

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



**ITEM: 3.29  
(ID # 23071)**

**MEETING DATE:**  
Tuesday, October 03, 2023

**FROM :** DISTRICT ATTORNEY:

**SUBJECT:** DISTRICT ATTORNEY: Ratification and Approval of the Grant Agreement for the California Office of Traffic Safety's Alcohol and Drug Impaired Driver Vertical Prosecution Grant Award in the Amount of \$679,708. All Districts [\$679,708; State of California 100%].

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Ratify and approve the Grant Agreement for Grant No. DI24015 with the State of California's Office of Traffic Safety's Alcohol and Drug Impaired Driver Vertical Prosecution Grant Program for an award in the amount of \$679,708 for the grant period October 1, 2023, through September 30, 2024.
2. Direct the Auditor Controller to make budget adjustments detailed in Schedule A.

**ACTION:4/5 Vote Required**

  
Jared Haringsma 9/18/2023

---

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: October 3, 2023  
xc: D.A.

Kimberly A. Rector  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 509,781	\$ 169,927	\$ 679,708	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> State of California 100%			<b>Budget Adjustment:</b>	Yes
			<b>For Fiscal Year:</b> 23/24 – 24/25	

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

**BACKGROUND:**

**Summary**

The California Office of Traffic Safety (OTS) has awarded the County of Riverside District Attorney's Office (DA) a \$679,927 grant for the continuation of the DA's Drug Impaired Driver Vertical Prosecution Program (DUID) in Riverside County.

The DA will assign three (3) Deputy District Attorneys (DDA), to vertically prosecute misdemeanor drug impaired driving cases. These DUID prosecutors will handle cases throughout each step of the criminal process, including the review of charges, and courtroom proceedings (including trials) of misdemeanor DUID cases throughout the County.

The DUID prosecutors will work with the California District Attorneys Association (CDAA) 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 prosecutors will share information with peers and law enforcement personnel throughout the County and across the State. The Office will accomplish these objectives to prevent impaired driving and reduce drug-involved traffic fatalities and injuries.

The DA will host regional roundtable meetings with representatives from law enforcement agencies throughout Riverside County, as well as the regional CDAA TSRP and OTS Grant Coordinators. Both, in-house training for other deputy district attorneys, as well as "investigation protocol" training for law enforcement and DUID prosecutors, will be developed and presented in collaboration with the CDAA TSRP Program Coordinators.

In addition, prosecutors assigned to this program will attend specialized training, including DUID prosecution and Vehicular Homicide Seminars, sponsored by OTS and CDAA. The number of cases and disposition of DUID filing requests received by the DA, as well as the dispositions and conviction rate on DUID cases, will be tracked and maintained.

Budgeted revenue will need to be adjusted due to this award being higher than anticipated.

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

Resolution No. 2022-192 authorized the DA to sign related agreements with OTS. The OTS Grant Agreement has been reviewed and approved as to form by County Counsel.

**Impact on Residents and Businesses**

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

**ATTACHMENTS:**

- **SCHEDULE A. BUDGET ADJUSTMENT**
- **Office of Traffic Safety Agreement**
- **Resolution No. 2022-192**

  
\_\_\_\_\_  
Heydee Koury, Sr Accountant - Auditor 9/28/2023

  
\_\_\_\_\_  
Steven Arkeson 9/27/2023

  
\_\_\_\_\_  
Ryan Yabko 9/20/2023

  
\_\_\_\_\_  
Aaron Gettis, Deputy County Counsel 9/20/2023

State of California – Office of Traffic Safety  
**GRANT AGREEMENT**

WHEN DOCUMENT IS FULLY EXECUTED RETURN  
**CLERK'S COPY** GRANT NUMBER  
 to Riverside County Clerk of the Board, Stop 101 **DI24015**  
 Post Office Box 1147, Riverside, Ca 92502-1147  
 Thank you.

