

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



110

FROM: District Attorney

SUBMITTAL DATE:
8/19/15

SUBJECT: Acceptance of a California Office of Traffic Safety Grant award for the Riverside County District Attorney's Office DUI Vertical Prosecution Program and Adoption of Resolution 2015-202. All Districts [\$490,280; State of California 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify and approve acceptance of a grant award (Grant Agreement attached) from the California Office of Traffic Safety ("OTS") in the amount of \$490,280 for the grant period October 1, 2015 through September 30, 2016.
2. Adopt Resolution 2015-202 authorizing the District Attorney and/or his designee to sign the Grant Agreement on behalf of the Board

BACKGROUND:

Summary

OTS has made grant funding available to the County of Riverside District Attorney's Office for the implementation of a Drug Impaired Driver Vertical Prosecution Program (DUID) in the Western region of Riverside County.

(Background cont. on page 2)

Elana Bentley, for
 Michael A. Hestrin,
 District Attorney

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 410,000	\$ 80,280	\$ 490,280	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: State of California	Budget Adjustment: No
	For Fiscal Year: 15/16, 16/17

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY:
Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: September 15, 2015
 xc: DA

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: 9/30/14 3-6 | District: ALL | Agenda Number:

3-7

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY:
 Susana Garcia-Bocanegra
 Departmental Concurrence
 FORM APPROVED COUNTY COUNSEL
 BY:
 GREGORY P. PRIAMOS
 DATE: 8/24/15

- A-30
- 4/5 Vote
- Positions Added
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of a California Office of Traffic Safety Grant award for the Riverside County District
Attorney's Office DUI Vertical Prosecution Program and Adoption of Resolution 2015-202. All Districts
[\$490,280; State of California 100%]**

DATE: 8/19/15

PAGE: Page 2 of 3

BACKGROUND:

Summary

The District Attorney's Office Drug Impaired Driver Vertical Prosecution Unit provides a central location throughout the western region of the county for law enforcement, victims, and the community.

The Riverside County District Attorney's Office will assign one Deputy District Attorney, located in the Western Region of the county, to vertically prosecute misdemeanor drug impaired driving cases. The DUID prosecutor will handle cases throughout each step of the criminal process. The DUID prosecutor will work with the Traffic Safety Resource Prosecutor Program (TSRP), funded by OTS, to increase capabilities of the prosecutor and the office by obtaining and delivering specialized training. The DUID prosecutor will share information with peers and law enforcement personnel throughout the county and across the state. The office will accomplish these objectives as a means to prevent impaired driving and reduce drug-involved traffic fatalities and injuries.

The Riverside County District Attorney's Office will recruit and assign three Deputy District Attorney (DDA) to vertically prosecute misdemeanor DUID cases in the county. The DDAs will identify dates and schedule the four (one each quarter) Regional Roundtable Meetings. Cases will be referred to the DDAs upon project funding. The DDAs will attend specialized training, including DUID prosecution and Vehicular Homicide Seminars sponsored by OTS and CDAA. A database for tracking the number and disposition of DUID filing requests received by the Riverside County District Attorney's Office, as well as the dispositions and conviction rate on DUID cases, will be developed. A roundtable meeting will be convened by the Riverside County District Attorney's Office, with representatives from each law enforcement agency from involved contract cities through the Sheriff's Department, as well as the regional CDAA TSRP prosecutor and OTS grant coordinator invited to attend.

The assigned DUID vertical prosecutors will continue to review, charge, and handle courtroom proceedings (including trials) of misdemeanor DUID cases throughout the county. Both in-house training for other deputy district attorneys, as well as "investigation protocol" training for law enforcement and DUID prosecutor will be developed and presented in collaboration with the CDAA TSRP Program. Roundtable meetings including law enforcement and prosecutors will be conducted quarterly during the grant period to assess technical needs for training on DUI investigation and court testimony.

The grant requires collection and reporting of appropriate statistical data quarterly that supports the progress of each goal and objective.

Based on an estimated award, the DA's Office budgeted \$410,000 for FY15-16 in this revenue category. The remaining portion of the grant award (\$80,280) will be included in the budget process for FY16-17.

The grant award and resolution have been reviewed and approved as to form by County Counsel.

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
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PAGE: Page 3 of 3

Impact on Citizens and Businesses

All costs under this program will be recovered through grant funding.

