



## SUMMARY REPORT

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**Agenda Date:** 11/28/2023

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**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** District Attorney

**Staff Name and Phone Number:** Tatiana Lopez 565-2822 and Shane Lewis 565-3150

**Vote Requirement:** Majority

**Supervisorial District(s):** Countywide

**Title:**

District Attorney Victim Witness Assistance Grant

**Recommended Action:**

Adopt a resolution to authorize the District Attorney, or their designee, to execute contract #VW23-42-0490 with the California Office of Emergency Services to continue participation in the Victim/Witness Assistance Program and accept \$827,222 in grant funding for the term October 1, 2023, to September 30, 2024.

**Executive Summary:**

Board approval and authorization is requested to allow the District Attorney (DA) to continue participation in the Victim/Witness Assistance (VWA) Program funded by the California Office of Emergency Services (CalOES), in the amount of \$827,222 for the 2023-24 Federal fiscal year. These grant funds have been accessed by the County since 1986 and during this grant term are designated to pay for 4.4 full-time equivalent Victim Witness Advocate II positions and 87.5% of the Senior Victim Witness Advocate.

In previous years, Victim Witness Assistance Program funds have been utilized for annual Victim Services team training, mass victimization training, outreach events, cell phone services to support communication with clients, "go bag" items for use in the event of a mass victimization, other advocacy, and supplies. As a result of other grant shortfalls, the VWA grant will no longer be able to support these projects and grant funds will all be allocated to staff salaries and benefits to remain in compliance with providing mandated services and to ensure victims continue to receive support from the District Attorney's Office. Specifically, the recent cuts to Victims of Crime Act (VOCA) funding resulted in reductions in funding programs through the California Office of Emergency Services. The Innovative Response to Marginalized Victims (KI) grant, which was used to support foster youth in the community who are victims of crime, will not be renewed in 2024. The KI grant paid for 50% of salary and benefits of the Senior Victim Witness Advocate which will now need to be covered with the VWA program funds. Unless funds become available from another source, the specialized training and additional support items for clients that were provided by this grant will not be available.

**Discussion:**

The purpose of this grant is to ensure advocacy is provided to all adult and juvenile crime victims going through the criminal justice system and to connect with victims as soon as possible after a crime has occurred; to reach out and offer services to victims even if the decision is made to not pursue prosecution; to collaborate with law enforcement, community-based organizations, and other victim service organizations to provide a comprehensive response to meeting the needs of crime victims in Sonoma County; and to provide

community outreach and training to law enforcement, community-based organizations, and the community at large on the services available to crime victims through the Sonoma County District Attorney's Victim Services Division.

The District Attorney's Office has participated in the Victim/Witness Assistance Program annually since 1986 and receives an award amount based on available combined State and Federal pass-through funds. The Victim/Witness Assistance grant helps the County of Sonoma meet the victim and witness service mandates under California Penal Code Section §13835 and Marsy's Law under the California Constitution. Funding allows the County of Sonoma to provide comprehensive and optional services to crime victims and witnesses for all types of crime, whether or not a suspect has been identified. □

In the 12 months ending October 31, 2023, the number of cases referred increased by 364, from 4,962 to 5,326. COVID created an unusual environment with victims unable to leave their abusive homes and decreased reporting. In the past two years, referred reports have shown a slight increase, but what the numbers do not reflect is the increase in cases referred being more egregious. Felony case referrals to the DA's Office over the past 12 months has increased by 603 cases over the same period last year. Also in the past 12 months, Victim Services received more than 3,639 referrals including cases of intimate partner violence, child abuse, elder abuse, and homicides. Cases referred to Victim Services includes cases that are referred for review by law enforcement, but also include cases where charges have not been referred for review for prosecution. Eleven advocates are assigned to assist victims of crime in our community to provide guidance and support through the various steps of the criminal justice system. So far in 2023, the number of advocate homicide cases have been slightly lower than last year, however advocates have been tasked with assisting more families who have lost a loved one as a result of an overdose. Death cases are one of the more complex responsibilities in an advocate caseload and a small increase in loss of life cases adds a significant weight to the workload of the advocate team. Felony cases are usually associated with more serious offenses. Victim Services Division has seen an increase in more violent assaults, sexual assaults that include more physical attacks, stalking; domestic violence that involves strangulation or use of a weapon to create more harm. A new trend that the division has seen in the last year is an increased caseload of serious juvenile offenses; youth are committing more serious batteries and a number of the active death cases have been perpetrated by juvenile offenders. This has had an effect on victim services staff in that it has required increased Victim Advocate presence to attend juvenile proceedings for victim accompaniment and other victim needs. Due to the off-site location of Juvenile Hall/court of over ten miles one-way, it requires resources and time for travel that does not usually happen at the rate it seems to be occurring during the last few years. Additionally, the laws dictating the outcomes of serious juvenile offenses does not often compare to the impact that these serious crimes have on survivors/victims and their families. This creates additional strain for victim services as support is provided through the criminal justice process.