<b>1. GRANT TITLE</b> Alcohol and Drug Impaired Driver Vertical Prosecution Program	
<b>2. NAME OF AGENCY</b> Riverside County	<b>3. Grant Period</b> From: 10/01/2023 To: 09/30/2024
<b>4. AGENCY UNIT TO ADMINISTER GRANT</b> Riverside County District Attorney's Office	
<b>5. GRANT DESCRIPTION</b> 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 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.	
<b>6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$679,708.00</b>	
<b>7. TERMS AND CONDITIONS:</b> 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"> <li>• Schedule A – Problem Statement, Goals and Objectives and Method of Procedure</li> <li>• Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)</li> <li>• Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)</li> <li>• Exhibit A – Certifications and Assurances</li> <li>• Exhibit B* – OTS Grant Program Manual</li> <li>• Exhibit C – Grant Electronic Management System (GEMS) Access</li> </ul> <p>*Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto.</p> <p>These documents can be viewed at the OTS home web page under Grants: <a href="http://www.ots.ca.gov">www.ots.ca.gov</a>.</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>	
<b>8. Approval Signatures</b>	
<p><b>A. GRANT DIRECTOR</b></p> <p>NAME: Sam Kaloustian                  TITLE: Chief Deputy District Attorney                  EMAIL: skaloustian@rivcoda.org                  PHONE: (951) 304-5542                  ADDRESS: 3960 Orange Street                  Riverside, CA 92501</p> <p>_____ (Signature) _____ (Date)</p>	<p><b>B. AUTHORIZING OFFICIAL</b></p> <p>ADDRESS: Jared Haringsma                  Assistant District Attorney                  jaharingsma@rivcoda.org                  (951) 955-6692                  3960 Orange Street                  Riverside, CA 92501</p> <p>_____ (Signature) _____ (Date)</p>
<p><b>C. FISCAL OFFICIAL</b></p> <p>ADDRESS: Ginika Ezinwa                  Deputy Director, Administration                  ginikaezinwa@rivcoda.org                  951-955-8804                  3960 Orange Street                  Riverside, CA 92501</p> <p>_____ (Signature) _____ (Date)</p>	<p><b>D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY</b></p> <p>ADDRESS: Barbara Rooney                  Director                  barbara.rooney@ots.ca.gov                  (916) 509-3030                  2208 Kausen Drive, Suite 300                  Elk Grove, CA 95758</p> <p>_____ (Signature) _____ (Date)</p>

<b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b>  NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	<b>9. SAM INFORMATION</b>  SAM #: F88DAAN239B9 REGISTERED ADDRESS: 3960 Orange Street CITY: Riverside ZIP+4: 92501-3643
--------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------

10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
405d AL-24.1	20.616	0521-0890-101	2022	43/22	BA/22	\$231,101.00
405d AL-24	20.616	0521-0890-101	2023	12/23	BA/23	\$448,607.00
					<b>AGREEMENT TOTAL</b>	<b>\$679,708.00</b>
					AMOUNT ENCUMBERED BY THIS DOCUMENT	
					<b>\$679,708.00</b>	
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	
					<b>\$ 0.00</b>	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED	TOTAL AMOUNT ENCUMBERED TO DATE		
				<b>\$679,708.00</b>		

**1. PROBLEM STATEMENT**

Riverside County remains the fourth most populous county in the state, with over 2.4 million inhabitants, as well as the fourth largest by landmass (7,200 square miles.) The County’s growth rate remains above six percent; well above the population growth rates of Orange, San Bernardino and San Diego counties. Riverside County contains two major Freeway arteries within its borders, Interstate 10 and Interstate 15.

In 2013, Riverside County saw DUI arrests drop below 10,000 per annum, for the first time since 2006. (1) The trend continued into 2018. Riverside County now ranks as one of the top four counties for DUI arrests in the State of California. (2) While the number and severity of Alcohol-Involved fatalities within the County remained relatively consistent from 2013-2016, Riverside experienced an increase in Alcohol-Involved fatalities in 2017, which rose from 88 to 108. (3) Alcohol involved injury crashes also increased in 2016-2017, which rose from 888 to 1051 in 2016 and to 1139 in 2017. (4) The California Office of Traffic Safety for 2019 in Riverside County indicated that of the 15248 total fatal and injury crashes, 1786 were alcohol involved. According to NHTSA, in 2019, 26% of fatal vehicle crashed involved a BAC greater than .08.

