

June 3, 2003

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

Dear Supervisors:

**AUTHORIZATION FOR THE DISTRICT ATTORNEY'S OFFICE TO ACCEPT FUNDS FOR THE SIXTH YEAR FROM THE STATE OF CALIFORNIA, VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD, FOR THE "CRIMINAL RESTITUTION COMPACT", FOR FISCAL YEAR 2003-04**

**ALL DISTRICTS**  
**(3-Vote)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve and instruct the Chair to sign the enclosed Resolution authorizing the Los Angeles County District Attorney to enter into an Agreement with the State of California, Victim Compensation and Government Claims Board (VCGCB), formerly known as State Board of Control; and to accept funds, on behalf of the County of Los Angeles, from the VCGCB, for the "Criminal Restitution Compact" (CRC), for the period commencing July 1, 2003 and ending June 30, 2004, in the amount of \$104,121.
2. Authorize the Los Angeles County District Attorney or his designee, on behalf of the County, to serve as Project Director and to execute and approve any extensions to the Agreement, amendments to any program goals or objectives, or budget revisions as part of the Agreement award.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

A Board approved Resolution, authorizing acceptance of this funding is required by the State of California, VCGCB for the Criminal Restitution Compact Agreement for Fiscal Year 2003-2004.

The VCGCB has awarded \$104,121 in funds for the sixth year that will fund 1.0 Paralegal and 1.0 Student Worker. The Paralegal will continue to work with the County criminal justice system to insure that a restitution order is imposed in all appropriate cases in accordance with applicable statutes and specifications of the Agreement. This includes monitoring claims associated with restitution orders, conducting training and outreach regarding restitution to agencies in the County. Additionally, the Paralegal will serve as a County resource on restitution issues, statutes, and case law and may engage in assisting victims in obtaining restitution orders for losses incurred as a direct result of a crime.

#### Implementation of Strategic Plan Goals

The purpose of this program is to ensure that appropriate restitution fines and orders are in place for all convicted offenders. Consistent with the County's Vision and Strategic Plan Implementation, this program also enhances service delivery and promotes the fiscal well-being of individuals and families.

#### **FISCAL IMPACT/FINANCING:**

The total cost for this program is \$104,121. The VCGCB is funding 100 percent of this program's costs, resulting in no Net County cost.

These funds were anticipated and have been included in the Los Angeles County District Attorney's 2003-04 budget.

If funding for this Agreement were terminated, an evaluation would be conducted to determine whether the program will 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:**

The CRC will ensure the following:

- A restitution order will be imposed upon all convicted offenders if the case involves a victim unless the court waives the order for compelling and extraordinary reasons stated on the record.
- A restitution fine will be imposed on all convicted offenders unless the court waives the restitution fine for compelling and extraordinary reasons stated on the record.

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- A parole restitution fine will be imposed for all convicted offenders whose sentence may include a period of parole.
- A diversion restitution fee will be imposed for all diverted offenders.

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

The Criminal Restitution Compact Agreement does not propose attorney staff augmentation and is therefore not subject to the Board motion of December 15, 1998 requiring clearance with the Alternate Public Defender, Probation, Public Defender and Sheriff's Department.

**CONCLUSION:**

Instruct the Executive Officer-Clerk of the Board to return a copy of the adopted Board letter and two (2) copies of the approved Resolution, containing original signatures, to Albert Ablaza, Grant Analyst, Los Angeles County District Attorney, 201 North Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Mr. Ablaza via e-mail at [aablaza@da.co.la.ca.us](mailto:aablaza@da.co.la.ca.us) or telephone at (213) 202-7683.

Very truly yours,

STEVE COOLEY  
District Attorney

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Enclosure

c: Chief Administrative Officer  
County Counsel



b). Identify other revenue sources	Yes _____
No _____	
(Describe) _____	
_____	
c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant.	Yes _____
_____x_____ No_____	
<b>Impact of additional personnel on existing space:</b>	

Department \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

Head

**BOARD OF SUPERVISORS**

**COUNTY OF LOS ANGELES**

**RESOLUTION**

Accepting Criminal Restitution Compact  
Agreement with the State of California  
Victim Compensation and Government Claims Board,  
Revenue Recovery and Compliance Division

Pursuant to California Penal Code Section 13835 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 nine million persons; and

**WHEREAS**, the County of Los Angeles 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, pursuant to Penal Code Section 13835.2, has designated the Office of the District Attorney through its Victim-Witness Assistance Program as the major provider of comprehensive services to victims and witnesses of crime; and

**WHEREAS**, the Victim Compensation and Government Claims Board has been authorized funds to contract with local Victim-Witness Centers to ensure restitution fines and orders are properly administered; and

**WHEREAS**, the County of Los Angeles, acting through its Board of Supervisors, desires to participate in such a program entitled the Criminal Restitution Compact for the period commencing July 1, 2003 and ending June 30, 2004, and has the capability of providing such services through its center; and

**WHEREAS**, the Victim Compensation and Government Claims Board has allocated funds for County Fiscal Year 2003-04 for the Los Angeles County District Attorney's "Criminal Restitution Compact" Program to fund two positions, namely a Paralegal and a Student worker that will ensure restitution fines and orders are properly administered in accordance with applicable statutes;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Los Angeles approves the submission of and acceptance of continued funding for a period of twelve months commencing July 1, 2003 and ending June 30, 2004, upon approval of both the State and County, for the sixth year by the State of California, Victim Compensation and Government Claims Board for the above-referenced program;

**BE IT FURTHER RESOLVED** that the Board of Supervisors of the County of Los Angeles hereby approves acceptance of funds to be used exclusively for the designated program, which may be awarded pursuant to the Standard Agreement;

**BE IT FURTHER RESOLVED** that the state funds received hereunder shall not be used to supplant local funds controlled by this body;

**BE IT FURTHER 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 for said program and to execute on behalf of Los Angeles County the Agreement, and to perform all further tasks necessary for the completion of the project, including execution and submission of amendments, progress reports and payment requests to the Grant Award Agreement;

**IT IS AGREED** that liability arising out of the performance of the Criminal Restitution Compact 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 of California, Victim Compensation and Government Claims Board disclaims any responsibility for any such liability;

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**I DO HEREBY CERTIFY** that a regular meeting on the Board of Supervisors of the County of Los Angeles on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, 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 \_\_\_\_\_, 2003.

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:

LLOYD W. PELLMAN

By \_\_\_\_\_  
Deputy



b). Identify other revenue sources	Yes _____
No _____	
(Describe) _____	
_____	
c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant.	Yes _____
_____x_____ No_____	
<b>Impact of additional personnel on existing space:</b>	

Department \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

Head