Legislative changes have impacted the number of inmate requests for early release from imposed sentences, increasing the number of requested hearings and requiring advocates to follow up with the families of the victims of those crimes. Advocates not only have an increase in new cases in their caseload, but they also have multiple resolved cases returning to court that require victim notification and support and court accompaniment. Victims/ families are now having to re-open wounds from crimes that might have occurred many years ago. Before this shift in the law, victims would be able to move on with their lives thinking the perpetrator would be serving a long sentence in prison, but as a result of the early releases changes, families might have to advocate for suspects to be denied release. The prevalence of crimes involving guns has

increased, potentially as a result in the developments in gun laws and concealed carry, etc. Incidents that may have arisen out of misdemeanor conduct now rise to the level of felonious conduct due to the presence of guns.

As a result of an ever-changing environment, Victim Services has had to evolve to ensure the victims' rights and needs are met. Advocates continue to make services available to victims in our community and have successfully transitioned to providing hybrid support, assisting families and victims appear in court via zoom when the expense of traveling to our county presents a burden for those involved. These changes have affected the role of the Victim Advocate to be more involved after an incident has occurred, many times because we are the one lifeline for victims and advocates often play the role of a case manager. For example, Sonoma County's foremost domestic violence service provider is experiencing tremendous staffing problems, leading to a reduction in the services they offer to victims of domestic violence. This has resulted in a reduction of on-site staff at the Family Justice Center who are knowledgeable about community services available, and issues facing victims of domestic violence and has created a hurdle where domestic violence victims/survivors no longer have a true one stop shop for wrap around services. In the last year, victim advocates have had to provide more direct case management support or take the additional steps to ensure a victim is not left alone. With an ever-increasing caseload, advocates are placed in a complicated role where we want to help all those who seek help.

Three years after the pandemic began, Victim Services continues to address challenges that have been created because of it. Although our division has been successful in recruiting new advocates, other partner agencies and professions have had difficulty filling vacant positions. A shortage of mental health professionals has caused delay in providing immediate counseling to victims of domestic violence and sexual assault. Another challenging situation has been created for victims when legal services are not always available, requiring victims to travel to various locations to obtain services they need, often causing a delay in the preparation of restraining orders.

During the 2022-2023 fiscal year, Victim Services successfully onboarded one new advocate. This advocate is a part of the CalOES Unserved/Underserved Victim Advocacy and Outreach (UV) grant that was awarded to the Division to improve the delivery of victim services to underserved populations in our county. This new project is providing an opportunity to create a pathway to better serve farmworkers and other underserved groups whose members live in our county.

The Homeless Outreach Team (HOT), which is part of the Victim Services Division, has been a valuable ally to victims of crime in Sonoma County where they continue their efforts to shelter unhoused sexual assault victims. HOT is supported by another CalOES grant and is made up of three advocates from community-based organizations who coordinate services to those most vulnerable in our community. Funds for this important program expire at the end of 2024 and are not expected to be renewed.

Victim Services hosted its second community resource fair in honor of National Victims' Rights Week. More than 45 local partner agencies participated, a 50% increase over last year, and it gave all service providers an opportunity to strengthen connections. Over the past year, Victim Services has been increasing outreach to the community including attendance at multiple outreach events such as, La Luz' Cinco de Mayo, Sonoma County Human Race Village, City of Santa Rosa Senior Expo, and National Night out in Petaluma and Santa Rosa.

Victims of crime often suffer emotional, mental and/or material losses. As a society, it is imperative we help mend and restore these citizens to help prevent further harm to them, their families, and their communities. The Advocates provided for under this grant deliver important victim advocacy services, helping victims understand and navigate the criminal justice system and help make their voices heard throughout the prosecutorial process. They assist with Victim Impact Statements at the end of court proceedings, which is one of greatest tools in helping victims heal. Victim Advocates cannot do the work alone and with challenges from local partner agencies, Victim Services Division could use the help for continued funding available through the VWA grant. 2023-2024 will be a challenging year due to the potential of even more loss of funding associated with VOCA funds. The work of the Victim Services division needs to continue whether funding is available or not; we need to continue being a lifeline for those who are seeking help. The work is not done alone as we are just a small piece of the larger part of community services.

**Strategic Plan:**

N/A

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

No

**Prior Board Actions:**

The Board of Supervisors has granted approval to accept the Victim/Witness Assistance Program funds every year since 1986. Most recently, on September 27, 2022, the Board approved the acceptance of the Federal Fiscal Year 2023-24 grant in the amount of \$827,815.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses	\$530,038	\$290,784	
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$530,038</b>	<b>\$290,784</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal	\$530,038	\$290,784	
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$530,038</b>	<b>\$290,784</b>	

**Narrative Explanation of Fiscal Impacts:**

The FY 2023-24 District Attorney budget includes salary and benefit appropriations as well as grant revenue,

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so no additional budget action is required. Funding for this program has been consistent over the past several years; however, without any future increases in grant funding, the Department's General Fund allocation may need to be utilized in future years to cover increases in salary and benefits.

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 Award Document

**Related Items "On File" with the Clerk of the Board:**

N/A