



County of Los Angeles
Chief Executive Office

PUBLIC SAFETY CLUSTER AGENDA REVIEW MEETING

SACHI A. HAMAI
Chief Executive Officer

DATE: Wednesday, August 26, 2020
TIME: 10:00 a.m.

**DUE TO CLOSURE OF ALL COUNTY BUILDING, TO PARTICIPATE IN THE MEETING CALL
TELECONFERENCE NUMBER: (323) 776-6996 ID: 803817527#**

AGENDA

Members of the Public may address the Public Safety Cluster on any agenda item by submitting a written request prior to the meeting. Two (2) minutes are allowed for each item.

- 1. CALL TO ORDER**

- 2. INFORMATIONAL ITEM(S)** [Any Information Item is subject to discussion and/or presentation at the request of two or more Board offices with advance notification]:
 - A.** Board Letter:
AUTHORIZE THE DISTRICT ATTORNEY TO TRANSFER UNDISTRIBUTED RESTITUTION FUNDS RECEIVED FROM THE SUPERIOR COURT TO THE LOS ANGELES CITY ATTORNEY'S OFFICE, AND DIRECT PROBATION TO TRANSFER UNCLAIMED VICTIM RESTITUTION FUNDS TO THE DISTRICT ATTORNEY FOR THE VICTIM WITNESS ASSISTANCE PROGRAM
Speaker: Michael Au-Yeung (DA)

- 3. PRESENTATION/DISCUSSION ITEM(S):**
 - A.** Board Briefing:
OFFICE OF INSPECTOR GENERAL'S REFORM AND OVERSIGHT EFFORTS QUARTERLY REPORT
Speaker: Dan Baker (OIG)

 - B.** Board Briefing:
CONCEALED CARRY WEAPON PERMIT FEE INCREASE BRIEFING
Speakers: Cynthia Evans and Carmen Rodriguez (Sheriff)

- 4. PUBLIC COMMENT**
(2 minutes each speaker)

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CLOSED SESSION:

CS-1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

Luis Hernandez v. County of Los Angeles, et al

Los Angeles Superior Court Case No. BC689849

Department: Sheriff

CS-2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Subdivision (a) of Government Code Section 54956.9)

Dominga G. v. County of Los Angeles, et al.

Los Angeles Superior Court Case No. BC682446

Department: Public Defender

5. ADJOURNMENT

6. UPCOMING ITEMS:

A. Board Letter:

APPROVAL TO ACCEPT GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTER GRANT PROGRAM – COVID SUPPLEMENTAL

Speakers: Christopher Anderson and Debbie Aguirre (Fire)

B. Board Letter:

APPROVAL TO DONATE SURPLUS OUT-OF-SERVICE VEHICLES TO COUNTY OF LOS ANGELES FIRE MUSEUM ASSOCIATION INC. A CALIFORNIA NON-PROFIT AGENCY

Speakers: Christopher Anderson (Fire)

C. Board Letter:

SPECIAL USE PERMIT NO. 0501LOOP3 FOR THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY (FIRE DEPARTMENT) LOOP CANYON RAW'S SITE

Speakers: Christopher Anderson and Nick Duvally (Fire)

D. Board Letter:

BAIL AGREEMENT WITH CITY OF MALIBU FOR USE OF 2019 FORD EXPLORER INTERCEPTOR

Speakers: James R. Braden Jr. and David M. Davis (Sheriff)

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- E.** Board Letter:
BAILMENT AGREEMENT WITH MALIBU RESCUE TEAM, INC. FOR USE OF 2017 CAN-AM DEFENDER MAX XT UTV AND 2018 LOOK STLC UTV TRANSPORT TRAILER
Speakers: James R. Braden Jr. and David M. Davis (Sheriff)
- F.** Board Letter:
ADVANCE NOTIFICATION OF INTENT TO ENTER INTO NEGOTIATIONS FOR A SOLE SOURCE AMENDMENT TO EXTEND CONTRACT NUMBER 55301 WITH CONDUENT STATE & LOCAL SOLUTIONS, INC. FOR PARKING CITATION PROCESSING SERVICES
Speakers: Christopher Nee and Irma Santana (Sheriff)
- G.** Board Briefing:
CHALLENGER STATUS BRIEFING
Speakers: Deborah Kanter



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

HALL OF JUSTICE
211 WEST TEMPLE STREET LOS ANGELES, CA 90012 (213) 974-3500

September 8, 2020

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 TRANSFER UNDISTRIBUTED
RESTITUTION FUNDS RECEIVED FROM THE SUPERIOR COURT TO THE LOS
ANGELES CITY ATTORNEY'S OFFICE, AND DIRECT PROBATION TO TRANSFER
UNCLAIMED VICTIM RESTITUTION FUNDS TO THE DISTRICT ATTORNEY FOR THE
VICTIM WITNESS ASSISTANCE PROGRAM
(ALL DISTRICTS) (4 VOTES)

