



Board Agenda Item 28

DATE: September 22, 2020

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney

SUBJECT: Retroactive Violence Against Women Vertical Prosecution Grant Amendment

RECOMMENDED ACTION:

Approve and authorize the Chairman to execute retroactive Second Amendment to Agreement No. 19-193 with the California Office of Emergency Services (Cal OES) for the Violence Against Women Vertical Prosecution grant effective upon execution, with no change in term to December 31, 2020 and decreasing the grant maximum by \$33,757 to a total of \$371,332.

There is no additional Net County Cost associated with the recommended action. Approval of the recommended action will decrease the maximum of the grant agreement, by removing the required match in funds from the District Attorney's (DA) Office. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the grant agreement amount will not be decreased, and the required match of funds from the DA will not be waived by Cal OES.

RETROACTIVE AGREEMENT:

The recommended amendment is retroactive as the Department received notice from Cal OES in early August 2020 that they were waiving the grant match requirement. The Department is bringing this item on the first available Board date within agenda item processing deadlines.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The total grant agreement was \$405,089, and the recommended action removes the required match of \$33,757, which will decrease the grant agreement to \$371,332. Sufficient appropriations and estimated revenues are included in the FY 2020-21 District Attorney Org 2860 Adopted Budget for this Program.

DISCUSSION:

On April 28, 2020, your Board approved a first amendment to an agreement with Cal OES for the Violence Against Women Vertical Prosecution grant program. The amendment increased funding by \$135,029, and extended the term by six months to December 31, 2020. The Department received notice from Cal OES in early August 2020 that Cal OES was eliminating the required match of \$33,757 associated with the additional funding. The recommended second amendment will waive the matching funds of \$33,757.

The original grant Agreement and Certificate of Assurance of Compliance were approved by your Board on

May 7, 2019. Cal OES revised the Certificate of Assurance of Compliance (COAOC) in May of 2019, and noticed all counties on August 13, 2019 that a revised COAOC would be required before counties could be placed into grant award. The revised COAOC was approved September 24, 2019. Lastly, Cal OES revised the COAOC in January of 2020, and noticed all counties on January 13, 2020 that a revised COAOC would be required to comply with Federal Grant Guidelines, which was approved by your Board on February 25, 2020.

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 eleven 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.

If grant funding for this program is discontinued, all associated positions will be eliminated, unless an alternative funding source is found.

REFERENCE MATERIAL:

BAI # 26, April 28, 2020
BAI # 31, February 25, 2020
BAI # 24, September 24, 2019
BAI # 36, May 7, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Second Amendment to Agreement with Cal OES

CAO ANALYST:

Samantha Buck