

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

871



**FROM:** Stanley Sniff, Sheriff - Coroner - PA

**SUBMITTAL DATE:**

01/26/10

**SUBJECT:** Office of Violence Against Women – FY 10 The Community-Defined Solutions to Violence Against Women Program (formerly Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program) Application

**RECOMMENDED MOTION:**

Move that the Board of Supervisors authorize the Chair to sign a Memorandum of Understanding and letters of certification in support of a pending Sheriff's application for a grant funded through the Office of Violence Against Women.

**BACKGROUND:**

The Sheriff's Department, on behalf of the County and a group of collaborators, including the District Attorney's Office, Probation Department, Safe Alternatives for Everyone, Shelter From The Storm, and Riverside Area Rape Crisis Center, will apply for continued funding from the Office on Violence Against Women for arrest policies and enforcement of protection orders to better serve victims of domestic violence among the County's residents.

Valerie Hill, Undersheriff

BR 10-069

Stanley L. Sniff, Jr., Sheriff - Coroner - PA

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
Annual Net County Cost:	\$ N/A	For Fiscal Year:	FY09/10

**SOURCE OF FUNDS:** N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	[ ]

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

APPROVE

BY: Robert Tremaine  
Robert Tremaine

County Executive Office Signature

Dep't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: 11/24/09 3.93

District: ALL

Agenda Number:

3.53

FORM APPROVED COUNTY COUNCIL  
BY: NEAL R. KIPNIS DATE

Departmental Concurrence

OWW Grant - The Community-Defined Solutions to Violence Against Women  
Program  
BR10-069  
Page 2

The County has operated this program for five years. The grant solicitation requires that submitted applications include signed originals of the following documents: a Memorandum of Understanding signed by all partners that demonstrates county partners have consulted and coordinated in a meaningful way with nonprofit, private sexual assault and domestic violence programs in the development of the application; a Letter of Certification certifying compliance to a list of conditions; and a Letter of Non-supplanting certifying that Federal funds will not be used to supplant State or local funds should a grant award be made.

County Counsel has reviewed the documents and approved them as to form.

MEMORANDUM OF UNDERSTANDING  
FOR

THE COMMUNITY - DEFINED SOLUTIONS TO VIOLENCE  
AGAINST WOMENT PROGRAM

(Formally the Grants to Encourage Arrest Policies and Enforcement of Protection Orders)

This Memorandum of Understanding is entered into by and between the following participating agencies and/or organizations (hereinafter referred to as "Partners") who have developed the grant application and are working together in the existing Family Justice Centers. The Partners are:

- ❖ Riverside County Sheriff's Department
- ❖ Riverside County District Attorney's Office
- ❖ Safe Alternatives for Everyone
- ❖ Shelter From The Storm
- ❖ Alternatives to Domestic Violence
- ❖ Riverside Area Rape Crisis Center
- ❖ Riverside County Probation Department

I. Purpose

WHEREAS, the County of Riverside recognizes domestic violence as a pervasive social disease that undermines the safety of families, and

WHEREAS, the County of Riverside, on behalf of its participating departments and community agencies serving county residents, hereinafter referred to as Partners, seeks to provide victims of domestic violence with services that encourage arrest policies and increase the enforcement of protection orders; and

WHEREAS, the County and Partners desire to provide victims of domestic violence with centralized access to public and private resources in a safe, secure and private environment; and

WHEREAS, the County and Partners have a long history of collaborative relationships, spanning many years, and are committed to providing assistance for victims of domestic violence residing in all communities within Riverside County as well as in the unincorporated area;

NOW THEREFORE, the County and Partners do hereby covenant and agree to implement a program that increases arrests for domestic violence and ensures vertical prosecution of offenders. The County and Partners also agree to collaborate in the continued operation of two existing countywide decentralized Family Justice Centers with convenient open door access for all victims of domestic violence in order to initiate domestic violence investigations, support victims in a safe setting, enforce protection orders, reduce victim

trauma, provide optimum responses from the community and ultimately end domestic violence in Riverside County.

## II. Background

These entities have contractually interacted with each other during the course of several efforts over a two decade period including a currently funded Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program grant. They seek to continue to coordinate services and work cooperatively to provide maximum available assistance for victims of domestic violence and to bring perpetrators to justice. Each Partner agency has demonstrated a desire to provide service to families in crisis.

