lacounty.gov

II. Drug-Free Workplace Act of 1990 – *(Recipient Handbook, Section 2152)*

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. California Environmental Quality Act (CEQA) – *(Recipient Handbook, Section 2153)*

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.)* requires all OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEAQ requirements.

IV. Lobbying – (*Recipient Handbook Section 2154)*

OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – *(Recipient Handbook Section 2155)*

(This applies to federally funded grants only.)

OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of OES, and that any cash match will be appropriated as required. It is agreed that any 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. The State of California and OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

VII. Special Condition for Grant Awards with Victims of Crime Act (VOCA) Fund

The grant recipient agrees to administer the grant in accordance with the VOCA, the VOCA Program Guidelines, and the Office of Justice Programs Financial Guide.

All appropriate documentation must be maintained on file by the project and available for OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the OES determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: S.L. Cooley

Authorized Official's Name: STEVE COOLEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 3/25/08

Federal Employer ID Number: 95-6000927

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: *(not applicable to State agencies)*

- City/County Financial Officer or
- City/County Manager or
- Governing Board Chair

Signature: Yvonne B Burke

Name: YVONNE B. BURKE

Title: CHAIR, LOS ANGELES COUNTY BOARD OF SUPERVISORS

APPROVED AS TO FORM

BY: Jennifer Tilman
DEPUTY