In 2010 NHTSA reported 18 percent of those fatally injured tested positive for at least one drug (over-the-counter, prescription or illicit.) In 2012, the California Office of Traffic Safety indicated 30 percent of all drivers killed in California vehicle crashes in 2010 tested positive for legal or illegal drugs. The number of fatal crash fatalities involving only drugs increased 45 percent between 2010 and 2013. (5) Drug-only crashes accounted for 26 percent of all impaired-fatalities and amounted to over 8 percent of all impaired fatal/injury crashes. (6) The number of crash fatalities involving combo (i.e. alcohol plus drugs) decreased by 6.9 percent in 2018, following an increase of 8.5 percent in 2017, (7) and the median BAC level of alcohol- and drug-involved drivers in fatal/injury crashes was 0.16 percent in 2016. (8) Among 2017 alcohol- and drug-involved drivers in fatal/injury crashes, the percentage of drivers with drug-related impairment in Riverside was 16.9 percent. (9)

According to the Berkeley SafeTREC 2021 report, 49.6 percent of fatally injured drivers were positive for drugs. The second highest number of drug-involved road user fatalities and serious injuries in California occurred in Riverside County. In 2020 NHTSA reported (based on studied trauma centers, Oct-Dec 2020) 56 percent of those fatally injured tested positive for at least one drug.

**Western Misdemeanor DUID Statistics:**

FFY 2013	Reviewed	Filed	Guilty	Filed/Review	Guilty/Filed
Drug only	374	318	135	85%	42%
Combo	441	417	145	95%	35%

Riverside County began focusing on DUID prosecution on FFY 2013 with the California Legislature’s creation of enumerated DUID crimes and a grant for the California Office of Traffic Safety. (OTS grant #AL1359). This inception grant funded a single DUID prosecutor and covered only the Western District of Riverside County. The resulting data collection brought into the light the exceptionally high number of Drug-only (CVC §23152(e)) and Combo (CVC §23152(f)) DUID drivers on the roads in western Riverside. In FFY 2013, 829 filing requests were submitted to the DUID DDA. (More than 2 per calendar day.) 748 of those requests resulted in criminal complaints being files. (Again, more than 2 per day.) In all, the grant prosecutor handled 417 misdemeanor Combo cases and 318 misdemeanor Drug-only cases in FFY 2013. This resulted in a conviction success rate of 42 percent for Drug-only filings and 35 percent for Combo filings. (10)

**Misdemeanor DUID Statistics:**

FFY 2014	Reviewed	Filed	Guilty	Filed/Review	Guilty/Filed
Drug only	649	501	393	77%	78%
Combo	384	337	358	88%	106%

In FFY 2014, Riverside County received a grant (OTS grant #DI1427) to expand the DUID Prosecution Program to the entire county. The Riverside DA DUID Prosecution Team encompassed three DDAs, one based in each of the judicial-geographical regions of the county. Grant DI1427 saw a 20 percent increase in

the number of filing submissions from law enforcement, but a lower rate of submission resulting in actual filings. (11)

More importantly, the rate of conviction of DUI-only drivers increased by almost 100% and the rate of conviction for Combo drivers increased by more than 100%, reflecting an improvement in the prosecution abilities of the Riverside District Attorney's Office and validating the objectives of the OTS grants.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2015</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug only	576	428	303	74%	71%
Combo	353	307	312	87%	102%

FFY2015 saw a changing of the guard at the Riverside District Attorney's Office with the election of the Honorable Michael A. Hestrin and the retirement of Assistant District Attorney and former TSRP Director, Gregor Datig. FFY 2015 evidenced a continuing DUID problem within Riverside County, as well as continued success in hold DUID drivers accountable.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2016</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug only	868	778	300	90%	39%
Combo	411	394	229	96%	58%

FFY 2016 saw the development of an improved office-wide Case Management System, replacing the 17-year-old DOS based system to improve visibility into cases reviewed sent back for further investigations, thus enabling timelier re-submission of the matter. This system will be operational during FFY 2017. The system should allow tracking the time from arrest to conviction for DUID cases, similar to the data found in DMV DUI MIS Table B3. Significant variation exists in the longevity of DUI cases in Riverside County. (12)

DUI in the Southwest Division are completed in less than 100 days, while those in the Eastern Division linger for close to 200 days. One goal of the Riverside DUID Prosecution Team will be to meet or surpass the statewide Median DUI Adjudication Time of 94 days.