The Partner agencies are committed to providing services to victims at the two existing Family Justice Centers and all are committed to the full implementation of programs and services that better educate law enforcement first responders, targeted communities (including Native American tribes, migrant farm workers, senior citizens, disabled) and the general public.

An Executive Committee of the Partner agencies first met in late 2003 and in January of 2004 traveled to San Diego to pursue the feasibility of establishing Family Justice Centers in Riverside County based on the San Diego model. Efforts to coordinate preparation of the Violence Against Women grant application began in December 2004 and since funded, the Partners continue to meet to secure public and private resources to support increasing arrests and enforcing protection orders along with delivering supportive services and community education.

The lead role in the implementation of the Riverside County effort in The Community – Defined Solutions to Violence Against Women Program will be the Riverside County Sheriff's Department. Sheriff Stanley Sniff, on behalf of the Board of Supervisors, will ensure that the project is administered county-wide and that domestic violence victims are protected in their homes, interviewed to support prosecution, and provided the opportunity to access services at a Family Justice Center. The Department has a long history of training the deputy sheriff responders and all first responders to assure they are aware of the volatile nature of domestic violence. The Sheriff is committed to increasing training for all line personnel in order to ensure the safety of the victims and the responding officers.

## III. Terms and Conditions

Whereupon, having reviewed the foregoing, all Participating Agencies agree that it is in the best interest of Riverside County Sheriff's Department, Riverside County District Attorney's Office, Safe Alternatives for Everyone, Shelter From The Storm, Alternatives to Domestic Violence, Riverside Area Rape Crisis Center, Riverside County Probation Department, and as well as to better serve the residents of Riverside County, to commit the roles and resources of each Partner as briefly outlined below:

Riverside District Attorney will provide sponsorship of the countywide public private collaboration that underpins the two active Family Justice Centers, and provision of District Attorneys who specialize in prosecuting domestic violence cases and the lead member of the education team that will work with the Sheriff's Investigators and community partners to provide domestic violence education and awareness across the county. The District Attorney will provide a victim witness advocate, domestic violence prosecutor and clerical support staff at each of the two Family Justice Centers.

Shelter From The Storm will provide an on-site advocate at the Indio Superior Court(?) who will serve as the point of entry to emergency and adjunctive services. Shelter staff will continue to deliver service at eight distinct locations in the Coachella Valley (east county area) including: the emergency shelter (60 beds); five outreach centers in the cities of Coachella, Desert Hot Springs, Indio, Palm Desert and Palm Springs; the Edra Blixseth Community Counseling Center/Business Office (providing clinical and case management services); and the long term transitional housing program.

Safe Alternatives for Everyone (S.A.F.E.) will provide social service support and assistance for victims and families coping with domestic violence at the Temecula/Southwest County facility. The identified staff person will be the point of entry contact for emergency and adjunctive services. Additionally, S.A.F.E. will provide a domestic violence response team, available 24/7 basis to respond on DV calls upon law enforcement request.

Riverside Area Rape Crisis Center (RARCC) will provide a Certified Rape Crisis Advocate at two of Family Justice Centers (Riverside and Southwest) for 30 hours each week. The RARCC will deliver direct services consisting of a toll-free 24-hour Crisis Hotline, hospital accompaniment 24/7, court accompaniment, in-person counseling, referral services, support groups, Latino Outreach, Senior Outreach.

Alternatives to Domestic Violence (ADV) will provide an on-site advocate for the Riverside site. ADV will also provide direct services consisting of a 15-bed emergency shelter, 24-hour crisis line, specialized counseling program for children, counseling, support groups, bi-lingual legal advocacy, specialized training for professionals, Domestic Violence in the Workplace Project and the Teen Violence Intervention Program. .

Riverside County Probation Department will provide a Probation Officer to collaborate with other team members and ensure that individuals who re-offend while on probation are returned to the criminal justice system. The Violence Against Women Probation Supervision Unit works with law enforcement, the District Attorney and victims to ensure the highest level of accountability for violence against women offenders and provides maximum available assistance to their victims.

The Sheriff, on behalf of the County of Riverside and the above listed partner agencies, will continue to work cooperatively to ensure that efforts to increase arrests and enforce protection orders as well as to ensure victim safety and access to services through the Family Justice Centers will continue beyond the funding sought from the Office of Violence Against Women.

Riverside County Sheriff's Department will provide project administration, Sergeants to supervise requested Investigators and the first responder Deputy Sheriff's, and grant administration and reporting. The Sheriff's Department will also ensure that each assigned Investigator is provided with a vehicle, modular work unit, cellular telephone, and clerical support.

