



Board Agenda Item 28

DATE: July 12, 2022

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney

SUBJECT: Memorandum of Understanding with City of Fresno for the Sexual Assault Kit Initiative Grant Program

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Memorandum of Understanding with the City of Fresno to allow the District Attorney's Office to provide criminal case and statutory information to the City of Fresno Police Department, in support of the Sexual Assault Kit Initiative Grant Program for the period October 1, 2022, through September 30, 2024 (\$51,120).

Approval of the recommended action will execute a Memorandum of Understanding with the City of Fresno, which will provide funding from the U.S. Department of Justice to allow the District Attorney to participate in the Sexual Assault Kit Initiative (SAKI) grant program with the Fresno Police Department (FPD) to provide criminal case and statutory information for DNA collection from convicted offenders for a two-year period. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If your Board does not approve the recommended action, the questions submitted by FPD's SAKI grant detectives regarding convicted offenders will not be reviewed by a dedicated prosecutor to provide criminal case and statutory information.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Approval of the recommended action will allow the District Attorney to participate in the SAKI grant and provide \$25,560 in reimbursement for FY 2022-23 District Attorney Org 2860 Recommended Budget to fund all costs associated with the SAKI MOU. Funding for the additional year of the grant will be included in future budget requests.

DISCUSSION:

The FPD applied for and received funding from the U.S. Department of Justice for the 2021 SAKI grant program for three years effective October 1, 2021. The new grant currently funds two FPD detectives to identify convicted offenders who lawfully owe DNA samples under California law. Additionally, the grant application includes partial funding for ten percent of a Deputy District Attorney position to provide criminal case and California statutory information to the FPD detectives for years two and three of the grant term.

The recommended MOU has no insurance requirements and contains a non-standard mutual

indemnification provision. The MOU requires that each party hold the other harmless from matters relating to payment of each party's employees, provides that each party is responsible for its own actions, and contains no indemnification provision protecting the County from liability arising from the MOU. However, Risk Management has reviewed these provisions and finds them acceptable as it relates to grant funding.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with the City of Fresno

CAO ANALYST:

Samantha Buck