During FFY 2016, Riverside County courts implemented a redistricting. This redistricting moved a number of cases, including DUID cases to our Banning Courthouse. The move required the DUID prosecutor assigned to the Southwest region to travel between Banning and Murrieta courts. This geographic challenge impacted the grant as the Southwest prosecutor divided time between the two courts. In the Riverside Judicial District, our grant assigned prosecutors left the office during the year. This caused delay as the newly assigned grant prosecutor had to develop an understanding of a new case load. Despite these challenges, there was a 34% increase in drug cases reviewed and 14% increase in Combo cases. Total volume for drug/combo cases increased 27%.

DUID remained a persistent problem within Riverside County. Proposition 64 allowed legal possession of marijuana separate from the Compassionate Use Act. This change created an increase in DUID. The absence of a per-se standard and public misperception made prosecution more challenging. With an ever-growing population, the negative impact on the motoring public caused by DUID drivers increased.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2017</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug only	939	654	238	70%	36%
Combo	418	322	105	77%	33%

FFY 2017 marked major changes in DUID prosecution within Riverside County. The grant funding reduced from funding three prosecutors to funding only two. Birchfield v. North Dakota dramatically changed the investigation of DUI investigation and prosecution. Birchfield impacts California's implied consent advisement. The final part of the DS-367 advisement (that the DMV will suspend your license if you choose not to submit to a blood test) should no longer be a part of a request for consent to provide blood. Birchfield triggered evidentiary issues with a number of post-arrest/pre-filing cases, as well as a number of pending cases. Typically reports stated the defendant was given the DS-367 implied consent advisement. Those cases required clarification from the agency. Training updates to law enforcement and prosecutors became

a critical part of the day-to-day operations. Birchfield resulted in an increase of case rejections as well as an overall slowdown in the movement of cases through the system. Beyond changes in case law, the legislature created a new hurdle to offender accountability. SB 725 (Jackson), signed by the Governor as urgency legislation on August 7, 2017, allows offenders who are veterans to pre-plea diversion of DUI charges, including DUID. Offenders who successfully complete the program will have their charges dismissed. A reduction in grant funding further challenged prosecutors in this area. The number of DUID cases submissions continued to increase, evidencing a continued demand for specialized prosecution.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2018</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug(23152(f))	942	758	305	80%	40%
Combo(23152(g))	565	432	61	76%	14%

FFY 2018 saw continued challenges for prosecutors of DUID driving. As California moves towards the commercialized use of marijuana, we see more issues with DUID involving marijuana. Poly-substance combinations of marijuana, alcohol, and or other drugs (prescription and non-prescription) create new challenges. The end of the year saw another criminal justice reform measure (mental health diversion) create still more challenges for prosecution. Despite these challenges, our assigned grant prosecutors pressed cases to trial, served as instructors for the Traffic College, conducted numerous briefings and community presentations, and changed policy. Significantly, they worked with California Highway Patrol to change their provider for blood analysis to allow for quantitative analysis of marijuana results. This greatly improves our ability to prosecute cases from the agency.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2019</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug only	670	634	350	95%	55%
Combo	405	359	168	89%	47%

FFY 2019 saw several DDA rotations in the DUID assignment due to employee turnover and needs of the office. During this year the Indio office rotated three DDAs into the unit and Riverside rotated two DDAs. Due to the specialized nature of DUID, out of the office training such as ARIDE and DRE school were necessary to bring each of these DDA's up to speed. That training accounts for the slightly lower filing numbers this year.

**Riverside Misdemeanor DUID Statistics:**

<b>FFY 2020</b>	<b>Reviewed</b>	<b>Filed</b>	<b>Guilty</b>	<b>Filed/Review</b>	<b>Guilty/Filed</b>
Drug Only	724	569	256	79%	45%
Combo	377	321	141	85%	44%

FFY 2020 brought many challenges due to the COVID-19 pandemic, which substantially interrupted the full execution of grant objectives, especially through court processes. The DUID grant attorneys, despite these challenges, remained productive. The percentage of convictions fell from years priors due to circumstances beyond the DA's office's control. However, filing numbers rose. Further, DDAs took advantage of the time they were unable to spend in court by preparing their cases for trial and creating new trainings for law enforcement. Both meetings and trainings were held virtually with good attendance. The priority this year was focusing on what could be accomplished and dedicating all resources to improved performance going forward.