The Sheriff's Department, on behalf of the County and the partners, will collect financial and programmatic data from all funded partners and will submit the quarterly Financial Status Reports and semi-annual Progress Reports.

The Sheriff, on behalf of the County of Riverside and the partner agencies, will meet the mandates of the Violence Against Women and Department of Justice Reauthorization Act of 2005 which requires that all projects measure and report on their effectiveness. Toward this end, the Sheriff, on behalf of the County of Riverside will collect and maintain data from the funded partners including but not limited to: 1) the number of persons served; 2) the number of persons seeking services who could not be served; 3) the number and percentage of arrests relative to the number of law enforcement responses to domestic violence incidents; 4) the number of protection orders issued; and 5) the number of victim advocates supported by grant funding.

The Sheriff, on behalf of the County of Riverside and the partner agencies, will comply with the Government Performance and Results Act of 1993 and report on the results of the program and activities.

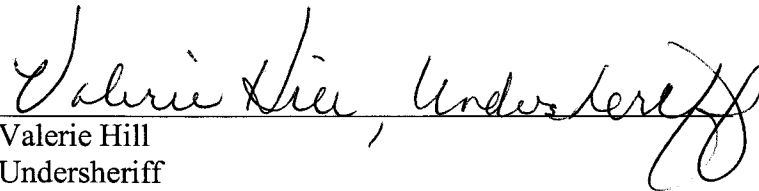
Partner agencies will comply with the regulations and requirements outlined in the Office of Justice Programs Financial Guide and its revisions as well as Office of Management and Budget (OMB) Circulars A-87, A-133, and A-122. All partners agree to support the evaluation of the proposed project and the submission of required Semi-Annual Progress reports completed by funded partners. All funded partner agencies will work with the Sheriff's Department to measure the effectiveness of the Riverside County effort and submit the collected data to the Office of Violence Against Women.

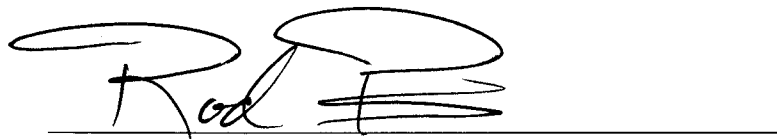
The undersigned funded Partners commit and agree to assign a single point of contact for their agency to provide program data to the Sheriff. The undersigned Partners commit their agency's resources as delineated above to encourage increased arrests and the enforcement of protection orders in Riverside County. The undersigned Partners further commit and agree to continue collaborative efforts on behalf of the victims of domestic violence in Riverside County.


#### IV. TERM

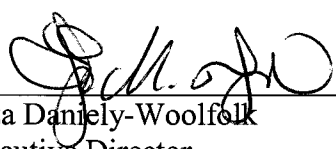
This MOU shall remain in effect for two years, but may be terminated by either party upon sixty (60) days written notice.


THEREFORE, the parties have caused their duly authorized representatives to execute this MOU on their behalf.

Dated: 1/27/10   
Valerie Hill  
Undersheriff

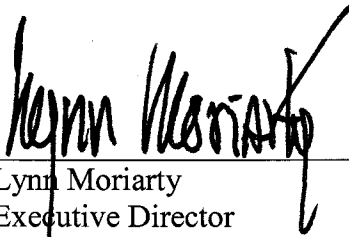
Dated: 2-2-10   
Rod Pacheco  
District Attorney

Dated: 1/28/10   
Larry McAdara  
Executive Director  
Riverside Area Rape Crisis Center


Dated: 1/27/10   
Eliza Daniely-Woolfolk  
Executive Director  
Alternatives to Domestic Violence

Dated: 1/27/10   
Melissa Donaldson  
Executive Director  
Safe Alternatives for Everyone

Dated: 1-28-10

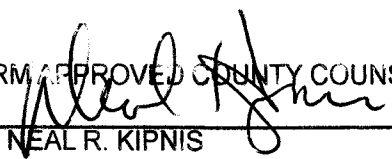
  
\_\_\_\_\_  
Lynn Moriarty  
Executive Director  
Shelter From The Storm

Dated: 1/28/2010

  
\_\_\_\_\_  
Alan M. Crogan  
Chief Probation Officer

Dated: \_\_\_\_\_

\_\_\_\_\_  
Marion Ashley  
Chair, County of Riverside Board of Supervisors

FORM APPROVED COUNTY COUNSEL  
BY:   
NEAL R. KIPNIS DATE





U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check  if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check  if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE  
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