SUBJECT

This Board Letter requests authority for the District Attorney's Office to transfer \$169,794.53 of Undistributed Restitution funds received from the Superior Court to the Los Angeles City Attorney's Office. In addition, this Board Letter requests that the Probation Department be directed to transfer \$93,134.46 of Unclaimed Restitution funds to the District Attorney's Office's Bureau of Victim Services.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the District Attorney's Office on behalf of the County to transfer Undistributed Restitution funds totaling \$169,794.53 to the Los Angeles City Attorney's Office.

Direct the Probation Department to transfer Unclaimed Restitution funds totaling \$93,134.46 to the District Attorney's Office to be held in an account and used for providing comprehensive services to crime victims.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to allow the County to come into compliance with Government Code section 68084.1(a), which requires that restitution collected on behalf of victims that remains unclaimed for three years is to be deposited into the general fund of a county that administers a victim services program exclusively for the provision of victim services.

Under Government Code section 68084.1(a), except as otherwise provided by law, any money, excluding restitution to victims, that has been deposited with a superior court, or that a superior court is holding in trust for the lawful owner, in a court bank account or in a court trust account in a county treasury, that remains unclaimed for three years shall become the property of the superior court if, after published notice pursuant to this section, the money is not claimed or no verified complaint is filed and served. After published notice pursuant to this section, if the money is not claimed or no verified complaint is filed and served, money representing restitution collected on behalf of victims that remains unclaimed for three years shall be deposited either into the State Restitution Fund exclusively for the purposes of providing victim services or into the general fund of a county that administers a victim services program exclusively for the provision of victim services.

A total of \$225,125.26 in Undistributed Restitution was transferred from the Superior Court to the County District Attorney's Office after the Superior Court exhausted all efforts to locate the victims. This money was collected by the courts as victim restitution over the years. In order to comply with Government Code section 68084.1, the Superior Court transferred the funds to the County. The Superior Court was asked to provide information on whether the cases were prosecuted by the District Attorney or City Attorney and the Court indicated that the allocation was as follows:

District Attorney	55,330.73	25%
L.A. City Attorney	169,794.53	75%
Total Funds	\$225,125.26	100%

The amount of \$55,330.73 reflects monies collected on District Attorney cases. The amount of \$169,794.53 reflects monies collected on Los Angeles City Attorney cases.

Under Government Code section 50050, restitution collected by the County on behalf of victims which remains unclaimed (1) for a period of three years and (2) after the Treasurer-Tax Collector has published required notice (hereinafter referred to as Unclaimed Restitution), reverts to the County and may be used for victims' services. This Board has recognized the District Attorney's Bureau of Victim Services as the major provider of comprehensive services to victims in the County with its Victim Witness Assistance Program. The Probation Department has identified \$93,134.46 in Unclaimed Restitution in its possession. Under Government Code section 50050, the District Attorney seeks the transfer of \$93,134.46 in Unclaimed Restitution to an account with the District Attorney's Office to be used for the provision of victims' services.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended action is consistent with both the Los Angeles County Strategic

Plan Goal No. 1, Make Investments that Transform Lives: Aggressively address society's most complicated social, health, and public safety challenges, as well as Goal No. 3, Realize Tomorrow's Government Today: Be an innovative, flexible, effective, and transparent partner focused on public service and advancing the common good.

FISCAL IMPACT/FINANCING

Undistributed and Unclaimed Restitution funds victims' services in compliance with all County fiscal and procurement policies. In Fiscal Year 2020-2021, the District Attorney's Office will encumber \$225,125.26 to utilize the funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Transfer of the Unclaimed Restitution Funds to the District Attorney's Office, whose Bureau of Victims Services is the designated major provider of comprehensive services to victims in accordance with Penal Code section 13835.2, will bring the County into compliance with Government Code section 50050 which requires Undistributed and Unclaimed Restitution to be used by the County for victims' services or deposited into the State's Restitution fund.

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 District Attorney's Office shall transfer \$169,794.53 in Undistributed Restitution to the Los Angeles City Attorney's Office. The Probation Department shall transfer \$93,134.46 in Unclaimed Restitution to the District Attorney's Office, to be held in an account, and used for the provision of victims' services.

Respectfully submitted,

JACKIE LACEY
District Attorney

Attachments

c: Chief Executive Officer
County Counsel