In the Eastern end of the County, it is still the case that DUI and non-DUI vehicular homicide investigations have exploded. The number of cases staffed for prosecution in 2022 in the Eastern region remains as high as it was in 2021. This is an increase in over 150% from 2020. The caseloads continued to climb at 53 total in 2022 compared with 45 in 2021 and 14 in 2019. Of those 53 cases, 22 of those are what are referred to as "Watsons", a second degree murder prosecution.

(1) 2016 DMV DUI-MIS Report, Table 1

(2) Los Angeles, Orange and San Diego surpass Riverside in DUI arrests with Riverside overtaking San Bernardino. 2020 DMV DUI MIS Report, Table 1.

(3) SWITRS 2017 Report, Section 5 "Alcohol Involved Crashes."



- (4) SWITRS 2017 Report, Section 5 "Alcohol Involved Crashes."
- (5) 2015 DMV DUI MIS Report, Figure 11, page 63.
- (6) 2020 DMV DUI MIS Report, Figure 11, page 78.
- (7) Id., Figure 10, page 67.
- (8) Id. Table 25.
- (9) Id. Tables 20.
- (10) The conviction rate is statistically under-reported due to time lag between filing and conviction.
- (11) The decline is most likely attributable to a more diverse source of law enforcement agencies submitting cases for review.
- (12) 2015 DMV DUI MIS, Table B3, page 129.

**2. PERFORMANCE MEASURES**

**A. Goals:**

- 1. Improve the prosecution knowledge and expertise of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases.
- 2. Increase the number of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases filed and prosecuted.

**B. Objectives:**

**Target Number**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.                                                                                                                                                                                                                                                                                 | 1 |
| 2. Create or expand a Vertical Prosecution Program with the City Attorney or District Attorney's Office by November 30. The program will facilitate the prosecution of all DUI drug cases, all DUI alcohol and drug combination cases, and if applicable, all felony DUI alcohol cases with death or injury.                                                                                                                                                                                                                                                                                                                                            | 1 |
| 3. Designate prosecutor position(s) and investigator position(s) to the DUI caseload to prosecute DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combo cases. The individual(s) will be dedicated solely to this assignment allowing them to gain expertise in the investigation and prosecution of DUI Alcohol, DUI Drug, and DUI Alcohol/Drug Combo cases. While employed by the City Attorney's or District Attorney's Office, the individual(s) in the grant-funded DUI Vertical Prosecutor position(s) should remain the same throughout the term of the grant.                                                                                        | 3 |
| 4. Develop and implement a system for gathering, tracking, and reporting all DUI case reviews, filings, and outcomes in the county/city by December 31, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination                                                                                                                                                                                                                                                                                                                                                                                                          | 1 |
| 5. Report on all DUI case reviews, filings and outcomes in the county or city throughout the grant, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination Alcohol and Drug cases.                                                                                                                                                                                                                                                                                                                                                                                                                                      | 4 |
| 6. Partner with the California Traffic Safety Resource Prosecutor Training Network to provide comprehensive training in the prosecution of DUI Alcohol and DUI Drug cases with an effort to reach prosecutors and investigators.                                                                                                                                                                                                                                                                                                                                                                                                                        | 2 |
| 7. Send the funded prosecutor(s) to trainings/meetings sponsored by OTS and/or the California Traffic Safety Resource Prosecutor Training Network.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3 |
| 8. Coordinate and host four regional roundtable law enforcement meetings (one each quarter, with telephone or internet conference capabilities) to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant. | 4 |
| 9. Coordinate with local law enforcement agencies on the development of an on-call response protocol for the investigation of fatal and major injury DUI vehicle crashes, and to report on response activities                                                                                                                                                                                                                                                                                                                                                                                                                                          | 3 |

