

October 1, 2002

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZATION FOR THE LOS ANGELES COUNTY DISTRICT  
ATTORNEY TO ACCEPT NINTH-YEAR GRANT FUNDS FROM THE STATE  
OF CALIFORNIA, DEPARTMENT OF JUSTICE, FOR THE "SPOUSAL  
ABUSER PROSECUTION PROGRAM", FOR FISCAL YEAR (FY) 2002-2003**

**ALL DISTRICTS  
(3-Vote)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt a Resolution authorizing the District Attorney to accept ninth-year grant funds on behalf of the County of Los Angeles, from the State of California, Department of Justice, for the "Spousal Abuser Prosecution Program" (SAPP), for the period July 1, 2002 through June 30, 2003. The grant award of \$178,186 and a required match of 20 percent or \$35,637, will provide a total of \$213,823 for program costs.
2. Authorize the District Attorney to execute the Grant Award Agreement on behalf of the County of Los Angeles.
3. Authorize the District Attorney or his designee, on behalf of the County of Los Angeles, to serve as Project Director and approve any extensions, augmentations, amendments, progress reports, payment requests, or revisions to the program.

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**PURPOSE OF RECOMMENDED ACTION:**

The State Department of Justice awarded grant funds to the District Attorney's Office to continue to provide vertical prosecution, investigation, and witness coordination services, for the most difficult family violence cases for the period July 1, 2002 through June 30, 2003.

A Board approved Resolution authorizing acceptance of the funding is a requirement of the State. On October 2, 2001, The Board of Supervisors previously approved acceptance of eighth-year grant funds for FY 2001-2002.

**Implementation of Strategic Plan Goals:**

Implementation of the program supports the District Attorney's core mission to vigorously prosecute felony crime throughout the County. The focus of this program is consistent with the County's vision of promoting "self sufficiency, well-being and prosperity of individuals, families, businesses and communities" in the County.

**JUSTIFICATION:**

The SAPP is an integral part of the Los Angeles County District Attorney's Family Violence Division (FVD). The FVD consists of twelve (12) prosecutors, one (1) investigator, two (2) victim service representatives, one (1) witness coordinator and clerical support staff, who are highly trained and qualified, and work as a team to facilitate the successful prosecution of the most difficult family violence cases.

The SAPP grant award funds one deputy district attorney, one senior investigator, and one witness coordinator for Fiscal Year 2002-2003. The need to focus specialized attention on these prosecutions clearly exists to better protect victims and their children, and to hold abusers responsible for their actions, and to stop perpetrating the abuse before it escalates to homicide.

**FISCAL IMPACT:**

For the twelve-month period commencing July 1, 2002 and ending June 30, 2003, the total cost of this program is \$213,823. The State Department of Justice is providing \$178,186 in grant funds. Pursuant to Penal Code Section 273.81(d), local government recipients (District Attorney's Office) shall provide 20 percent in matching funds, or \$35,637. Funds were included in the Department's budget for FY 2002-2003.

If grant funds for this program were terminated, based on the critical nature of the program, the program will either be continued with costs absorbed by the department, or discontinued with the reallocation of staff to vacant-budgeted positions.

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**FINANCING:**

FROM:	State of California Department of Justice July 1, 2002 through June 30, 2003	\$178,186
	Los Angeles County (required 20% match) July 1, 2002 through June 30, 2003	\$35,637
TO:	Los Angeles County District Attorney's Spousal Abuser Prosecution Program July 1, 2002 through June 30, 2003	\$213,823

Funding for FY 2002-2003 was reduced by approximately twenty-one percent; however, the District Attorney's Office will continue to staff this program with one deputy district attorney, one senior investigator, and one witness coordinator. All positions will be funded at approximately seventy-five percent of their total cost, with the District Attorney's Office absorbing the remaining percentage of salaries.

Funds provided under this program are not to supplement existing services to victims and shall not be used to supplant those currently provided by County funds, including the State Department of Justice grants.

**FACTS AND PROVISIONS:**

In 1994, AB 801 was signed into law and authorized funding to be allocated by the Department of Justice for the Spousal Abuser Prosecution Program.

The SAPP has significantly intensified the impact in prosecuting defendants using the following methods:

1. Vertical prosecution: Each case is handled by the same attorney, throughout the adjudication process, resulting in more efficient case handling.
2. Intensified investigative support: Preparation of each case includes extensive field investigation, in-depth interview of victims and witnesses, and maintenance of close liaisons with other law enforcement agencies.
3. Assignment of lower caseloads: The impact of vertical prosecution has resulted in higher conviction rates, increased quality pleas, and significantly reduced trauma to the victim.

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**CONTRACTING PROCESS:**

Not applicable.

**IMPACT ON CURRENT SERVICES (OR PROJECTS):**

The SAPP is a continuation program and does not propose attorney staff augmentation. Therefore, it is not subject to the Board motion of December 15, 1998, requiring clearance with Alternate Public Defender, Probation, Public Defender and Sheriff's Departments.

