



Board Agenda Item 49

DATE: April 9, 2024

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Federal Fund Grant Subaward Assurances

RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute the updated Victims of Crime Act (VOCA) Federal Fund Grant Subaward Assurances for the Victim/Witness Assistance (VW) Program with the California Governor's Office of Emergency Services (Cal OES) for the period of October 1, 2023 to September 30, 2024;**
2. **Approve and authorize the Chairman to execute the updated VOCA Federal Fund Grant Subaward Assurances for the Unserved/Underserved Victim Advocacy and Outreach (UV) Program grant with Cal OES for the period January 1, 2024 to December 31, 2024;**
3. **Approve and authorize the Chairman to execute the updated VOCA Federal Fund Grant Subaward Assurances for the Victim Services (XC) Program grant with Cal OES for the period of January 1, 2024 to December 31, 2024; and**
4. **Approve and authorize the Chairman to execute the updated STOP Violence Against Women Formula Grant Program (STOP) Federal Fund Grant Subaward Assurances for the Probation Specialized Units (PU) Program with Cal OES for the period of October 1, 2023 to September 30, 2024.**

There is no increase in Net County Cost associated with the recommended action. The original VOCA Federal Fund Grant Subaward Assurances (Certification) for the VW grant was approved on August 22, 2023, by your Board with the VW Grant Application/Agreement. The original Certification for the UV grant was approved on November 28, 2023, by your Board with the UV Grant Application/Agreement. The Certification for the XC grant was approved on January 09, 2024, by your Board with the XC Grant Application/Agreement. The original Certification for the PU grant was approved August 8, 2023, by your Board with the PU Grant Application/Agreement. However, since that time, Cal OES notified the Probation Department that the Certifications have been updated and approval of the updated Certification is required for program funds to be released. The changes for programs with VOCA funds on form 2-109a include adding an assurance on compliance with restrictions on the use of federal funds for prohibited and controlled equipment under OJP award; additional language has been added to the requirements pertaining to prohibited conduct related to trafficking in persons including reporting requirements and OJP authority to terminate grant subaward; and an assurance has been added regarding limited English proficiency and compliance with Title VI and the Safe Streets Act. The changes for programs with STOP funds on form 2-109d include language changes have been made to the assurance for compliance the DOJ regulations pertaining to Civil rights and nondiscrimination 28 C.F.R. Part 38; restrictions and certifications regarding non-disclosure agreements and related matters contains revised language; additional language has been added to the section on compliance with 41 U.S.C. 4712 including prohibitions on reprisal and notice to employees; assurance on confidentiality and information has additional language added; and in the requirements for subrecipients providing legal assistance additional language has been added. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the Probation Department would not be able to participate in the VW, UV, XC, or PU grants. This will result in the elimination or reduction of services; provided by the James Roland Crime Victim Assistance Center (CVAC) for crime victims and witnesses and intense monitoring of offenders and providing referrals, support services and counseling to the victims through the Violent Offender Intensive Supervision Endeavor (VOISE) program; providing and deletion of funded positions unless an alternative funding source is identified.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations, and revenues are included in Probation's Org 3432 FY 2023-24 Adopted Budget for these programs.

DISCUSSION:

On August 22, 2023, your Board approved the VW grant application/agreement for the term of October 1, 2023 to September 30, 2024. This grant funds one Assistant Deputy Chief Probation Officer, three Senior Victim-Witness Advocates (Sr. VWAs), ten Victim-Witness Advocates (VWAs), one Program Technician, one Office Assistant, and two Student Worker positions, on a full-time basis, at Probation's CVAC in three different locations. They provide support and assistance to victims of crime, such as crisis intervention and counseling, emergency assistance and referrals, orientation to the criminal justice system, court and parole hearing support, assistance writing victim impact statements for the Court, criminal case status and disposition, employer and creditor intervention, assistance filing for financial help from the California Victim Compensation Program, and provide information and referrals regarding protective and restraining orders.

On November 28, 2023, your Board approved the UV grant application/agreement for the term of January 1, 2024 to December 31, 2024. This grant funds two full-time VWAs. These positions reach elderly and dependent adult victims of crime and assist them in coping with the impacts of the criminal acts perpetrated against them, improve identification of elderly and dependent adult victims, increase community awareness of victims' right and available services, and establish connections between the CVAC and Fresno County's rural communities and cultural groups.

On January 9, 2024, your Board approved the XC grant application/agreement for the term of January 1, 2024 to December 31, 2024. This grant partially funds three VWAs, and one Deputy Probation Officer (DPO). Services provided by the VWAs include advising victims of available services, referring to professional care providers, explaining the criminal justice system process, accompanying victims, family members, and witnesses to court and related hearings, and assisting victims with claim applications. The funded DPO reviews the orders of the court and the offender's case file, serves as a liaison with other County offices, and guides the victim through the court process regarding matters of restitution.

On August 8, 2023, your Board approved the PU grant application/agreement for the term of October 1, 2023 to September 30, 2024. This grant funds one full-time VWA and partially funds one full-time DPO. The DPO position provides intense supervision for high-risk offenders who are on probation for domestic violence, sexual assault, dating violence and/or stalking. The VWA position collaborates with the DPO to meet the needs and concerns of victims of offenders enrolled in the VOISE program.

All counties that submitted an application and were awarded grants funded with VOCA Federal Funds were contacted by Cal OES and informed that they needed to submit a copy of the revised Certification form signed by the authorized signatory. Cal OES's process allows for grantees with multiple programs or grants receiving VOCA funds to submit one form listing up to six Cal OES Program/Grant Subawards numbers with the same fund source in the table. Cal OES accepts certification by returning the copy of the revised form with the signature of the authorized signer for the grant agreement without a resolution or copy of the

Board of Supervisors Agenda. Cal OES has agreed to continue accepting the normal process of approval presenting the revised Certification to your Board for approval and the Chairman's signature. Once the updated Certification is approved, the executed document will be forwarded to Cal OES and will become part of the application/agreement.

REFERENCE MATERIAL:

BAI # 38, January 9, 2024
BAI # 62, November 28, 2023
BAI # 38, August 22, 2023
BAI # 37, August 8, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Cal OES VOCA Federal Fund Grant Subaward Assurances
On file with Clerk - Cal OES STOP Federal Fund Grant Subaward Assurances

CAO ANALYST:

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