10. Participate in at least one DUI saturation ride-along and attend/observe at least one DUI checkpoint. Note: The funded vertical prosecutor(s) and investigator should participate within the first quarter of the grant. Saturation patrol ride-along and checkpoint observation may be combined into one evening.	1
11. Respond to at least one fatal DUI crash investigation scene. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.	1
12. Identify straight time personnel and report on activities completed. Include any vacancies or staff changes that have occurred.	4
13. District Attorney's Office / City Attorney's Office to partner with local school and/or youth organizations to provide educational programming about the dangers and consequences of driving under the influence of alcohol and/or drugs.	1
<p><b>3. METHOD OF PROCEDURE</b></p> <p><b>A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)</b></p> <ul style="list-style-type: none"> <li>• Recruit and hire all staff for the grant.</li> <li>• Procure all materials necessary to implement the grant.</li> <li>• Identify dates and schedule the four Roundtable Meetings (one each quarter with telephone conference capabilities). Notify the OTS coordinator of the dates. Meetings are meant to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, TSRP staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.</li> <li>• Develop protocols to be used to measure the success of the DUI Prosecution Program.</li> <li>• Conduct training for all program staff outlining the goals and objectives of the project.</li> <li>• Refer cases for prosecution to the grant-funded Deputy District/City Attorney(s).</li> <li>• Transfer all pending DUI cases which qualify under this program so that vertical prosecution may begin.</li> <li>• Develop a training protocol for law enforcement agencies within the county, and start a process of coordinating all reporting, investigation, and referral of cases that qualify under the grant.</li> </ul> <p><u>Media Requirements</u></p> <ul style="list-style-type: none"> <li>• Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.</li> </ul>	
<p><b>B. Phase 2 – Program Operations (Throughout Grant Year)</b></p> <ul style="list-style-type: none"> <li>• Prosecution will be on-going. The Deputy District/City Attorney(s) will review DUI cases from all law enforcement agencies in the county/city.</li> <li>• Training for law enforcement personnel, District Attorney Investigators and other Deputy District/City Attorneys will begin and continue throughout the program.</li> <li>• Prosecutor(s) will: <ul style="list-style-type: none"> <li>a) Work to secure convictions (as justice requires) and appropriate sentences that reflect the public safety risk posed by the offender.</li> <li>b) Mentor trial attorneys on how to successfully try high-risk DUI offenders.</li> <li>c) Host Quarterly Roundtable meetings with law enforcement personnel, TSRP and OTS Coordinator.</li> <li>d) Work with the TSRP to obtain and deliver high quality DUI prosecution training programs to non-grant-funded prosecutors.</li> <li>e) Work with the TSRP to obtain and deliver high quality DUI investigation, report writing and courtroom testimony training programs to law enforcement personnel (police officers, deputies, District Attorney Investigators and crime lab scientists).</li> <li>f) Attend training programs that cover evaluation and preparation of DUI drug cases, marijuana, prescription drugs, drug trends, people's experts, defense challenges, cross-examination of experts,</li> </ul> </li> </ul>	

SFST evidence, jury considerations and toxicology evidence, and incorporate this information into DUI trainings for attorneys and law enforcement personnel.

g) Send the funded vertical prosecutor(s) and investigator to the NHTSA "Advanced Roadside Impaired Driving Enforcement" (ARIDE) 16 hour POST-Certified training, if not already trained. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.

### Media Requirements

The following requirements are for all grant-related activities:

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your Coordinator with embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.

- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

**C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)**

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)

2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)

- Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
- Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Collect, analyze and report statistical data relating to the grant goals and objectives.

**4. METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

**5. ADMINISTRATIVE SUPPORT**

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

**GRANT AGREEMENT**

Schedule B

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT		
405d AL-24	20.616	Impaired Driving Countermeasures	\$679,708.00		
COST CATEGORY		FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>					
<u>Straight Time</u>					
Prosecutor		405d AL-24	\$71.93	6,240	\$448,843.00
Benefits-Prosecutor		405d AL-24	\$228,865.00	1	\$228,865.00
<u>Overtime</u>					\$0.00
Category Sub-Total					\$677,708.00
<b>B. TRAVEL EXPENSES</b>					
In State Travel		405d AL-24	\$2,000.00	1	\$2,000.00
					\$0.00
Category Sub-Total					\$2,000.00
<b>C. CONTRACTUAL SERVICES</b>					
					\$0.00
Category Sub-Total					\$0.00
<b>D. EQUIPMENT</b>					
					\$0.00
Category Sub-Total					\$0.00
<b>E. OTHER DIRECT COSTS</b>					
					\$0.00
Category Sub-Total					\$0.00
<b>F. INDIRECT COSTS</b>					
					\$0.00
Category Sub-Total					\$0.00
<b>GRANT TOTAL</b>					<b>\$679,708.00</b>