**NEGATIVE DECLARATION/ENVIRONMENTAL IMPACT REPORTS:**

Not applicable.

**CONCLUSION:**

Instruct the Executive Officer-Clerk of the Board to return two (2) copies of the adopted Board letter and two (2) copies of the executed Resolution, containing original signatures, to the District Attorney's Office, 201 N. Figueroa Street, Suite 1300, Los Angeles, California 90012, Attention: Ms. Lana Faye Campos at (213) 202-7667.

Very truly yours,

STEVE COOLEY  
District Attorney

lfc

c: Chief Administrative Officer  
Executive Officer, Board of Supervisors  
Auditor-Controller

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**BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES**

**RESOLUTION**

Authorization to Accept Grant Award from the  
State of California, Department of Justice  
For the Spousal Abuser Prosecution Program  
Pursuant to California Penal Code Chapter 2.5  
Commencing with Section 273.8 et. Seq.

**WHEREAS**, the County of Los Angeles is charged with providing vital services in the area of courts, law enforcement, and adult and juvenile justice to a population in excess of nine million persons; and

**WHEREAS**, the County of Los Angeles, Office of the District Attorney, is authorized, pursuant to Government Code Section 26500.5, to participate in any project or program to improve the administration of justice; and

**WHEREAS**, the Board of Supervisors of the County of Los Angeles approved the eighth application for grant funds on October 2, 2001, from the State of California, Department of Justice, (hereinafter referred to as "DOJ") to continue efforts by the District Attorney's Office to enhance its Family Violence Division through the "Spousal Abuser Prosecution Program"; and

**WHEREAS**, the County of Los Angeles acting through its Board of Supervisors, desires to continue the "Spousal Abuser Prosecution" by accepting eighth-year grant funds from the State of California, DOJ; and

**WHEREAS**, the DOJ has awarded grant funds to the District Attorney's Office for its Spousal Abuser Prosecution Program for the period covering July 1, 2002 through June 30, 2003 to be used exclusively for this program;

**WHEREAS**, the Los Angeles County District Attorney's Office has sole

1 independent prosecutorial discretion to determine which matters should be filed as  
2 criminal cases and to accord objective and impartial consideration to each individual  
3 case, including options relating to pleas and sentencing. The prosecutor(s) assigned to  
4 the Spousal Abuser Prosecution Program will appropriately and independently furnish to  
5 the County of Los Angeles prosecutorial legal services for vertical prosecution in  
6 accordance with rules of ethics and professional responsibility governing the actions of  
7 prosecuting attorneys;

8 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of  
9 Supervisors of the County of Los Angeles hereby authorizes the District Attorney or his  
10 designee to serve as Project Director, on behalf of the County of Los Angeles, to sign  
11 and approve on behalf of the Board of Supervisors the Grant Award Agreement  
12 including any extensions or submission of amendments, progress reports, and payment  
13 requests thereof;

14 **BE IT FURTHER RESOLVED** that the County of Los Angeles agrees to  
15 appropriate and make available, matching funds of (20%) required under the grant  
16 program guidelines;

17 **IT IS AGREED** that liability arising out of the performance of this Grant  
18 Award Agreement, including civil court actions for damages, shall be the responsibility  
19 of the grant recipient and the authorizing agency. It is recognized that the State of  
20 California, DOJ disclaims any responsibility for any such liability;

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1                   **BE IT FURTHER RESOLVED** that the Board of Supervisors of the County  
 2 of Los Angeles hereby approves acceptance of grant funds from the State of California,  
 3 DOJ for Fiscal Year 2002-2003 for the Spousal Abuser Prosecution Program and  
 4 authorizes the District Attorney to execute the Grant Award Agreement for the receipt of  
 5 such funds;

6                   **BE IT FURTHER RESOLVED** that the County of Los Angeles agrees not  
 7 to use the aforementioned grant funds to supplant local expenditures controlled by this  
 8 body;

9                   **I DO HEREBY CERTIFY** that at a regular meeting of the Board of  
 10 Supervisors of the County of Los Angeles on this \_\_\_\_\_ day of  
 11 \_\_\_\_\_, 2002, the foregoing Resolution was adopted.

12                   **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the  
 13 seal of the Board of Supervisors of the County of Los Angeles this \_\_\_\_\_  
 14 day of \_\_\_\_\_, 2002.

15  
 16   VIOLET VARONA-LUKENS, Executive Officer-  
 17   Clerk of the Board of Supervisors of  
 18   the County of Los Angeles

19   By \_\_\_\_\_  
 20   Deputy

21 APPROVED AS TO FORM  
 22 BY COUNTY COUSEL:

23 LLOYD W. PELLMAN

24  
 25 By \_\_\_\_\_  
   Deputy