



# Board Agenda Item 5

---

DATE: September 21, 2021

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney

SUBJECT: Alcohol and Drug Impaired Driver Vertical Prosecution Program  
Grant Application and Agreement

RECOMMENDED ACTION(S):

1. Retroactively authorize the District Attorney's previous submittal of a grant application to the California Office of Traffic Safety for continuation of the Alcohol and Drug Impaired Driver Vertical Prosecution Program for FY 2021-22 (\$739,487); and
2. Approve and authorize the Chairman to execute Grant Agreement (Grant Number DI22025), with an electronic signature, for the Alcohol and Drug Impaired Driver Vertical Prosecution Program with the California Office of Traffic Safety (OTS) for the period October 1, 2021 through September 30, 2022 (\$505,500); and
3. Approve Amendment to the Salary Resolution adding one Deputy District Attorney to the District Attorney Org 2862, effective October 04, 2021 as reflected in Appendix "C"; and
4. Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues in the amount of \$256,396 in the District Attorney Org 2862 (4/5 vote).

There is no additional Net County Cost associated with the recommended actions, which will allow for the continuation of the Alcohol and Drug Impaired Driver Vertical Prosecution program (ADIVPP) through September 30, 2022. The ADIVPP grant program will fund two Deputy District Attorneys to handle cases throughout each step of the criminal process, work to increase the capabilities of the program by obtaining and delivering specialized training, and enable the District Attorney's Office to share information with peers and law enforcement personnel throughout the County and across the State. To meet the grant filing deadline, the application was submitted to the OTS, contingent on your Board's approval. OTS requires an electronic signature to execute the grant agreement. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, this program will not be funded for FY 2021-22, which would result in the elimination of one Deputy District Attorney position, unless alternative funding is found.

FISCAL IMPACT:

There is no increase in Net County Cost associated with these actions. There is no match requirement for the receipt of the funds. The Department submitted a grant application in the amount of \$739,487. The OTS awarded \$505,500 to Fresno County for the FY 2021-22 ADIVPP in order to fund an additional Deputy District Attorney position. This is an increase of \$256,396 over the \$249,104 that is included in the FY 2021-22 Adopted Budget for the District Attorney - Grants Org 2862. Approval of the fourth recommended action will increase FY 2021-22 appropriations and estimated revenues in the amount of \$256,396 to correctly reflect the increase in funds received from the OTS this Fiscal Year.

DISCUSSION:

The goal of the ADIVPP is to investigate and vertically prosecute felony alcohol and drug-impaired driving cases. The ADIVPP grant program will fund two Deputy District Attorneys to handle cases throughout each step of the criminal process, and work to increase the capabilities of the program by obtaining and delivering specialized training. The ADIVPP program attorneys will also share information with peers and law enforcement personnel throughout the County and across the State. The ADIVPP program is currently staffed with one program attorney. Approval of the third recommended action will allow the DA to add an additional Deputy District Attorney in order to accomplish these objectives as a means to prevent impaired driving, and reduce alcohol and drug-involved traffic fatalities and injuries.

If grant funding is eliminated, the Deputy District Attorney positions will be deleted, unless alternative funding is found.

REFERENCE MATERIAL:

BAI #24, October 6, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with OTS  
Salary Resolution Amendment - Appendix "C"  
On file with Clerk - Budget Resolution

CAO ANALYST:

Yussel Zalapa