

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

260



**FROM:** DISTRICT ATTORNEY

**SUBMITTAL DATE:**  
08/29/06

**SUBJECT:** Acceptance of a Criminal Restitution Compact, Adoption of Resolution No. 2006-340 to Apply to the Victim Compensation and Government Claims Board for a Criminal Restitution Compact, and Adoption of Ordinance No. 440-8682.

**RECOMMENDED MOTION:** Move that the Board of Supervisors:

1. Approve acceptance of a Criminal Restitution Compact (CRC) with the California Victim Compensation and Government Claims Board (VCGCB) in the amount of \$216,377 for the period September 15, 2006 to June 30, 2007.
2. Adopt Resolution No. 2006-340 authorizing the District Attorney to submit applications to the VCGCB and sign agreements on behalf of the Board through FY 2008-09.
3. Amend Ordinance 440 Pursuant to Resolution 440-8682 submitted herewith. Per the Resolution add the following positions:
 

Ord. 440	Class Code	+/-	Class Title	Salary Plan	Grade	Salary
32(a)	13931	+1	Legal Support Assistant II	UPE	352	\$28,854-\$37,591
32(a)	78508	+2	Paralegal I	SEU	286	\$35,496-\$46,261
4. Approve and direct the Auditor Controller to make budget adjustments as shown in Attachment A.

Continued on Page 2

FORM APPROVED  
COUNTY COUNSEL

AUG 15 2006

Grover Trask, District Attorney

FINANCIAL DATA	Current F.Y. Total Cost:	\$216,377	In Current Year Budget:	No
	Current F.Y. Net County Cost:	0	Budget Adjustment:	Yes
	Annual Net County Cost:	0	For Fiscal Year:	2006-2007

<b>SOURCE OF FUNDS:</b> Victim Compensation and Government Claims Board	<b>Positions To Be Deleted Per A-30</b>	<input checked="" type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input checked="" type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

**County Executive Office Signature**

FISCAL PROCEDURES APPROVED  
 ROBERT E. BYRD, Auditor-Controller  
 BY Deputy

Dept's Recomm.:  Consent  Policy   
 Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:** | **District:** ALL | **Agenda Number:**

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

**3.29**

**BACKGROUND:** In the state of California every offender convicted of a felony or misdemeanor is required to pay a restitution fine. All restitution fines paid by offenders go to the Restitution Fund that supports the Victims of Crime Compensation Program (VCP) and is administered by the California Victim Compensation and Government Claims Board. The Restitution Fund through the VCP provides financial assistance to victims of violent crimes for losses incurred as a result of the crime.

Victims, who have incurred losses as a direct result of a crime, have the right to ask the court to order an offender to pay restitution. The court will impose a restitution order to cover actual crime related expenses incurred by the victim. If the victim has received an award from the VCP to cover some or all of their losses, the judge will require the offender to repay the VCP for that amount.

In recent years, the Restitution Fund was at critically low funding, which caused long delays in payment to crime victims and service providers.

In order to improve California's criminal restitution system, increase the imposition rate of criminal restitution fines and orders, ensure financial stability to the Restitution Fund, and provide the county with a criminal restitution resource, the VCGCB approached the Riverside County District Attorney's Office to enter into a new criminal restitution compact. In late July 2006, the District Attorney's Office was notified by the VCGCB it had been awarded \$216,377 for the period September 15, 2006 through June 30, 2007. No County match is required.

This agreement will fund two Paralegal I positions and a Legal Support Assistant II. These positions will ensure restitution fines are imposed on all convicted offenders and that restitution orders are imposed in all appropriate cases involving a victim who has filed a claim with the VCGCB. In addition they will ensure the appropriate fines or fees are imposed in cases where the offender's sentence includes a period of parole, the offenders are diverted, or the offender's sentence includes a period of probation.

As Restitution specialists these funded positions will be an invaluable criminal restitution resource to the county. They will provide and/or coordinate training to deputy district attorneys, judges, court staff and probation officers, as well as conduct restitution outreach to the public, local non-profit organizations and local community agencies.

As specified in the proposed Resolution No. 2006-340, the Department is also requesting authorization for the District Attorney to submit applications and any necessary documentation for this program on behalf of the County. The Resolution is effective for a three- year period beginning September 15, 2006 and ending June 30, 2009.

The Agreement and Resolution has been reviewed and approved as to form by County Counsel.

1 RESOLUTION NO. 440-8682

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3 BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in  
4 regular session assembled on \_\_\_\_\_, 2006, that pursuant to Section 5.A. of  
5 Ordinance No. 440, the District Attorney is authorized to make the following listed change(s), operative  
6 on the date of approval, as follows:

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<u>Job</u>			
<u>Code</u>	<u>+/-</u>	<u>Department ID</u>	<u>Class Title</u>
8 13931	+ 1	2200100000	Legal Support Assistant II
9 78508	+ 2	2200100000	Paralegal I

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**Attachment "A"**

Increase Appropriations:

10000-2200100000-510040	Regular Salaries	119,474
10000-2200100000-518100	Budgeted Benefits	56,028
10000-2200100000-523700	General Operating Expense	<u>40,875</u>
	TOTAL	\$216,377

Increase Estimated Revenue:

10000-2200100000-755340	CA: Victim Claims Process	\$ 216,377
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