



Board Agenda Item 20

DATE: August 23, 2022

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney

SUBJECT: Violence Against Women Vertical Prosecution Grant Application/Agreement

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a Grant Application/Agreement, Certification of Assurance of Compliance, Federal Fund Grant Subaward Assurances and the Subrecipient Grants Management Assessment for the Violence Against Women Vertical Prosecution program with the California Governor's Office of Emergency Services (Cal OES), for the period January 1, 2023 through December 31, 2023 (\$270,060); and**
- 2. Approve and authorize the Auditor-Controller/Treasurer-Tax Collector, or his designee, to execute the required Authorization for the Grant Subaward Certification of Assurance of Compliance.**

There is no increase in Net County Cost associated with the recommended actions. This program concentrates vertical prosecution efforts toward repeat offender domestic violence defendants, as well as dating violence, stalking, and sexual assault defendants, thereby targeting the most serious offenders, and reducing the level of domestic violence in Fresno County. The application will maintain the Violence Against Women Vertical Prosecution program. It should be noted that once the Grant Award Face Sheet is approved and executed by the Chairman and Cal OES, the executed documents become the final agreement between the County and Cal OES. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the revenue, appropriations and staffing (one Deputy District Attorney IV and one Victim Advocate) associated with this program will be eliminated as part of the FY 2022-23 District Attorney Org 2860 Recommended Budget.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Revenues of \$202,545, and a required 25% Net County Cost match of \$67,515 total \$270,060 for the Violence Against Women Vertical Prosecution program budget, and are included in the FY 2022-23 District Attorney Org 2860 Recommended Budget.

DISCUSSION:

The Violence Against Women Vertical Prosecution program funds one Deputy District Attorney IV position to vertically prosecute domestic violence cases from the rural areas of Fresno County. Fresno County is one of ten counties that have been successful at competing for these funds since 1998.

The Violence Against Women program also partially funds a Victim Advocate to guide victims through the legal process. The advocate assists the victims during the course of the preliminary hearing and/or trial, and is the contact person for victims throughout the case. Additionally, the advocate provides support to victims, keeping them informed, ensuring their input, accompanying them to court, and offering valuable insight to the prosecutor as to the concerns of the victim. The advocate also provides victims with needed referrals to community service agencies, and is engaged in outreach programs to serve victims of domestic violence.

As part of this program, the unit prosecutor has created training programs for both advocates and law enforcement officers in rural police agencies. The training classes cover the dynamics of domestic violence, successful approaches to cases with reluctant or recanting victims, and community resources for victims.

The recommended actions will allow the District Attorney's Office to apply for these funds, and approves and authorizes the Chairman to execute a Grant Award Face Sheet, Certification of Assurance of Compliance, Federal Fund Grant Subaward Assurances and the Subrecipient Grants Management Assessment with Cal OES to continue the Violence Against Women Prosecution program through December 31, 2023. If approved, the executed Grant Award Face Sheet for the application will be forwarded to Cal OES to finalize the application/agreement.

California Environmental Quality Act

The grant requires subrecipients to certify their project is in compliance with the California Environmental Quality Act (CEQA). Local government agencies certify that they have adopted or certified the completion of an environmental impact report that complies with the requirements of CEQA, or they have filed a Notice of Exemption with the County Clerk.

The proposed grant application/agreement is exempt under Section 15061, subdivision (b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This is because the prosecution of criminal actions and providing assistance to victims of domestic violence are not the type of activities that can reasonably be considered as causing a direct physical change, or foreseeable indirect change, to the environment. Assuming your Board's approval of the recommended actions, staff will prepare to post a Notice of Exemption.

If grant funding for this program is discontinued, all associated positions will be eliminated.

REFERENCE MATERIAL:

BAI #23, November 2, 2021
BAI #30, September 7, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Cal OES

CAO ANALYST:

Samantha Buck