



## Legislation Details (With Text)

**File #:** 2021-1115  
**Type:** Consent Calendar Item **Status:** Passed  
**File created:** 9/29/2021 **In control:** District Attorney  
**On agenda:** 11/2/2021 **Final action:** 11/2/2021  
**Title:** Alcohol and Drug Impaired Vertical Prosecution Program Renewal  
**Sponsors:** District Attorney  
**Indexes:**  
**Attachments:** 1. Summary Report, 2. Program Resolution - Remediated

Date	Ver.	Action By	Action	Result
11/2/2021	1	Board of Supervisors	Approved as recommended	Pass

**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  
**Supervisory District(s):** Countywide

**Title:**  
Alcohol and Drug Impaired Vertical Prosecution Program Renewal

### Recommended Action:

Adopt a resolution authorizing the District Attorney to execute an agreement with the State of California, Office of Traffic Safety to continue a specialized Driving Under the Influence Vertical Prosecution program and accept \$325,298 in grant funding for the term October 1, 2021 to September 30, 2022. The objective of this grant is to reduce the number of alcohol-involved and drug-involved collisions, injuries and deaths.

### Executive Summary:

Board approval and authorization is requested to allow the District Attorney to execute a grant agreement to continue participation in the Alcohol and Drug Impaired Driver Vertical Prosecution Program (VDUI) funded by the State of California, Office of Traffic Safety for \$325,298 for the 2021/2022 Federal Fiscal Year.

### 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 \$325,298 for the term October 1, 2021 to September 30, 2022.

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 nine years, and grant funding helped create and sustain this program for the prosecution of the most serious driving under the influence cases. Driving under the influence is one of Sonoma County's most grave 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 2019/20 the District attorney filed 1,991 DUI cases, 960 (48%) of those cases were filed by the Vertical DUI Prosecution team. The vertical prosecution method of handling cases is resource intensive and allows a prosecutor to handle each case through every step of the criminal process. Being involved in the full continuum of each case improves prosecutorial efforts and outcomes. The Sonoma County VDUI program currently consists of two 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 training each year and 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 fully accountable for their conduct, and all 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 is analyzed to understand the factors behind crashes resulting in injuries and fatalities, and is 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 were assigned exclusively to the VDUI caseload and salary and benefits for both attorneys was covered with grant funds. With decreased funding in subsequent years the grant has covered the cost of salary and benefits of one attorney and General Fund covered the second assigned attorney. With an increase in funding for the 2021/22 Federal Fiscal Year, the grant funds will cover 100% of salary and benefits for one attorney and 40% of the second attorney assigned to the unit. The remainder of salary and benefits for the second attorney will be covered by the General Fund.

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.

#### **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**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 Projected</b>
Budgeted Expenses	\$243,974	\$81,234	

Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$243,974</b>	<b>\$81,234</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal	\$243,974	\$81,234	
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$243,974</b>	<b>\$81,234</b>	

**Narrative Explanation of Fiscal Impacts:**

The amount of this grant increased by \$70,298 from Federal Fiscal Year 2020/21 to Federal Fiscal Year 2021/22. The increased funding will cover 100% of salary and benefits of one attorney assigned to the VDUI unit, and 40% of salary and benefits for the second attorney. The remainder of salary and benefits for the second attorney will be covered by the General Fund.

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

**Narrative Explanation of Staffing Impacts (If Required):**

No staffing impacts

**Attachments:**

Program Resolution

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

Grant Award Document