County of Riverside  
4080 Lemon Street 4th Fl  
Riverside, CA 92501

2. Application Number and/or Project Name

Community-Defined Solutions to  
Violence Against Women Program  
CFDA# 16.590

3. Grantee IRS/Vendor Number

95-6000943

4. Typed Name and Title of Authorized Representative

Marion Ashley, Chair  
Riverside County Board of Supervisors

5. Signature

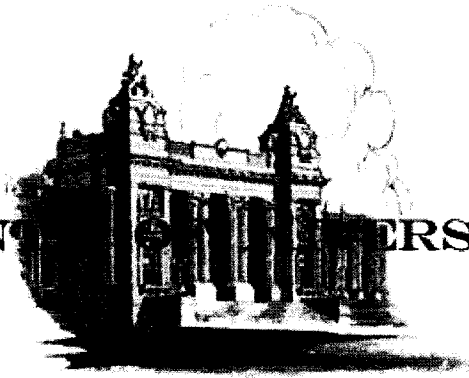
6. Date

FORM APPROVED COUNTY COUNCIL

BY:   
NEAL R. KIPNIS

DATE

# COUNTY OF RIVERSIDE



## Board of Supervisors

District 1	<b>Bob Buster</b> 951-955-1010
District 2	<b>John F. Tavaglione</b> 951-955-1020
District 3	<b>Jeff Stone</b> 951-955-1030
District 4	<b>John Benoit</b> 951-955-1040
District 5 <i>Chairman</i>	<b>Marion Ashley</b> 951-955-1050

01/26/10

Office on Violence Against Women  
Department of Justice  
800 K Street, Suite 920  
Washington, DC 20530

Dear Director:

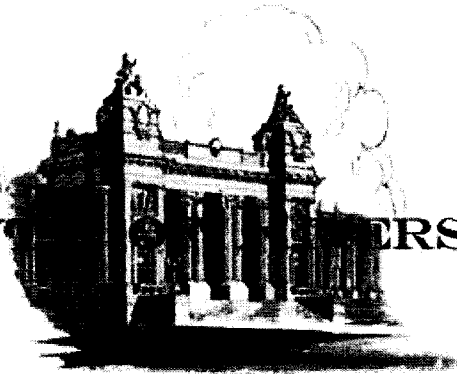
The County of Riverside certifies that any funds awarded through the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program will be used to supplement existing funds for program activities and will not replace (supplant) nonfederal funds that have been appropriated for the purpose of providing services to victims of domestic violence, dating violence and child victimization.

The County of Riverside understands that supplanting violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Sincerely,

Marion Ashley, Chairman  
County of Riverside Board of Supervisors

# COUNTY OF RIVERSIDE



## Board of Supervisors

<b>District 1</b>	<b>Bob Buster</b> 951-955-1010
<b>District 2</b>	<b>John F. Tavaglione</b> 951-955-1020
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<b>District 5</b> <i>Chairman</i>	<b>Marion Ashley</b> 951-955-1050

01/26/10

Office on Violence Against Women  
Department of Justice  
800 K Street, NW, Suite 920  
Washington, DC 20530

Re: Application 2010-X0596-CA-WE

Dear Director:

As Chairman of the Board of Supervisors of the County of Riverside, I submit this letter to certify to the following:

- 1) the laws or official policies of the County of Riverside encourage or mandate arrests of domestic violence offenders based on probable cause that an offense has been committed;
- 2) the laws or official policies of the County of Riverside encourage or mandate arrests of domestic violence offenders who violate the terms of a valid and outstanding protection order;
- 3) the laws, policies, or practices and the training programs of the County of Riverside discourage dual arrests of offender and victim;
- 4) the laws, policies, or practices of the County of Riverside prohibit issuance of mutual restraining orders of protection except in cases where both spouses file a claim and the court makes detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither spouse acted primarily in self-defense; and
- 5) the laws, policies, and practices of the County of Riverside do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction;

6) the laws, policies or practices of the County of Riverside will ensure, not later than January 5, 2009 that:

- (A) no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense; and
- (B) the refusal of a victim to submit to an examination described in subparagraph (A) shall not prevent the investigation of the offense.

Sincerely,

Marion Ashley, Chairman  
County of Riverside Board of Supervisors