<b>BUDGET NARRATIVE</b>
<b>PERSONNEL COSTS</b> Prosecutor - Hours for prosecutor dedicated to vertically prosecute all felony cases involving driving under the influence of alcohol and/or drugs. Hours may include wages or authorized absences, such as annual leave and sick leave, provided they are accrued during the grant term. The prosecutors will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and other attorneys within the District Attorney's Office Benefits-Prosecutor - Claimed amounts must reflect actual benefit costs for straight time or overtime hours charged to the grant.
<b>TRAVEL EXPENSES</b> In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include California Traffic Safety Summit. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.
<b>CONTRACTUAL SERVICES</b> -
<b>EQUIPMENT</b> -
<b>OTHER DIRECT COSTS</b> -
<b>INDIRECT COSTS</b> -
<b>STATEMENTS/DISCLAIMERS</b> There will be no program income generated from this grant.  Salaries may include wages, salaries, special compensations, or authorized absences such as annual leave and sick leave provided the cost for the individual employee is (a) reasonable for the services rendered, and (b) follows an appointment made in accordance with state or local laws and rules and meets federal requirements.  Any non-grant funded vacancies created by reassignment to a grant-funded position must be filled at the expense of the grantee agency.  Benefits for personnel costs can only be applied to straight time or overtime hours charged to the grant.

Certifications and Assurances for Fiscal Year 2024 Highway Safety Grants (23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

#### GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, Public Law 109-59, as amended by Sec. 25024, Public Law 117-58;
- 23 CFR part 1300—Uniform Procedures for State Highway Safety Grant Programs;
- 2 CFR part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR part 1201—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

#### NONDISCRIMINATION

(applies to all subrecipients as well as States)

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 CFR 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- Executive Order 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

#### GENERAL ASSURANCES

9/12/2023 1:28:23 PM

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA."*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

#### **SPECIFIC ASSURANCES**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in § 21.23(b) and (c) of 49 CFR part 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:  
*"The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review



upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

### **THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)**

The Subgrantee will 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 a 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;
  4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
  5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. 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;
  2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
  1. Taking appropriate personnel action against such an employee, up to and including termination;
  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;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

### **POLITICAL ACTIVITY (HATCH ACT)**

(applies to all subrecipients as well as States)

**The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.**

### **CERTIFICATION REGARDING FEDERAL LOBBYING**

(applies to all subrecipients as well as States)

### **CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING**  
(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**  
(applies to all subrecipients as well as States)

**INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)**

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—  
PRIMARY TIER COVERED TRANSACTIONS**

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
  - b. Have not within a three-year period preceding this proposal 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/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

#### CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION— LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **BUY AMERICA**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

## **CERTIFICATION ON CONFLICT OF INTEREST**

**(applies to subrecipients as well as States)**

### **GENERAL REQUIREMENTS**

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
  - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
  - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

### **DISCLOSURE REQUIREMENTS**

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

### **PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**

**(applies to all subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**INSTRUCTIONS FOR ADDING OR UPDATING GEMS USERS**

1. Each agency is allowed a total of **FIVE (5) GEMS Users**.
2. GEMS Users listed on this form will be authorized to login to GEMS to complete and submit Quarterly Performance Reports (QPRs) and reimbursement claims.
3. Complete the form if adding, removing or editing a GEMS user(s).
4. The Grant Director must sign this form and return it with the Grant Agreement.

**GRANT DETAILS**

Grant Number:	DI24015
Agency Name:	Riverside County District Attorney's Office
Grant Title:	Alcohol and Drug Impaired Driver Vertical Prosecution Program
Agreement Total:	\$679,708.00
Authorizing Official:	Jared Haringsma
Fiscal Official:	Ginika Ezinwa
Grant Director:	Sam Kaloustian

**CURRENT GEMS USER(S)**

**1. Ginika Ezinwa**

Title: Deputy Director, Administration  
Phone: 951-955-8804  
Email: ginikaezinwa@rivcoda.org

Media Contact: No

**2. Valeria Holguin**

Title: Accountant  
Phone: (951) 955-0542  
Email: valeriaholguin@rivcoda.org

Media Contact: No

**3. Daniela Tanase**

Title: Accountant II  
Phone: (951) 955-5551  
Email: datanase@rivcoda.org

Media Contact: No

**4. Esther Tino**

Title: Administrative Services Officer  
Phone: (951) 995-5944  
Email: esthertino@rivcoda.org

Media Contact: Yes

Complete the below information if adding, removing or editing a GEMS user(s)

