



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 11/12/2024

To: Sonoma County Board of Supervisors
Department or Agency Name(s): District Attorney
Staff Name and Phone Number: Shane Lewis, ASO II 565-3150
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

Alcohol and Drug Impaired Vertical Prosecution Program Renewal

Recommended Action:

Adopt a Resolution authorizing the District Attorney or their designee to execute a grant agreement with the State of California, Office of Traffic Safety to continue a specialized Driving Under the Influence Vertical Prosecution program and accept \$537,121 in grant funding for the term October 1, 2024 to September 30, 2025. The objective of this grant is to reduce the number of alcohol-involved and drug-involved collisions, injuries and deaths.

Executive Summary:

The District Attorney's Office requests Board approval to sign a contract to continue participation in the Alcohol and Drug Impaired Driver Vertical Prosecution Program (VDUI) funded by the State of California, Office of Traffic Safety and to execute any future amendments or extensions to the Grant Award Agreement including rollover funding from prior year or increased funding allocation. The total award amount is \$537,121 and the term of the grant is from October 1, 2024 to September 30, 2025.

Discussion:

The Office of Traffic Safety awarded Sonoma County District Attorney's Office a one-year renewal of the Driving Under the Influence Vertical Prosecution grant for \$537,121 for the term October 1, 2024 to September 30, 2025.

The objective of this grant is to reduce the number of alcohol-involved and drug-involved collisions, injuries and deaths. The Sonoma County District Attorney's Office has been selected for continued participation in the State's Driving Under the Influence Vertical Prosecution Program for the past twelve years, and grant funding helped create and sustain this program for the prosecution of the most serious driving under the influence cases. Prior to receiving this award, Sonoma County averaged 50.8 alcohol related traffic fatalities. With the award, for the period 2012-2022, Sonoma County averaged 39.8 alcohol-related fatalities, a 21 percent decrease. Driving under the influence is one of Sonoma County's most serious problems and a threat to the citizens of Sonoma County. These cases represent a significant workload for the Sonoma County District Attorney's Office, including the continual increase in drug-related under the influence driving incidents.

During Fiscal Year 2023/24 the District Attorney filed 2,706 DUI cases, an 8 percent increase over the prior fiscal year, with the Vertical DUI Prosecution team filing 530 of the most serious cases. Of the 120 felony DUI

cases filed, the Vertical team handled 111 (92 percent). There has been a 7 percent increase in felony convictions over the prior year as well, with the Vertical team responsible for 152 of the 156 convictions (97 percent). The vertical prosecution method of handling cases is resource intensive, requiring more attorney and investigator time, and allows a prosecutor to handle each case through every step of the criminal process. Involvement in the full continuum of each case improves prosecutorial efforts and outcomes, as well as gives victims a consistent point of contact throughout the judicial process. The Sonoma County VDUI program currently consists of three attorneys who also collaborate with local law enforcement to provide community education and outreach in an effort to reduce the occurrences of driving under the influence. These attorneys attend trainings and meetings, as well as help provide training to local law enforcement on the detection and investigation of suspected driving under the influence offenders. They participate in local law enforcement Driving Under the Influence checkpoints and share information with peers and law enforcement personnel throughout the county and across the state, allowing them to build their knowledge base and educate other jurisdictions. With specialized prosecutors and better-trained law enforcement, all driving under the influence offenders are held accountable for their conduct, and Sonoma County residents enjoy a safer community.

The Vertical Driving Under the Influence (VDUI) Vertical Prosecution grant is a part of the California Office of Traffic Safety (OTS) Highway Safety Program. The annual program supports projects throughout the state that work to prevent vehicle crashes on California roadways that result in serious injury and death. The program's goal is for everyone who utilizes California roadways to arrive at their destination safely. Data collected through the many projects supported by OTS are analyzed to understand the factors behind crashes resulting in injuries and fatalities and are used to develop the annual Highway Safety Plan (HSP). The HSP is used to create program goals and performance measures for each area selected to receive an award, based on incident severity, economic costs, and number of agencies available to implement projects.

At the inception of the VDUI grant program in 2012, two prosecutors (2.0 FTE) were assigned exclusively to the VDUI caseload and salary and benefits for both attorneys were fully covered with grant funds. Funding has varied over the years, though in FY 2024/25 it is anticipated to fund approximately 89 percent of two of the three prosecutors in the unit. The salary and benefits of the two prosecutors covered by the grant is approximately \$602,055 per year, leaving \$64,934 covered by General Fund. The third prosecutor's salary and benefits that are covered by General Fund is \$368,175.

Without the grant funding, the District Attorney's Office would lose the ability to have the VDUI specific unit, and with that the benefits that come along with it: The opportunity to participate in specialized training and support from the Traffic Safety Resource Prosecutor Program; funding for VDUI specific prosecutor and law enforcement training; outreach materials from Office of Traffic Safety; and the ability to have an experienced attorney team that specializes in the prosecution of cases in an area where the science surrounding the subject is always being updated. While the District Attorney's Office would continue to file the cases that are referred to our office, they would be spread out to our Felony and Misdemeanor teams, which already have large caseloads. The loss of the Vertical Prosecution model for these cases would be substantial.

This grant is highly competitive, and continuation of funding long term is uncertain. When this grant funding ceases, the District Attorney will explore other funding sources and may need to submit a request to the Board for additional General Fund support in order to sustain this critical county program, a program that demonstrates Sonoma County's continued commitment to holding the most severe under the influence offenders accountable for the risk they cause on our roadways, and harm, including loss of life, they cause to our citizens. Currently, the District Attorney's office has not been able to identify any alternative funding

sources that would allow for the same crucial operations.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

The Board of Supervisors has approved the Office of Traffic Safety Driving Under the Influence Vertical Prosecution grants annually since FY 2012/13.

FISCAL SUMMARY

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected
Budgeted Expenses	\$414,220	\$122,901	
Additional Appropriation Requested			
Total Expenditures	\$414,220	\$122,901	
Funding Sources			
General Fund/WA GF			
State/Federal	\$414,220	\$122,901	
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$414,220	\$122,901	

Narrative Explanation of Fiscal Impacts:

Revenue and expenditure appropriations were assumed in the department's FY 2024-25 Adopted Budget. There is no local match requirement for this award.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

No staffing impacts

Attachments:

- Program Resolution
- Grant Agreement

Agenda Date: 11/12/2024

Related Items “On File” with the Clerk of the Board:

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