Attachments:

Grant Agreement

Resolution #2015-202

Resolution #2014-194

2
3 RESOLUTION NO. 2015-202

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING
6 CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT AGREEMENT

7
8 WHEREAS, the Board of Supervisors of the County of Riverside has designated the Drug
9 Impaired Driver Vertical Prosecution Program to be funded from funds made available and
10 administered by the California Office of Traffic Safety (hereinafter referred to as "OTS"); now,
11 therefore,

12 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of
13 Riverside, State of California, in regular session assembled on September 15, 2015,
14 that the District Attorney of the County of Riverside, State of California and/or his designee is
15 authorized, on its behalf, to submit and to sign the Grant Agreement, as well as related
16 contracts, amendments, or extensions with OTS that do not significantly change the grant or the
17 contract.

18
19 BE IT FURTHER RESOLVED that the resolution shall be in effect for a two year period
20 beginning October 1, 2015 and ending September 30, 2016.

21
22 ROLL CALL:

23 Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
24 Nays: None
25 Absent: None




26 The foregoing is certified to be a true copy of a resolution duly
27 adopted by said Board of Supervisors on the date therein set forth.


28
KECIA HARPER-IHEM, Clerk of said Board

By Kaleen Baston

Deputy

BY: NEAL R. KIPNIS DATE: 09/15/15

1. GRANT TITLE ALCOHOL AND DRUG IMPAIRED DRIVER VERTICAL PROSECUTION PROGRAM	
2. NAME OF AGENCY RIVERSIDE COUNTY	4. GRANT PERIOD From: 10/1/15 To: 9/30/16
3. AGENCY UNIT TO ADMINISTER GRANT RIVERSIDE COUNTY DISTRICT ATTORNEY'S OFFICE	
5. GRANT DESCRIPTION The County District Attorney's Office (or City Attorney's Office) will assign a specialized team to prosecute alcohol and drug impaired driving cases. The DUI prosecution team will handle cases throughout each step of the criminal process. Prosecution team members will work with the Traffic Safety Resource Prosecutor Program to increase the capabilities of the team and the office by obtaining and delivering specialized training. Team members will share information with peers and law enforcement personnel throughout the county and across the state. The office will accomplish these objectives as a means to prevent impaired driving and reduce alcohol and drug-involved traffic fatalities and injuries.	
6. FEDERAL FUNDS ALLOCATED UNDER THIS AGREEMENT SHALL NOT EXCEED: \$ 490,280.00	
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: <ul style="list-style-type: none"> • Schedule A (OTS-38b) – Problem Statement, Goals and Objectives and Method of Procedure • Schedule B (OTS-38d) – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) • Schedule B-1 (OTS-38f) – Budget Narrative and Sub-Budget Narrative (if applicable) • Exhibit A – Certifications and Assurances • Exhibit B* - OTS Grant Program Manual <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.</p> <p>We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.</p> <p>IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.</p>	
8. APPROVAL SIGNATURES	
A. GRANT DIRECTOR NAME: John Aki PHONE: 951-955-5502 TITLE: Chief Assistant District Attorney ADDRESS: 3960 Orange Street Riverside, CA 92501 E-MAIL: Jaki@RivCoDA.org  (Signature)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Elaina Bentley PHONE: 951-955-5632 TITLE: Assistant District Attorney ADDRESS: 3960 Orange Street Riverside, CA 92501 E-MAIL: EBentley@RivCoDA.org  (Signature)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Rodney Tethal PHONE: 951-955-0265 TITLE: Supervising DDA ADDRESS: 3960 Orange Street Riverside, CA 92501 E-MAIL: RTethal@RivCoDA.org  (Signature)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Riverside County District Attorney ADDRESS: 3960 Orange Street Riverside, CA 92501
9. DUNS NUMBER DUNS #: 037754061 REGISTERED ADDRESS & ZIP: 3960 Orange Street Riverside, CA 92501	

FORM APPROVED BY COUNTY CLERK
 BY:  NEAL R. KIPNIS
 DATE: 8/3/15

2
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26 adopted by said Board of Supervisors on the date therein set forth.

27 KECIA HARPER-IHEM, Clerk of said Board
By [Signature]
Deputy

FORM APPROVED BY COUNTY COUNSEL (14)
BY: NEAL FISCHER 14
DATE