<b>GEMS User 1</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 2</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 3</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 4</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
<b>GEMS User 5</b>		Add as a media contact? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Add/Change <input type="checkbox"/>	Remove Access <input type="checkbox"/>		
Name		Job Title	
Email address		Phone number	
Form completed by:		Date:	
As a signatory I hereby authorize the listed individual(s) to represent and have GEMS user access.			
Signature		Name	
		Grant Director	
Date		Title	

1 Board of Supervisors

County of Riverside

2 RESOLUTION NO. 2022-192

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
4 COUNTY OF RIVERSIDE, AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT  
5 FUNDING UNDER THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY'S ALCOHOL  
6 AND DRUG IMPAIRED DRIVER VERTICAL PROSECUTION PROGRAM


7  
8 WHEREAS the State of California's Office of Traffic Safety (hereinafter referred to as  
9 ("OTS") has designated funding available under the Alcohol and Drug Impaired Driver Vertical  
10 Prosecution Programs; and

11 WHEREAS, OTS has awarded the County of Riverside District Attorney's Office (the  
12 "DA") a grant of \$659,000 for the continuation of the DA's Drug Impaired Driver Vertical  
13 Prosecution Program (DUID) in Riverside County; and

14 WHEREAS the DA will use the funding to assign three Deputy District Attorney's to  
15 vertically prosecute misdemeanor drug impaired driving cases.

16 NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board  
17 of Supervisors of the County of Riverside, State of California, in regular session assembled on  
18 October 4, 2022, that the Board of Supervisors of the County of Riverside, located on the first  
19 floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, hereby  
20 authorizes the District Attorney of the County of Riverside or designee, on behalf of the County,  
21 to accept the award and sign and submit the related Grant Agreement, as well as related  
22 contracts, amendments, or extensions with OTS, as approved to form by County Counsel.

23 BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the resolution shall  
24 be in effect for a two-year period beginning October 1, 2022 and ending September 30, 2024.  
25  
26  
27  
28

FORM APPROVED COUNTY COUNSEL  
BY  DATE 4/26/22  
RYAN D. YABKO



**Schedule A – Budget Adjustment  
FY23/24**

**Increase Appropriations:**

10000-2200100000-510040	Regular Salaries	93,807
	TOTAL	\$93,807

**Increase Estimated Revenues:**

10000-2200100000-767450	Fed-Office of Traffic Safety Grant	93,807
	TOTAL	\$93,807

1 Board of Supervisors

County of Riverside

2 RESOLUTION NO. 2022-192

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
4 COUNTY OF RIVERSIDE, AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT  
5 FUNDING UNDER THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY'S ALCOHOL  
6 AND DRUG IMPAIRED DRIVER VERTICAL PROSECUTION PROGRAM


7  
8 WHEREAS the State of California's Office of Traffic Safety (hereinafter referred to as  
9 ("OTS") has designated funding available under the Alcohol and Drug Impaired Driver Vertical  
10 Prosecution Programs; and

11 WHEREAS, OTS has awarded the County of Riverside District Attorney's Office (the  
12 "DA") a grant of \$659,000 for the continuation of the DA's Drug Impaired Driver Vertical  
13 Prosecution Program (DUID) in Riverside County; and

14 WHEREAS the DA will use the funding to assign three Deputy District Attorney's to  
15 vertically prosecute misdemeanor drug impaired driving cases.

16 NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board  
17 of Supervisors of the County of Riverside, State of California, in regular session assembled on  
18 October 4, 2022, that the Board of Supervisors of the County of Riverside, located on the first  
19 floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, hereby  
20 authorizes the District Attorney of the County of Riverside or designee, on behalf of the County,  
21 to accept the award and sign and submit the related Grant Agreement, as well as related  
22 contracts, amendments, or extensions with OTS, as approved to form by County Counsel.

23 BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the resolution shall  
24 be in effect for a two-year period beginning October 1, 2022 and ending September 30, 2024.

FORM APPROVED COUNTY COUNSEL  
BY:  4/26/22  
RYAN D. YABKO DATE

25  
26  
27  
28

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Roy BLETCH

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # \_\_\_\_\_

3.28 ✓  
11.29 ✓  
11.30 ✓

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

# BOARD RULES

## **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

## **Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:**

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

## **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

## **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

## **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

## **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.