

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

206



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 with Death and Injury Vertical Prosecution Program and Adoption of Resolution 2015-203. All Districts [\$396,723; 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 \$396,723 for the grant period October 1, 2015 through September 30, 2016.
2. Adopt Resolution 2015-203 authorizing the District Attorney and/or his designee to sign the Grant Agreement on behalf of the Board.

BACKGROUND:

Summary

The District Attorney's Office DUI with Death and Injury Vertical Prosecution Unit will provide a central location throughout the southwest region of the county for law enforcement, victims, and the community.

(Background cont. on page 2)

Elaina Bentley
Elaina 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	\$ 329,000	\$ 67,723	\$ 396,723	\$ 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

BY: *Elizabeth J. Olson*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione 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 22, 2015
xc: D.A.

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 9/20/14 3-5 | District: ALL | Agenda Number:

3-4

FORM APPROVED COUNTY COUNSEL
DATE: 8/20/15
BY: GREGORY P. PRIAMOS

FISCAL PROCEDURES APPROVED
PAUKANGILO, CPA, AUDITOR-CONTROLLER
BY: Susana Garcia-Bocanegra
8/28/15

A-30
 Positions Added
 Change Order
 4/5 Vote

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 with Death and Injury Vertical Prosecution Program and Adoption of Resolution 2015-203. All Districts [\$396,723; State of California 100%].

DATE: 8/19/15

PAGE: Page 2 of 3

BACKGROUND:

Summary

In each of the past six years (2009-2014), Riverside County has accounted for the arrests of over 10,000 impaired drivers, placing it among only five counties in the State of California with a similarly high incidence of impaired driving. In 2011, a total of 11,007 Driving Under the Influence (DUI) complaint requests were received from law enforcement, of which 10,724 cases in which a violation of either Vehicle Code section 23152(a) or 23153(a) was charged were actually filed with the court against adult offenders, with an additional 60 such cases resulting in petitions being filed on behalf of juvenile offenders. Additionally, the number of DUI offenders who fail to appear in court also increased during this same reporting period, often as a result of a lack of follow through on ensuring that once the case was filed, the defendant was arrested.

The County District 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, funded by OTS, 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-involved traffic fatalities and injuries.

The DUI with Death and Injury Vertical Prosecution Program will consist of a Deputy District Attorney and a Senior District Attorney Investigator. This specialized team will investigate and vertically prosecute all felony DUI with injury and DUI related vehicular homicide cases in the Southwest Riverside County region. Vertical prosecution is shown to improve conviction rates, reduce victim trauma, and provide more consistent, appropriate sentencing.

The Deputy District Attorney dedicated to the grant will review all DUI cases resulting in fatality or serious injury that are submitted for filing. The Deputy District attorney will prepare investigation requests, vertically prosecute the cases accepted and/or filed under the grant and participate in outreach efforts designed to prevent DUI and raise public awareness. The prosecutor will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and to other attorneys within the District Attorney's Office. This vertical prosecution unit will implement the following policies to achieve maximum effectiveness. The Senior District Attorney Investigator will conduct all investigation for cases accepted and/or filed under the grant and will act as liaison between local law enforcement agencies.

Another component of the specialized team will be to coordinate and participate in DUI prevention and awareness activities to schools and local law enforcement agencies; and to participate in campaigns such as MADD.

Based on an estimated award, the DA's Office budgeted \$329,000 for FY15-16 in this revenue category. No budget adjustment is necessary since the remaining portion (\$67,723) of the grant award 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
FORM 11: Acceptance of a California Office of Traffic Safety Grant award for the Riverside County District
Attorney's Office DUI with Death and Injury Vertical Prosecution Program and Adoption of Resolution
2015-203. All Districts [\$396,723; State of California 100%].

DATE: 8/19/15

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 #2015-203

Resolution #2014-193

2
3 RESOLUTION NO. 2015-203

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 DUI
9 with Death and Injury 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 22, 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 BE IT FURTHER RESOLVED that the resolution shall be in effect for a one-year period
19 beginning October 1, 2015 and ending September 30, 2016.

20
21 ROLL CALL:

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

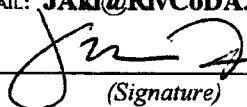
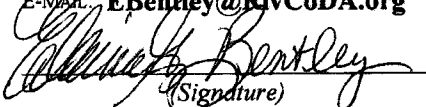
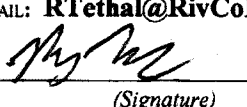
25 The foregoing is certified to be a true copy of a resolution duly
26 adopted by said Board of Supervisors on the date therein set forth.

27 KECIA HARPER-IHEM, Clerk of said Board

28 By 

Deputy

FORM APPROVED COUNTY COUNSEL
BY: 
HEALR: KPNIS
DATE

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: \$ 396,723.00	
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 FAX: 951-955-5877 ADDRESS: 3960 Orange Street Riverside, CA 92501-3643 E-MAIL: Jaki@RivCoDA.org  _____ (Signature)	B. AUTHORIZING OFFICIAL OF AGENCY NAME: Elaina Bentley PHONE: 951-955-5632 TITLE: Assistant District Attorney FAX: 951-955-9455 ADDRESS: 3960 Orange Street Riverside, CA 92501-3643 E-MAIL: EBentley@RivCoDA.org  _____ (Signature)
C. FISCAL OR ACCOUNTING OFFICIAL NAME: Rodney Tethal PHONE: 951-955-0265 TITLE: Supervising Deputy District Attorney FAX: 951-955-9455 ADDRESS: 3960 Orange Street Riverside, CA 92501-3643 E-MAIL: RTethal@RivCoDA.org  _____ (Signature)	D. OFFICE AUTHORIZED TO RECEIVE PAYMENTS NAME: Riverside County District Attorney ADDRESS: 3960 Orange Street Riverside, CA 92501-3643
9. DUNS NUMBER	
DUNS #: 037754061 REGISTERED ADDRESS & ZIP: 3960 Orange Street Riverside, CA 92501-3643	

COUNTY OF RIVERSIDE
 DISTRICT ATTORNEY
 NEAL R. KIPNIS

8/31/15
(Date)

7/22/2015
(Date)

7/23/15
(Date)

2
3 RESOLUTION NO. 2014-193

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING
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8 WHEREAS, the Board of Supervisors of the County of Riverside has designated the DUI
9 with Death and Injury Vertical Prosecution Program to be funded from funds made available and
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12 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of
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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 BE IT FURTHER RESOLVED that the resolution shall be in effect for a one-year period
19 beginning October 1, 2014 and ending September 30, 2015.
20

21 ROLL CALL:

22 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
23 Nays: None
24 Absent: None

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

KEGIA HARPER-IHEM, Clerk of said Board

By Kaunipath
Deputy

FORM APPROVED COUNTY COUNCIL
BY: NEAL POKIPNIS 11/6/14